bers of their missions accredited to the United States, and representatives of foreign governments in or to international organizations, the exemptions from the requirements of registration and fingerprinting provided by § 42.386 are granted on the condition that within 30 days after the arrival in the United States of any such exempted alien, his diplomatic mission at Washington, or the international organization to which he is destined, shall notify the Department of State of his status in the United States in accordance with the established procedure. Each such alien should be informed as to this requirement by the consular or diplomatic officer who grants the visa, and he should be warned that failure on the part of the said mission or international organization to submit the notification on his behalf may result in the requirement that he comply fully with the provisions of the Alien Registration Act, 1940, after his arrival in the United States.

§ 42.394 *Fingerprinting procedure.* (a) When an alien 14 years of age or over makes a formal application for an immigration or a passport visa, a single copy of his fingerprints shall be made on the standard fingerprint card prescribed for such purposes (Form AR–4). An additional set of the alien's fingerprints shall be made at the time the visa is issued. In the case of an immigration visa, the additional set shall be taken in the space provided therefor on the reverse side of Form 256b. In the case of a passport visa, the additional set shall be made on the standard fingerprint card (Form AR–4). (See § 42.386 for exemptions from fingerprinting requirements.)

(b) A diplomatic or consular officer to whom an alien, except one exempted from fingerprinting requirements, makes an informal application for an immigration or passport visa may, in his discretion, require such alien to be fingerprinted on Form AR–4 at that time if he considers that the alien's fingerprints are desirable for identification or other purposes. Such fingerprints may also be taken when desired for screening or investigative purposes, or when it is thought likely that the alien will apply for a visa at another office if refused.

26. Paragraph (b) of § 42.396 *Disposition of fingerprint records,* is amended to read as follows:

(b) One copy of the fingerprint card (Form AR–4) of an alien to whom a visa is issued should be forwarded to the Department of State for transmission to the Federal Bureau of Investigation, Department of Justice. Such cards may be forwarded with the regular despatch mail. Covering despatches are not necessary. A number of such forms may be enclosed in one envelope marked "Fingerprints—For Federal Bureau of Investigation." Such forms should be transmitted as soon as practicable after the issuance of the visa in the manner indicated. The additional copy of the fingerprint record should be retained in the files of the visa-issuing office. In the case of a nonimmigrant visa, the fingerprint record to be retained in the consular file shall consist of the additional copy of the standard fingerprint card (Form AR–4).

27. Paragraph (e) of § 42.403, *Reports to Department of visas granted or refused,* is amended to read as follows:

(e) In addition to the report required under paragraph (a) of this section, every diplomatic and consular office should submit a report to the Department of State at the end of each month during which a visa is granted to a foreign-government official, an international-organization alien, or to a member of the family, an attendant, servant, or employee of such an official or alien. Such reports should contain the following information regarding each such visa issued:

(1) Full name of the bearer of the passport.

(2) Names of persons other than the bearer included in the visa, and their relationship to the bearer.

(3) Issuing authority, place of issuance, and number and date of passport.

(4) Kind of passport—diplomatic, special, or ordinary.

(5) Place and date of birth of the bearer of the passport, in the information is contained in the passport or the alien is applying in person; place and date of birth of other persons included in the visa if the information is readily available.

(6) Official rank or position of the bearer of the passport.

(7) Nature of duties which the alien will perform, if not clearly indicated by information given under subparagraph (6) of this paragraph.

(8) Name of vessel or means of transportation by which the alien is proceeding to the United States, if information is readily available.

(9) Place and approximate date of expected entry into the United States, if information is readily available.

(10) Classification under which visa was issued and date of issuance.

The reports required under this paragraph should be transmitted to the Department of State under cover of an unnumbered despatch in duplicate (original and one carbon copy). When the issuance of more than one visa is reported, the covering despatch should embody a list of the reports transmitted. The heading outlined above need not be repeated in the individual reports, and it will be sufficient to place the numeral (1 to 10) before each of the answers. Individual officers may prepare a mimeographed or other form for submitting the required reports, but if this is done each form should contain the name of the issuing office.

These regulations shall become effective upon the date of their publication in the FEDERAL REGISTER. The provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) relative to proposed rule making and delayed effective date are inapplicable because these regulations relate to foreign-affairs functions.

(39 Stat. 374, 40 Stat. 559, 41 Stat. 1217, 43 Stat. 166, 54 Stat. 675, 55 Stat. 252, 59 Stat. 669, 60 Stat. 141; 8 U. S. C. 132, 222, 458, 22 U. S. C. 223–226, 227, 288, 1251; E. O. 5427, Aug. 20, 1930, E. O. 8766, June 3, 1941)

[SEAL] DEAN ACHESON,
Secretary of State.

APRIL 29, 1949.

Recommended, so far as the provisions of the Immigration Act of 1924 and the Alien Registration Act, 1940, are concerned.

PEYTON FORD,
Acting Attorney General.

APRIL 15, 1949.

[F. R. Doc. 49–3762; Filed, May 10, 1949; 8:58 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg.,[1] Amdt. 89]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) is hereby amended in the following respect:

Schedule A, Item 120, is amended to describe the counties in the Defense-Rental Area as follows:

Labette.
Montgomery, except the City of Independence.

This decontrols from §§ 825.81 to 825.92 the City of Independence in Montgomery County, Kansas, a portion of the Parsons, Kansas, Defense-Rental Area.

(Sec. 204 (d), 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d). Applies sec. 204, 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894)

This amendment shall become effective May 6, 1949.

Issued this 6th day of May 1949.

ED DUPREE,
Acting Housing Expediter.

[F. R. Doc. 49–3775; Filed, May 10, 1949; 9:01 a. m.]

[1] 13 F. R. 5750, 5789, 5875, 5937, 5938, 6247, 6283, 6411, 6556, 6882, 6911, 7299, 7672, 7801, 7862, 8218, 8328, 8388; 14 F. R. 18, 272, 337, 457, 627, 682, 695, 857, 918, 978, 1083, 1345, 1520, 1570, 1582, 1587, 1669, 1670, 1734, 1759, 1869, 1932, 2061, 2062, 2085, 2177, 2237.

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg.,[1] Amdt. 90]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) is hereby amended in the following respects:

1. Schedule A, Item 60, is amended to read as follows:

(60) [Revoked and decontrolled.]

This decontrols from §§ 825.81 to 825.92 the Marianna, Florida, Defense-Rental Area.

2. Schedule A, Item 66b, is amended to read as follows:

(66b) [Revoked and decontrolled.]

This decontrols from §§ 825.81 to 825.92 the Vero Beach, Florida, Defense-Rental Area.

3. Schedule A, Item 299, is amended to read as follows:

(299) [Revoked and decontrolled.]

This decontrols from §§ 825.81 to 825.92 the Amarillo, Texas, Defense-Rental Area.

(Sec. 204 (d), 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d). Applies sec. 204, 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894)

This amendment shall become effective May 6, 1949.

Issued this 6th day of May 1949.

ED DUPREE,
Acting Housing Expediter.

[F. R. Doc. 49-3776; Filed, May 10, 1949; 9:01 a. m.]

[Controlled Housing Rent Reg.,[2] Amdt. 94]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CONTROLLED HOUSING RENT REGULATION

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) is amended in the following respects:

Schedule A, Item 120, is amended to describe the counties in the Defense-Rental Area as follows:

Labette.

Montgomery, except the City of Independence.

This decontrols from §§ 825.1 to 825.12 the City of Independence in Montgomery County, Kansas, a portion of the Parsons, Kansas, Defense-Rental Area.

(Sec. 204 (d), 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d). Applies sec. 204, 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894)

This amendment shall become effective May 6, 1949.

Issued this 6th day of May 1949.

ED DUPREE,
Acting Housing Expediter.

[F. R. Doc. 49-3773; Filed, May 10, 1949; 9:01 a. m.]

[Controlled Housing Rent Reg.,[2] Amdt. 95]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CONTROLLED HOUSING RENT REGULATION

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) is amended in the following respects:

1. Schedule A, Item 60, is amended to read as follows:

(60) [Revoked and decontrolled.]

This decontrols from §§ 825.1 to 825.12 the Marianna, Florida, Defense-Rental Area.

2. Schedule A, Item 66b, is amended to read as follows:

(66b) [Revoked and decontrolled.]

This decontrols from §§ 825.1 to 825.12 the Vero Beach, Florida, Defense-Rental Area.

3. Schedule A, Item 299, is amended to read as follows:

(299) [Revoked and decontrolled.]

This decontrols from §§ 825.1 to 825.12 the Amarillo, Texas, Defense-Rental Area.

(Sec. 204 (d), 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d). Applies sec. 204, 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894)

This amendment shall become effective May 6, 1949.

Issued this 6th day of May 1949.

ED DUPREE,
Acting Housing Expediter.

[F. R. Doc. 49-3774; Filed, May 10, 1949; 9:01 a. m.]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CORRECTION TO RENT REGULATIONS

The Rent Regulations under the Housing and Rent Act of 1947, as amended (Part 825) are corrected in the following respects:

1. In Amendment 88 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12),[3] the first sentence of Item 2 which reads "Section 825.4 (c) is amended to read as follows:" is corrected to read "The first paragraph of § 824.4 (c) is amended to read as follows:"

2. In Amendment 14 to the Controlled Housing Rent Regulation for New York City Defense-Rental Area (§§ 825.21 to 825.32),[4] the first sentence of Item 2 which reads "Section 825.24 (c) is amended to read as follows:" is corrected to read "The first paragraph of § 825.24 (c) is amended to read as follows:"

3. In Amendment 17 to the Controlled Housing Rent Regulation for Miami Defense-Rental Area (§§ 825.41 to 825.52),[5] the sentence which reads "Section 825.44 (c) is amended to read as follows:" is corrected to read "The first paragraph of § 825.44 (c) is amended to read as follows:"

4. In Amendment 14 to the Controlled Housing Rent Regulation for Atlantic County Defense-Rental Area (§§ 825.61 to 825.72),[6] the sentence which reads "Section 825.64 (c) is amended to read as follows:" is corrected to read "The first paragraph of § 825.64 (c) is amended to read as follows:"

5. In Amendment 83 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92),[7] the first sentence of Item 3 which reads "Section 825.84 (c) is amended to read as follows:" is corrected to read "The first paragraph of § 825.84 (c) is amended to read as follows:"

6. In Amendment 11 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments in the New York City Defense-Rental Area (§§ 825.101 to 825.112),[8] the first sentence of Item 3 which reads "Section 825.104 (c) is amended to read as follows:" is corrected to read "The first paragraph of § 825.104 (c) is amended to read as follows:"

7. In Amendment 13 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments in Miami Defense-Rental Area (§§ 825.121 to 825.132),[9] the sentence which reads "Section 825.124 (c) is amended to read as follows:" is corrected to read "The first paragraph of § 825.124 (c) is amended to read as follows:"

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37, 94, and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d))

This correction shall be effective as of April 27, 1949.

Issued this 6th day of May 1949.

ED DUPREE,
Acting Housing Expediter.

[F. R. Doc. 49-3792; Filed, May 10, 1949; 9:34 a. m.]

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[1] 13 F. R. 5750, 5789, 5875, 5937, 5938, 6247, 6283, 6411, 6556, 6882, 6911, 7299, 7672, 7801, 7862, 8218, 8328, 8388; 14 F. R. 18, 272, 337, 457, 627, 682, 695, 857, 918, 978, 1083, 1345, 1520, 1570, 1562, 1587, 1669, 1670, 1734, 1759, 1869, 1932, 2061, 2062, 2085, 2177, 2237.

[2] 13 F. R. 5706, 5788, 5877, 5937, 6240, 6283, 6411, 6556, 6881, 6910, 7299, 7671, 7801, 7862, 8217, 8327, 8386; 14 F. R. 17, 93, 143, 271, 337, 456, 627, 632, 695, 856, 918, 979, 1005, 1083, 1345, 1394, 1519, 1570, 1571, 1587, 1666, 1667, 1733, 1760, 1823, 1868, 1932, 2059, 2060, 2084, 2176, 2233.

[3] 14 F. R. 2060.

[4] 14 F. R. 2071.

[5] 14 F. R. 2061.

[6] 14 F. R. 2062.

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

REPUBLICATION OF REMAINING REGULATIONS UNDER NUMBERING SYSTEM ADOPTED FOR CODE OF FEDERAL REGULATIONS, 1949 EDITION

On December 7, 1948, a revised structure and numbering system was adopted for the regulations of the Fish and Wildlife Service (Chapter I of Title 50, 13 F. R. 7432). Subsequently several portions of these regulations were revised and published under the new numbers. All remaining portions have been renumbered and are republished below. Certain minor editorial changes have been made, but there have been no changes affecting the substantive text. The original dates of issuance and the original effective date, if any, are carried throughout, either in the form of source notes to the various parts, or subparts, or in brackets following sections affected.

Any regulations issued by the Fish and Wildlife Service under Chapter I of Title 50 prior to December 7, 1948, which do not appear below, have been omitted because they were not in effect as to facts arising on or after January 1, 1949.

[SEAL] WILLIAM E. WARNE,
Assistant Secretary of the Interior.

MAY 9, 1949.

Subchapter B—Hunting and Possession of Wildlife

PART 6—MIGRATORY BIRDS AND CERTAIN GAME MAMMALS

Sec.

6.1 Definitions of migratory birds and game mammals.
6.2 Definition of terms.
6.3 Means by which migratory game birds may be taken.
6.4 Open seasons, bag limits, and possession of certain migratory game birds.
6.5 Taking of certain migratory nongame birds by Eskimos and Indians in Alaska.
6.6 Shipment, transportation and possession of certain migratory game birds.
6.7 Transportation of game mammals to and from Mexico.
6.8 Propagating, scientific, and other permits.
6.9 Permits to kill, frighten, or otherwise herd migratory birds injurious to agriculture or other interests.
6.10 Continuance of existing permits.
6.11 Additional protection of migratory game birds during open season.
6.12 State laws for the protection of migratory birds.

DEPREDATION

6.51 Order permitting and governing the killing of certain blackbirds and grackles when found seriously injurious to agricultural crops or other interests.
6.52 Order permiting and governing the killing of certain sparrows, and other birds in California when found to be economically injurious.
6.53 Order permitting and governing the shooting of Purple Gallinules in Louisiana when found seriously injuring rice crops.

WILDLIFE DEVELOPMENT AREAS

6.71 Wildlife development areas.
6.72 Revocation of program approval.
6.73 Notice and hearing.

AUTHORITY: §§ 6.1 to 6.73 issued under 40 Stat. 755, 49 Stat. 1555; 16 U. S. C. 704, 705; Reorg. Plan No. II, 53 Stat. 1433; 5 U. S. C. 133t, note.

SOURCE: §§ 6.1 to 6.73 contained in Proclamation 2801, July 29, 1948, effective July 31, 1948, 13 F. R. 4411, 4567, except as noted following sections affected.

§ 6.1 *Definitions of migratory birds and game mammals*—(a) *Migratory birds.* Migratory birds included in the terms of the conventions between the United States and Great Britain for the protection of migratory birds, and between the United States and United Mexican States for the protection of migratory birds and game mammals concluded, respectively, August 16, 1916, and February 7, 1936, are as follows:

(1) *Game birds.* (i) Anatidae, or waterfowl, including brant, wild ducks, geese, and swans.

(ii) Gruidae, or cranes, including little brown, sandhill, and whooping cranes.

(iii) Rallidae, or rails, including coots, gallinules, and sora and other rails.

(iv) Limicolae (Charadrii), or shorebirds, including avocets, curlews, dowitchers, godwits, knots, oyster-catchers, phalaropes, plovers, sandpipers, snipe, stilts, surf birds, turnstones, willet, woodcock, and yellowlegs.

(v) Columbidae, or pigeons, including doves and wild pigeons.

(2) *Insectivorous and other nongame birds.* Cuckoos, flickers, and other woodpeckers, nighthawks, or bullbats, chuck-will's-widow, poorwills, and whippoorwills; swifts; hummingbirds; kingbirds; phoebes, and other flycatchers; horned larks; bobolinks, cowbirds, blackbirds, grackles, meadowlarks, and orioles; grosbeaks, finches, sparrows, and buntings; tanagers; martins and other swallows; waxwings; phainopeplas; shrikes; vireos; warblers; pipits, catbirds, mockingbirds, and thrashers; wrens; brown creepers; nuthatches; chickadees and titmice; kinglets and gnatcatchers; robins and other thrushes; all other perching birds which feed entirely or chiefly on insects; and auks, auklets, bitterns, fulmars, gannets, grebes, guillemots, gulls, herons, jaegers, loons, murres, petrels, puffins, shearwaters, and terns.

(b) *Game mammals.* Game mammals under the terms of the aforesaid convention between the United States and the United Mexican States include:

Antelope, mountain sheep, deer, bears, peccaries, squirrels, rabbits, and hares.

§ 6.2 *Definition of terms.* For the purposes of §§ 6.1 to 6.12, the following terms shall be construed, respectively, to mean and to include:

(a) *Secretary.* Secretary of the Interior of the United States.

(b) *Director.* Director, Fish and Wildlife Service, United States Department of the Interior.

(c) *Regional Director.* Regional Director, Fish and Wildlife Service, United States Department of the Interior.

(d) *Person.* Individual, club, association, partnership, or corporation, any one or all, as the context requires.

(e) *Take.* Hunt, kill, or capture, or attempt to hunt, kill, or capture.

(f) *Open season.* Time during which migratory game birds may be taken.

(g) *Transport.* Ship, carry, export, import, and receive or deliver for shipment, conveyance, carriage, exportation, or importation.

§ 6.3 *Means by which migratory game birds may be taken.* Migratory game birds on which open seasons are specified in § 6.4 may be taken during such seasons only with bow and arrow or with a shotgun not larger than No. 10 gage, fired from the shoulder, except as permitted by §§ 6.5, 6.8 and 6.9, but they shall not be taken with or by means of any automatic-loading or hand-operated repeating shotgun capable of holding more than three shells, the magazine of which has not been cut off or plugged with a one-piece metal or wooden filler incapable of removal without disassembling the gun so as to reduce the capacity of said gun to not more than three shells at one time in the magazine and chamber combined. Such birds may be taken during the open seasons from land or water, with aid of a dog, and from a blind, boat or other floating craft not under tow or sail, except sinkbox (battery), motorboat (excluding a boat having a detached outboard motor), and sailboat: *Provided,* That nothing herein shall permit the taking of migratory game birds from or by means, aid, or use of an automobile or aircraft of any kind, the taking of waterfowl by means, aid, or use of cattle, horses, mules, or live duck or goose decoys, the concentrating, driving, rallying, or stirring up of waterfowl and coots by means or aid of any motor-driven land, water, or air conveyance or sailboat: *Provided further,* That nothing herein shall exclude the picking up of injured or dead waterfowl by means of a motorboat, sailboat, or other craft.

Waterfowl (except for propagating, scientific, or other purposes under permit issued pursuant to § 6.8), and mourning doves and white-winged doves are not permitted to be taken, directly or indirectly, by means, aid, or use of shelled, shucked, or unshucked corn, or of wheat or other grain, salt, or other feed that has been so deposited, distributed, or scattered as to constitute for such birds a lure, attraction, or enticement to, on, or over the area where hunters are attempting to take them: *Provided, however,* Such birds may be taken over properly shucked corn and standing crops of corn, wheat, or other grain or feed, and grains found scattered solely as a result of agricultural harvesting.

A person over 16 years of age is not permitted to take migratory waterfowl unless at the time of such taking he has on his person an unexpired Federal migratory-bird hunting stamp, validated by his signature written across the face thereof in ink. Persons not over 16 years of age are permitted to take migratory waterfowl without such stamp.

§ 6.4 *Open seasons, bag limits, and possession of certain migratory game birds.* During the open seasons prescribed and except as hereinafter provided in this section, ducks, geese, brant, coot, rails and gallinules may be taken daily from one-half hour before sunrise to one hour before sunset, and woodcock, mourning or turtle doves, white-winged doves, and band-tailed pigeons from one-half hour before sunrise to sunset. The hour for the commencement of hunting of waterfowl and coot on the first day of the season, including each first day of the split seasons, shall be 12 o'clock noon.

A person may take in any one day during the open seasons prescribed therefor not to exceed the numbers of migratory game birds herein permitted, which numbers shall include all birds taken by any other person who for hire accompanies or assists him in taking such birds. When so taken, such birds may be possessed in the number specified in this section, except that no person on the opening day of the season may possess any migratory game birds in excess of the applicable daily limits.

Nothing in this section shall be deemed to permit the taking of migratory birds on any reservation or sanctuary established under the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222), or on any area of the United States set aside under any other law, proclamation, or executive order for use as a bird, game, or other wildlife reservation, breeding ground, or refuge except so far as may be permitted by the Secretary of the Interior under existing law, or on any area designated as a closed area under the Migratory Bird Treaty Act.

The open seasons (dates inclusive) on the following migratory game birds only, the daily bag and possession limits, and the exceptions to the hours of hunting heretofore stated, shall be as shown in the following schedules:

(a) *Atlantic Flyway States:*

	Migratory waterfowl and coot			Rails and gallinules		Woodcock	Mourning or turtle dove
	Ducks	Geese (except snow geese)	Coot	Sora	Others		
Daily bag limits	[1] 4	[2] 1	[3] 15	20	[3] 15	4	10
Possession limits [10]	[1] 8	[2] 1	[3] 15	20	[3] 15	8	10
Seasons:							
Connecticut [9]	Nov. 12–Dec. 11			Sept. 15–Nov. 13		Oct. 28–Nov. 26	
Delaware	Oct. 29–Nov. 9 and Dec. 10–Dec. 21			Sept. 1–Oct. 30		Nov. 15–Dec. 14	Sept. 16–Nov. 14.
Florida	Dec. 10–Jan. 8			Sept. 15–Nov. 13 [6]			Dec. 18–Jan. 31. [4] [5]
Georgia	do			Sept. 1–Oct. 30 [6]		Dec. 23–Jan. 21	Do. [5]
Maine [9]	Oct. 8–Oct. 19 and Nov. 26–Dec. 7			Oct. 8–Oct. 19 and Nov. 26–Dec. 7		Oct 1.–Oct. 30	
Maryland	Nov. 12–Nov. 23 and Dec. 28–Jan. 8			Sept. 1–Oct. 7		Nov. 15–Dec. 14	Sept. 1–Oct. 15.
Massachusetts [9]	Oct. 29–Nov. 9 and Dec. 28–Jan. 8			Oct. 29–Nov. 28 [7]		Oct. 20–Nov. 18	
New Hampshire [9]	Oct. 8–Oct. 19 and Nov. 26–Dec. 7			Sept. 1–Oct. 30		Oct. 1–Oct. 30	
New Jersey	Nov. 12–Dec. 11			do [6]		Oct. 4–Nov. 2	
New York [9]	Oct. 15–Oct. 26 and Nov. 26–Dec. 7			Oct. 15–Oct. 26 and Nov. 26–Dec. 7		See note 8	
North Carolina	Dec. 10–Jan. 8			Sept. 1–Oct. 30			Sept. 16–Oct. 5 and Jan. 1–Jan. 20. [4]
Pennsylvania	Oct. 15–Nov. 13			do		Oct. 9–Nov. 7	Oct. 9–Nov. 7.
Rhode Island [9]	Dec. 10–Jan. 8			do		Nov. 1–Nov. 30	
South Carolina	do			Oct. 1–Nov. 29			Sept. 16–Oct. 5 and Dec. 20–Jan. 8. [4]
Vermont	Oct. 15–Nov. 13			Sept. 1–Oct. 30		Oct. 1–Oct. 30	
Virginia	Dec. 10–Jan. 8			do [6]		Nov. 20–Dec. 19	Sept. 16–Oct. 30. [4]
West Virginia	do			Sept. 1–Oct. 30			
Puerto Rico	Dec. 15–Feb. 12			Dec. 15–Feb. 12			

[1] No open season on wood duck in Massachusetts, New Jersey or West Virginia. In other States bag or possession limit may include 1 wood duck only. Daily bag for American and red-breasted Mergansers 25; no possession limit except on opening day of season.

[2] 1 Canada goose or its subspecies, or 1 white-fronted goose, and in addition 3 blue geese a day or in possession.

[3] Not more than 15 in the aggregate of rails (other than sora), gallinules, and coot.

[4] Mourning doves in Dade, Monroe, and Broward Counties, Oct. 1 to Oct. 31.

[5] Shooting hours for mourning doves in States indicated—12 o'clock noon until sunset.

[6] Clapper rail: in Nassau, Duval, and St. Johns Counties, Florida, Sept. 15 to Nov. 20, in the rest of the State, Nov. 24 to Jan. 31; in Georgia, Oct. 1 to Nov. 30; in New Jersey, Sept. 1 to Nov. 15; and in Virginia, Sept. 1 to Nov. 30.

[7] In Massachusetts, sora Oct. 29 to Dec. 27.

[8] New York, north and east of the tracks of the branch line of the New York Central R. R. from Oswego to Syracuse, the main line of the New York Central R. R. from Syracuse to Albany, and the main line of the Boston & Albany R. R. from Albany to the Massachusetts State line, Oct. 11 to Nov. 2; west and south of the line above described, Oct. 18 to Nov. 9; and that part of New York known as Long Island, Nov. 1 to Nov. 15; from 12 o'clock noon until sunset on the opening day in each of these zones, and thereafter in all of the aforesaid zones from 7 a. m. until sunset.

[9] Scoters and eider ducks may be taken in all areas in Connecticut from Nov. 12 to Dec. 17; and in Maine and New Hampshire during the applicable seasons for other ducks. Such birds otherwise may be taken in open coastal waters only, beyond outer harbor lines, in Maine from Oct. 6 to Dec. 16; in New Hampshire from Nov. 1 to Nov. 25; in Connecticut from Sept. 18 to Nov. 11; and in Massachusetts, New York, and Rhode Island from Sept. 18 to Dec. 17. In these States the daily bag limit is 7 scoters or eider ducks singly or in the aggregate and not exceeding 14 in possession singly or in the aggregate.

[10] Migratory game birds of species for which no open season is provided in this schedule may be imported or transported into and possessed in this flyway only in the numbers prescribed for flyway States having an open season thereon.

(b) *Mississippi Flyway States.*

	Migratory waterfowl and coot			Rails and gallinules		Woodcock	Mourning or turtle dove
	Ducks	Geese	Coot	Sora	Others		
Daily bag limits	[1] 4	[2] 4	[3] 15	20	[3] 15	4	10
Possession limits [9]	[1] 8	[2] 4	[3] 15	20	[3] 15	8	10
Seasons:							
Alabama	Nov. 26–Dec. 25			Nov. 20–Jan. 18		Nov. 26–Dec. 25	Nov. 25–Jan. 8. [4]
Arkansas	do			Sept. 1–Oct. 30		Dec. 1–Dec. 30	Sept. 10–Oct. 24. [4]
Illinois	Oct. 29–Nov. 27 [5] [6]			do [6]			Sept. 1–Sept. 30.
Indiana	Oct. 29–Nov. 27			Sept. 1–Oct. 30		Oct. 16–Nov. 14	
Iowa	do						
Kentucky	Dec. 10–Jan. 8			Sept. 1–Oct. 30			Sept. 1–Oct. 30. [4]
Louisiana	Nov. 12–Dec. 11			do		Dec. 23–Jan. 21	Sept. 16–Oct. 5 and Dec. 24–Jan. 12. [4]
Michigan	Oct. 15–Nov. 13			do		See note 7	
Minnesota	Oct. 8–Nov. 6			Sept. 16–Nov. 14		Oct. 2.–Oct. 31	
Mississippi	Dec. 10–Jan. 8			Oct. 15–Dec. 13		Dec. 1–Dec. 30	Sept. 16–Oct. 5 and Dec. 16–Jan. 4. [4]
Missouri	Oct. 29–Nov. 27			Sept. 1–Oct. 30		Nov. 10–Dec. 9	Sept. 1–Oct. 30.
Ohio	do [8]			do		Oct. 8–Nov. 6	
Tennessee	Dec. 10–Jan. 8						Sept. 10–Oct. 24. [4]
Wisconsin	Oct. 15–Nov. 13			Oct. 15–Nov. 13		Oct. 1–Oct. 30	

[1] Bag or possession limit may include 1 wood duck only. Daily bag for American and red-breasted Mergansers 25; no possession limit except on opening date of the season.

[2] Including in such limit either 2 Canada geese or its subspecies or 2 white-fronted geese, or 1 of each.

[3] Not more than 15 in the aggregate of rails (other than sora), gallinules, and coot.

[4] Shooting hours for mourning doves in States indicated—12 o'clock noon until sunset.

[5] Illinois in Lake and McHenry Counties, coot, rails, and gallinules Oct. 1 to Oct 12 rom 7 a. m. until 4 p. m. and thereafter during season and hours for ducks.

[6] No open season for geese in that part of Alexander County, Illinois, established as closed area by Proclamation 2748 of Oct. 1, 1947 (12 F. R. 6521).

[7] Woodcock in Michigan, Upper Peninsula, Oct. 1 to Oct. 20, Lower Peninsula, Oct. 15 to Nov. 3.

[8] Ducks, geese, coot on Pymatuning Reservoir in Ashtabula County, Ohio, and one-quarter mile distant in any direction from said Reservoir, Oct. 15 to Nov. 13.

[9] Migratory game birds of species for which no open season is provided in this schedule may be imported or transported into and possessed in this flyway only in the numbers prescribed for flyway States having an open season thereon.

(c) *Central Flyway States.*

	Migratory waterfowl and coot			Rails and gallinules		Mourning or turtle dove
	Ducks	Geese	Coot	Sora	Others	
Daily bag limits	[1] 5	[2] 4	[3] 15	20	[3] 15	10
Possession limits [3]	[1] 10	[2] 4	[3] 15	20	[3] 15	10
Seasons:						
Colorado	Nov. 12–Dec. 16 [7]			Sept. 1–Oct. 30		Sept. 1–Oct. 12.
Kansas	Oct. 15–Oct. 28 and Nov. 12–Nov. 25			do		Sept. 1–Oct. 30.
Montana	Oct. 8–Oct. 21 and Nov. 12–Nov. 25 [7]					
Nebraska	Oct. 15–Nov. 18			Sept. 1–Oct. 30		
New Mexico [4]	Oct. 8–Oct. 21 and Dec. 23–Jan 5			do		Sept. 1–Oct. 12.
North Dakota	Oct. 8–Nov. 11			do		
Oklahoma [5]	Oct. 29–Dec. 2			do		Sept. 1–Sept. 30.
South Dakota	Oct. 15–Nov. 18			do		
Texas [6]	Nov. 12–Dec. 16			do		See note 6.
Wyoming	Oct. 8–Oct. 21 and Nov. 30–Dec. 13 [7]			do		

[1] No open season on wood duck in Colorado, Kansas, Nebraska, North Dakota, South Dakota, and Wyoming. In other States, bag or possession limit may include 1 wood duck only. Daily bag for American and red-breasted Mergansers 25; no possession limit except on opening day.

[2] Including in such limit either 2 Canada geese or its subspecies or 2 white-fronted geese, or 1 of each.

[3] Not more than 15 in the aggregate of rails (other than sora), and gallinules, and coot.

[4] In New Mexico, band-tailed pigeons, south of Highway 60, Sept. 16 to Oct. 15; daily limit 10, possession 10; no open season in rest of State.

[5] In Oklahoma, woodcock, Dec. 1 to Dec. 30; daily limit 4, possession limit 8.

[6] In Texas, mourning doves in Val Verde, Kinney, Uvalde, Medina, Kendall, Comal, Hays, Travis, Williamson, Milam, Robertson, Leon, Houston, Cherokee, Nacogdoches, and Shelby Counties and all counties north and west thereof, Sept. 1 to Oct. 15; in remainder of State (but not including Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Dimmit, La Salle, Jim Hogg, Brooks, Kenedy, and Willacy Counties), Oct. 20 to Dec. 3; in these latter counties, Sept. 17, 19, and 21 from 4 p. m. until sunset, and Oct. 20 to Nov. 30, from one-half hour before sunrise to sunset.

[7] No open season on snow geese in Beaverhead, Gallatin and Madison Counties in Montana, or in Colorado or Wyoming.

[8] In Texas, white-winged doves in Cameron, Hidalgo, Starr, Zapata, Webb, Maverick Kinney, Dimmit, La Salle, Jim Hogg, Brooks, Kenedy, Willacy, Val Verde, Terrell, Brewster, Presidio, Jeff Davis, Culberson, Hudspeth, and El Paso Counties, Sept. 17, 19, and 21 from 4 p. m. until sunset; daily limit 10, possession limit 10; no open season in rest of State.

[9] Migratory game birds of species for which no open season is provided in this schedule may be imported or transported into and possessed in this flyway only in the numbers prescribed for flyway States having no open season thereon.

(d) *Pacific Flyway States.*

	Migratory waterfowl and coot			Rails and gallinules		Mourning or turtle dove	Band-tailed pigeon
	Ducks	Geese and brant (except Ross' goose)	Coot	Sora	Others		
Daily bag limits	[1] 5	[2] 5	[3] 15	20	[3] 15	10	10
Possession limits [3]	[1] 10	[2] 5	[3] 15	20	[3] 15	10	10
Seasons:							
Arizona [4]	Oct. 8–Oct. 24 and Nov. 30–Dec. 16			Sept. 1–Oct. 30		Sept. 1–Oct. 30	Sept. 16–Oct. 15.
California	Oct. 15–Oct. 31 and Dec. 23–Jan. 8					Sept. 1–Sept. 30 [5]	See note 5.
Idaho	Oct. 29–Nov. 14 and Dec. 23–Jan. 8 [6]					Sept. 1–Sept. 10	
Nevada	Oct. 15–Nov. 23					Sept. 1–Oct. 12	
Oregon	Oct. 29–Nov. 14 and Dec. 23–Jan. 8					Sept. 1–Sept. 15	Sept. 1–Sept. 30.
Utah	Oct. 29–Dec. 7			Sept. 1–Oct. 30			
Washington	Oct. 15–Oct. 31 and Dec. 23–Jan. 8						Do.
Alaska	See note 7						

[1] No open season on wood ducks in Arizona, Nevada and Utah. In other Pacific Flyway States and Alaska, bag or possession limit may include 1 wood duck only. Daily bag for American and red-breasted Mergansers 25; no possession limit except on opening day of season.

[2] In any combination not exceeding 2 of Canada geese or its subspecies, white-fronted geese, or brant.

[3] Not more than 15 in the aggregate of rails (other than sora), gallinules, and coot.

[4] In Arizona the season on white-winged dove is Sept. 1 to Sept. 15. The daily bag limit is 10 and the possession limit is 10.

[5] In California in the Counties of Marin, Sonoma, Napa, Solano, Sacramento, Eldorado and all counties north thereof the season for band-tailed pigeon is from Sept. 1 to Sept. 15 and in the rest of the State from Dec. 1 to Dec. 15. The season for mourning dove in Imperial County is from Oct. 1 to Oct. 31.

[6] In Idaho, no open season on snow geese, and no open season on geese of any other species in Canyon County except a strip 1 mile wide along the northeast side of the Snake River and a strip 1 mile wide on each side of the Boise River.

[7] Alaska, in First Judicial Division Oct. 1 to Nov. 9; in Second and Fourth Judicial Divisions and the entire drainage of Tanama River in the Third Judicial Division Sept. 1 to Oct. 10; in the rest of the Third Judicial Division Sept. 15 to Oct. 24.

[8] Migratory game birds of species for which no open season is provided in this schedule may be imported or transported into and possessed in this flyway only in the numbers prescribed for flyway States having an open season thereon.

Provided, however, That whenever the Director of the Fish and Wildlife Service shall find that emergency State action to prevent forest fires has resulted in the shortening of the season during which the hunting of any migratory game bird is permitted in any extensive area and that a compensatory extension or reopening of the hunting season for such birds will not result in a diminution of the abundance of birds to any greater extent than that contemplated for the original hunting season, the hunting season for the birds so affected may, subject to all other provisions of this subchapter, be extended or reopened by the Director upon request of the chief officer of the agency of the State exercising administration over wildlife resources. The Director of the Fish and Wildlife Service shall fix the length of the extended or reopened season, which in no event shall exceed the number of days during which hunting has been so prohibited, and he shall publicly announce the extended or reopened season.

[Proc. 2801, July 29, 1948, as amended by Proc. 2821, Oct. 30, 1948, and Proc. 2822, Nov. 5, 1948; 13 F. R. 4411, 6465, 6549]

§ 6.5 *Taking of certain migratory nongame birds by Eskimos and Indians in Alaska.* In Alaska, Eskimos and Indians may take, in any manner and at any time, and may possess and transport, auks, auklets, guillemots, murres, and puffins and their eggs and skins for use of themselves and their immediate families for food and clothing.

§ 6.6 *Shipment, transportation and possession of certain migratory game birds*—(a) *Transportation in or out of Alaska, Puerto Rico and the United States.* Migratory game birds and parts thereof, which if dressed have the head, head plumage, and feet attached, and which have been lawfully taken therein, may be transported in or out of Alaska, Puerto Rico, or the State where taken during its respective open season: *Provided,* That the number of such birds permitted to be transported out of any such State, Alaska, or Puerto Rico during any one calendar week shall not exceed for one person the number permitted by § 6.4 to be in the possession of one person where taken: *Provided further,* That nothing herein contained shall authorize such transportation to any other flyway in excess of the possession limits prescribed for such other flyway.

Any such birds or parts thereof transported from Alaska, Puerto Rico, or any State not later than 48 hours following the close of the open season therein may continue in transit for such additional time immediately after shipment, not to exceed 5 days, as is necessary to deliver them to their destination. Any package in which such birds or parts thereof are transported shall have the name and address of the shipper and of the consignee and an accurate statement of the numbers and kinds of birds or parts thereof contained therein clearly and conspicuously marked on the outside thereof.

(b) *Importations from Canada, Mexico, or other foreign country.* Migratory game birds of species on which open seasons are prescribed by § 6.4, and parts thereof, which if dressed have the head, head plumage, and feet attached, and which have been lawfully taken and possessed in and exported from a foreign country may be transported into the United States, Alaska or Puerto Rico during the open seasons where taken: *Provided,* That shipments from Mexico must be accompanied by a Mexican export permit and shipments from Canada must be accompanied by tags or permits if required by provincial or dominion law: *And provided further,* That the number of such migratory game birds permitted to be so imported during any one calendar week shall not exceed for one person the number permitted to be in the possession of one person in Alaska, Puerto Rico, the District of Columbia, or the State to which they are being transported.

Any such birds or parts thereof transported from Canada or Mexico not later than 5 days immediately following the open season where taken may continue in transit for such additional time immediately after shipment, not to exceed 5 days, as is necessary to deliver them to their destination. Any package in which such birds or parts thereof are transported shall have the name and address of the shipper and of the consignee and an accurate statement of the numbers and kinds of birds or parts thereof therein contained clearly and conspicuously marked on the outside thereof.

(c) *Possession.* Within the possession limits prescribed by § 6.4, migratory game birds, either taken within a State or transported or imported in accordance with the provisions of paragraphs (a) or (b) of this section, may be possessed in any State, Alaska, or Puerto Rico during the open season where taken and for an additional 90 days next succeeding said open season; and in the case of the District of Columbia, may be possessed during the open season and in numbers not exceeding the possession limits prescribed for Maryland, and for an additional 90 days immediately succeeding said open season.

(d) *Limitations upon transportation and importation.* Nothing contained herein shall be construed as permitting transportation of migratory game birds, or parts thereof, from, to, or through any State, Alaska, Puerto Rico, or the District of Columbia, or to or through Canada, Mexico, or other foreign countries, contrary to the laws of the place in which taken or from, to, or through which transported; nor shall any such birds be imported from Canada, Mexico, or other foreign countries, contrary to the laws of the place in which taken or from, to, or through which transported.

§ 6.7 *Transportation of game mammals to and from Mexico*—(a) *To Mexico.* Game mammals or parts or products thereof, taken in and transported from a State, Territory, or the District of Columbia, may be transported to Mexico, if the importation thereof is not prohibited by law or regulation of that country, upon presentation to the collector of customs at the port of exit of the certificate of an official, warden, or other officer of the game department of such State, Territory, or District, that such game mammals, or parts or products thereof, which must be listed in the certificate, were taken or acquired and are being transported in compliance with the laws and regulations of such State, Territory, or District.

(b) *From Mexico.* Game mammals, dead or alive, their parts or products, may be transported from Mexico into the United States if accompanied by a Mexican export permit, and if alive by such permit as may be required under regulations of the Secretary of the Treasury relating to transportation of wild animals and birds under humane and healthful conditions; *Provided,* That their possession in any State or Territory or the District of Columbia will be subject to the laws of such State, Territory, or District.

§ 6.8 *Propagating, scientific, and other permits* — (a) *General authorization.* Any person, without a permit, may possess and transport for his own use legally acquired live migratory waterfowl and the plumage and skins of legally taken migratory game birds; and such person may possess, dispose of, and transport for the making of fishing flies, bed pillows, and mattresses, and for similar commercial uses, but not for millinery nor ornamental use, feathers of wild ducks and wild geese legally killed, or seized and condemned by Federal or State game authorities.

(b) *Special authorization.* Imports from Mexico must be accompanied by Mexican export permits, but otherwise state or municipal game farms or city parks may acquire, possess, dispose of and transport live migratory waterfowl without a special permit; and public museums, zoological parks and societies, and public scientific and educational institutions may acquire, possess, purchase, dispose of and transport migratory birds and their eggs, nests, or parts, without obtaining a special permit.

(c) *Special permits.* Permits for the importation, taking, acquisition, and possession of live migratory birds and their eggs for propagating purposes; for the importation, taking, acquisition, and possession of migratory birds and their eggs, nests, or parts for scientific and other limited purposes; for the disposition and transportation of such birds, eggs, nests, parts, and their increase; and for the mounting or other preparation by a taxidermist of such birds, eggs, or nests, may be issued under the direction of the Secretary, upon such terms and conditions, including the keeping of records and the making of reports, as he may deem are necessary for the protection of the species and consistent with the general purposes of §§ 6.1 to 6.12. Importations from Mexico under this paragraph must be accompanied by a Mexican export permit.

(d) *Applications for permits.* Applications for permits shall be in such form as may be prescribed by the Secretary, and shall be addressed to the Director of Fish and Wildlife Service, Washington 25, D. C.

(e) *Marking of packages.* Every package in which migratory birds or parts, nests, or eggs thereof, are shipped wholly within a State or Territory or the District of Columbia, or in which such birds or parts or eggs thereof are transported by any means whatever from one State, Territory, or the District of Columbia, to, into, or through another State, Territory, or the District of Columbia, or to a foreign country, shall be plainly and clearly marked, labeled, or tagged on the outside thereof to show the names and addresses of the consignor and consignee, the contents of the package, the number of the permit, under authority of which it is shipped or transported, and the purpose for which the birds or parts, nests, or eggs are being shipped or transported.

§ 6.9 *Permits to kill, frighten, or otherwise herd migratory birds injurious to agriculture or other interests*—(a) *Injuries resulting from over abundance of migratory birds.* Whenever by reason of the destruction or threatened destruction of valuable agricultural crops through the over abundance of any species of migratory game birds during either an open or a closed season specified in § 6.4, the lengthening of the open season or an increase of the daily bag and possession limits, or a change in the manner, method, or hours of such taking, will operate to reduce the destruction of valuable agricultural crops, then, in such event, the applicable season or daily bag and possession limits may be increased, or the manner, method, or hours of taking changed, for such fixed period or time to the extent necessary to conserve such valuable agricultural crops. The facts as to the destruction of valuable agricultural crops requiring the lengthening of seasons or other remedial action shall be determined by the Secretary, and in accordance therewith he shall issue applicable orders which shall become effective when published in the FEDERAL REGISTER. In no event shall any season be lengthened to provide an open season of more than 3½ months.

(b) *Injuries over an extensive area.* When information is furnished the Secretary that any species of migratory bird has become, under extraordinary conditions, seriously injurious to agriculture or other interests in any extensive area, an investigation will be made to determine the nature and extent of the injury, whether the birds alleged to be doing the damage should be killed, frightened, or otherwise herded, and, if so, during what times, hours, and by what methods and means. Upon such determination an appropriate order will be made by the Secretary.

(c) *Localized injuries.* Upon receipt by the Director, or the Regional Director in the region where the injury occurs, of information from the owner, tenant, or sharecropper that migratory birds are injuring his crops or other interests on the land on which he resides, together with a statement of the location of the land, the nature of the crops or other interests being injured, the extent of such injury, and the particular species of birds committing the injury, an investigation will be made, and if it is determined from such investigation that the injury complained of is substantial and can be so abated, permits to kill, frighten, or otherwise herd the birds may be issued by the Director, or by the Regional Director if

authorized by the Director, in which permits will be specified the time during which, the means and methods by which, and the person or persons by whom the birds may be killed, frightened, or herded, and the disposition to be made of the birds killed, and such other restrictions as may be deemed necessary and appropriate in the circumstances of the particular case.

Every person exercising any privilege granted in a permit issued by the Director or Regional Director shall keep an accurate record of all migratory birds killed by him, and whenever requested by the Director or by the Regional Director shall submit promptly, on a form provided by the Fish and Wildlife Service for the purpose, a report correctly stating the species and the number of each species of migratory birds killed by him, and in any event shall submit such report to the Regional Director on or before January 10 of each year. Failure to submit a report as required by this section will be sufficient cause for revocation of the permit or withdrawal of any privilege accorded any person failing to make the report.

§ 6.10 *Continuance of existing permits.* All permits heretofore made or issued pursuant to this subchapter and now in force authorizing the killing or other disposition of certain species of migratory birds when injurious to crops and other property and interests and the taking, possession, sale, purchase, exchange, or transportation of migratory birds and their nests and eggs for scientific purposes, and migratory waterfowl and their eggs for propagating purposes, are hereby continued and extended in full force and effect as permits adopted and approved, made, or issued under this part.

§ 6.11 *Additional protection of migratory game birds during open season.* Whenever, by reason of a rapid decrease in the distribution and abundance of any species of migratory game birds during any open season specified in § 6.4 or pursuant to § 6.9, the shortening of such season or the reduction of the daily bag and possession limits will operate to insure a continuing and normal supply of such species, then, in that event, the applicable season or the daily bag and possession limits of such species shall be shortened or reduced to the extent determined necessary to insure such continuing and normal supply.

The facts as to the decrease in distribution and abundance of any species of migratory game birds requiring a shortening of season or reductions of daily bag and possession limits shall be determined by the Secretary, and in accordance therewith he shall issue applicable orders which shall become effective when published in the FEDERAL REGISTER.

§ 6.12 *State laws for the protection of migratory birds.* Nothing in this part or in any permit issued thereunder shall be construed to permit the taking, possession, sale, purchase, or transportation of migratory birds, or parts, nests, or eggs thereof contrary to the laws and regulations of any State or Territory or the District of Columbia, made for the purpose of giving further protection to migratory birds, their nests, and eggs, when such laws and regulations are not inconsistent with the conventions between the United States and any other country for the protection of migratory birds or with the Migratory Bird Treaty Act and do not extend the open seasons for such birds beyond the dates prescribed by this part.

DEPREDATION

§ 6.51 *Order permitting and governing the killing of certain blackbirds and grackles when found seriously injurious to agricultural crops or other interests.* Any person is hereby authorized to kill yellow-headed, red-winged, bi-colored red-winged, tri-colored red-winged, and Brewer's blackbirds and all grackles, under the following conditions, restrictions, and requirements, when found committing or about to commit serious depredations upon any agricultural crop or ornamental or shade trees:

(a) No birds killed pursuant to this section or plumage of such birds shall be sold or offered for sale.

(b) Every person availing himself of the privileges of this section shall permit at all reasonable times, and particularly during any operations thereunder, any Federal or State game or deputy game agent, warden, protector, or other game law enforcement officer free and unrestricted access to the premises on which such operations have been or are being conducted and shall furnish promptly to such officer whatever information regarding said operations the officer may require.

(c) This section does not permit the killing of any of the aforesaid birds in violation of any State law or regulation, and if a State permit to kill the birds is required, such permit must be procured before exercising the privileges conferred by this section.

[May 13, 1948, effective June 15, 1948, 13 F. R. 2680]

§ 6.52 *Order permitting and governing the killing of certain sparrows, and other birds in California when found to be economically injurious.* In any county in California in which meadowlarks; horned larks; Gambel's, Nuttall's, golden-crowned, white-crowned, and other crowned sparrows; goldfinches; and California woodpeckers, Lewis woodpeckers, and flickers are, under extraordinary conditions, seriously injurious to agricultural or other interests, the agricultural commissioner is hereby authorized to kill, or to have killed under his general supervision and direction, such of the aforesaid migratory birds as may be necessary to safeguard from their depredations any agricultural or horticultural crop in such county, subject to the folowing conditions, restrictions and requirements:

(a) Any commissioner exercising the privileges conferred by this order shall keep a record of the persons authorized by him to kill such birds and of the number of birds killed by each person so authorized, as well as by himself, and shall make a report thereof to the Secretary of the Interior when requested so to do and in any event on or before January 1 of each year during the continuance of this section.

(b) No birds shall be killed except when necessary to protect crops from their depredations, and no birds killed pursuant to this section, or the plumage or any other part thereof, shall be sold or removed from the area upon which they may have been killed, but such birds shall be totally destroyed on said area, except that such specimens as may be needed for scientific purposes may be salvaged by the agricultural commissioner or on the order of the State Department of Agriculture or the United States Department of the Interior.

(c) No gun or other implement employed in killing the birds shall be equipped with any silencer or other device to minimize the report of such gun or implement.

[Feb. 13, 1942, as amended May 13, 1948, effective June 15, 1948; 7 F. R. 1652, 13 F. R. 2680]

§ 6.53 *Order permitting and governing the shooting of purple gallinules in Louisiana when found seriously injuring rice crops.* Landowners, share croppers, tenants, and their bona fide employees, actually engaged and employed in the production of rice in Louisiana, may shoot purple gallinules (Ionornis martinica) when found committing or about to commit serious depredations on growing crops of rice on the premises owned or occupied by them or on which they are employed, under the following conditions, restrictions, and requirements:

(1) No gallinules may be killed under this section except from May 1 to August 15, both dates inclusive.

(2) No gallinules killed under this section shall be shipped or transported or sold or offered for sale except that they may be transported to such place within the vicinity as may be necessary to bury or otherwise destroy their carcasses: *Provided, however,* That State agricultural departments, colleges, or other public institutions and the United States Department of the Interior may requisition such number of the birds so killed as they may need for scientific investigations; and *Provided, further,* That purple gallinules killed under authority of this section may be donated to charitable institutions for food purposes.

(3) Every person availing himself of the privileges of this section shall at all reasonable times, and particularly during any operations thereunder, permit any Federal or State game or deputy game agent, warden, protector, or other game-law-enforcement officer free and unrestricted access to the premises on which such operations have been or are being conducted and shall promptly furnish such officer all such information touching his operations as such officer shall require.

(4) This section does not permit the killing of any of the aforesaid birds in violation of any State law or regulation, and if a State permit to kill the birds is required, such permit must be procured before the privileges conferred by this section are exercised.

(5) On or before January 1 of each year during the continuance of this section every person who kills any of the aforesaid birds under the authority hereby conferred shall submit to the Director, Fish and Wildlife Service, United States Department of the Interior, Washington, D. C., a report of his operations.

(6) This section is subject to revocation at any time in the discretion of the Secretary of the Interior.

[May 21, 1940, 5 F. R. 2115]

WILDLIFE DEVELOPMENT AREAS

§ 6.71 *Wildlife development areas.* With respect to any lands which have been or may hereafter be acquired by the United States for future use as a migratory bird sanctuary or other wildlife refuge, subject to an outstanding possessory estate, the owner of such outstanding estate may, in accordance with a program for the development of the area and the limitation of shooting during such development period, approved by the Secretary of the Interior, take such measures as are calculated to maintain and increase the waterfowl population of the area in question, and engage in the shooting of migratory birds within the limitations set forth in the approved program.

[Proc. 2730, May 1, 1947, effective 30 days after May 3, 1947, 12 F. R. 2975]

§ 6.72 *Revocation of program approval.* Approval of any such program may be revoked by the Secretary of the Interior upon a finding that the terms of such program have been violated by the proponents thereof. Following such revocation, all rights and privileges derived from the existence of an approved area development program shall cease.

[Proc. 2730, May 1, 1947, effective 30 days after May 3, 1947, 12 F. R. 2975]

§ 6.73 *Notice and hearing.* Prior to any Secretarial determination that the terms of an approved area development program have been, or are being, violated by the proponent thereof a notice shall be sent to said proponent specifying the character, time and locality of the alleged violation and designating a representative of the Secretary with whom the proponent of the program may discuss any controverted issue of fact or interpretation in an effort to reach an amicable agreement or understanding. Thereupon, the said proponent shall cease and desist from the commission of acts specified in such notice for a period of 60 days, or if the case be finally determined during such 60-day period then only until such final determination. If, within 30 days after such notice has been received, no such agreement or understanding is reached then the Secretary may, after allowing such further opportunity for hearing as he deems proper, make and promulgate a final order revoking approval of the development area program. Thereupon, the provisions of § 6.3 shall be fully applicable to the area in question.

[Proc. 2730, May 1, 1947, effective 30 days after May 3, 1947, 12 F. R. 2975]

PART 7—NONMIGRATORY SPECIES

BALD EAGLES

Sec.

7.1 Permits to take bald eagles for scientific or exhibition purposes; collecting permits.
7.2 Marking shipments.
7.3 Birds acquired before passage of the act.
7.4 Depredation permits.
7.5 Alaska.
7.11 Importation of certain game bird eggs.

AUTHORITY: §§ 7.1 to 7.11 issued under 54 Stat. 250; 16 U. S. C. 668a.

SOURCE: §§ 7.1 to 7.5 contained in Reg., Sec. Int., Apr. 7, 1941, 6 F. R. 1966, except as noted following section affected.

BALD EAGLES

§ 7.1 *Permits to take bald eagles for scientific or exhibition purposes; collecting permits.* The Secretary of the Interior may authorize the Director of the Fish and Wildlife Service to issue permits to capture bald eagles alive or to collect their nests or eggs, or to kill such birds and possess and transport their skins or mounted specimens for scientific or exhibition purposes of public museums, scientific societies, or zoological parks, when it has been determined that such taking or collecting is compatible with the preservation of the species, but no bald eagles, parts thereof, mounted specimens, or nests or eggs thereof may be purchased, sold, or offered for sale in the United States or in any place subject to its jurisdiction.

Applications for permits shall be addressed to the Director, Fish and Wildlife Service, Department of the Interior, Washington, D. C., and must state the name and address of the applicant, his age, the State and locality in which bald eagles or their nests or eggs are proposed to be taken, and the name and address of the public museum, scientific society, or zoological park for which they are intended. The applicant must furnish such other information concerning his fitness to be entrusted with a permit as may be called for by the Director.

The permit shall limit the number of bald eagles or their nests or eggs that may be taken thereunder, and the places where, time when, and means by which they may be taken, and shall authorize the holder thereof to possess and transport such birds or their nests or eggs for scientific or exhibition purposes of public museums, scientific societies, or zoological parks. Public museums, scientific societies, and zoological parks may, without a permit, possess and transport lawfully acquired bald eagles and their nests and eggs for scientific or exhibition purposes, but no such birds, nests, or eggs shall be taken without a permit.

No permit issued hereunder shall authorize the taking, possession, donation, or transportation of bald eagles, parts thereof, or the nests or eggs thereof unless the permittee has in his possession while exercising any such privilege a valid, subsisting permit of equivalent tenor issued to him by the State in which he proposes to operate if such a permit is required by State law. Permits shall not be transferable. They are revocable at any time in the discretion of the Secretary and if revoked shall be surrendered to him on demand. A permittee shall return the permit immediately after the date of its expiration to the Director, Fish and Wildlife Service, Washington, D. C., and submit to him a report of his operations thereunder.

§ 7.2 *Marking shipments.* Every package in which bald eagles or parts, nests, or eggs thereof are shipped wholly within a State or the District of Columbia, or in which such birds, parts, nests, or eggs are transported by any means whatever from one State, or the District of Columbia, or any place subject to the jurisdiction of the United States, to, into, or through another State, or the District of Columbia, or any place subject to the jurisdiction of the United States, or to a foreign country for scientific or exhibition purposes, shall be plainly and clearly marked, labeled, or tagged, on the outside thereof, to show the name and address of the consignor and consignee, the contents of the package, and the number of the permit, where required, under authority of which it is transported, and that the specimens contained therein are for scientific or exhibition purposes.

§ 7.3 *Birds acquired before passage of the Act.* Bald eagles, alive or dead, any parts thereof, or the nests or eggs thereof, lawfully acquired prior to June 8, 1940, may be possessed or transported without a Federal permit, but shipments containing such birds, the dead bodies, parts, nests, or eggs thereof, must be marked as provided in this part.

§ 7.4 *Depredation permits.* When it has been determined that bald eagles have become seriously injurious to wildlife or to agricultural or other interests in any particular community in the United States or in any place subject to its jurisdiction, and that the injury complained of is substantial and can be abated only by killing the birds, or some of them, the Secretary may authorize the said Director of the Fish and Wildlife Service to issue a permit to kill bald eagles. Such permit shall specify the time during which, the means and methods by which, and the person or persons by whom the birds may be killed, the disposition to be made of the carcasses and plumage, and such other restrictions as are deemed necessary. Each such permit will provide that no birds shall be killed or shot at or possessed or transported in any manner contrary to State law. Immediately after the expiration date of such permit it must be returned to the Director, Fish and Wildlife Service, Washington, D. C., accompanied by a report of activities thereunder. Permits shall not be transferable; they are revocable at any time in the discretion of the Secretary, and if revoked shall be surrendered to him on demand.

§ 7.5 *Alaska.* Except with respect to the marking of packages shipped to or from Alaska, the regulations in this part are not applicable within the Territory.

§ 7.11 *Importation of certain game bird eggs.* Subject to any applicable health, customs or other requirements imposed by law or by regulations of duly authorized agencies, eggs of the following game birds may be imported for propagating purposes upon securing a permit therefor issued under direction of the Secretary of the Interior:

(a) Gallinae, commonly known as wild turkeys, grouse, pheasants, partridges, quail, and wild guineafowl.

(b) Otididae, commonly known as bustards.

(c) Tinamidae, commonly known as tinamous.

Applications for such permits shall be addressed to The Director, Fish and Wildlife Service, Washington 25, D. C.

[Mar. 4, 1949, 14 F. R. 1128]

PART 8—PROCLAMATIONS DESIGNATING AREAS CLOSED TO HUNTING

§ 8.1 *List of areas.*

Proclamation No.	Proclamation Date	State	Land and waters within boundary of, adjacent to, and in the vicinity of—	Citation
2325	Mar. 21, 1939	Arkansas	Big Lake National Wildlife Refuge	3 CFR, Cum. Supp.; 4 F. R. 1309.
2206	Oct. 14, 1936	do	White River National Wildlife Refuge	1 F. R. 1901.
2274	Mar. 15, 1938	do	do	3 F. R. 591.
2724	Apr. 4, 1947	Florida	Everglades National Wildlife Refuge	3 CFR, 1947 Supp.; 12 F. R. 2303.
1982	Dec. 24, 1931	do	St. Marks National Wildlife Refuge	47 Stat. 2493.
2264	Dec. 13, 1937	do	do	2 F. R. 2808.
2758	Dec. 2, 1947	do	Sanibel National Wildlife Refuge	3 CFR, 1947 Supp.; 12 F. R. 8039.
2329	Apr. 10, 1939	Georgia and South Carolina	Savannah National Wildlife Refuge	3 CFR, Cum. Supp.; 4 F. R. 1595.
2748	Oct. 1, 1947	Illinois	Alexander County	3 CFR, 1947 Supp.; 12 F. R. 6521.
2322	Feb. 7, 1939	Louisiana	Lacassine National Wildlife Refuge	3 CFR, Cum. Supp.; 4 F. R. 611.
2383	Jan. 24, 1940	Maryland	Susquehanna National Wildlife Refuge	3 CFR, Cum. Supp.; 5 F. R. 313.
2529	Dec. 6, 1941	do	do	3 CFR, Cum. Supp.; 6 F. R. 6347.
2817	Oct. 18, 1948	Massachusetts	Parker River National Wildlife Refuge	3 CFR, 1948 Supp.; 13 F. R. 6115.
2593	Sept. 21, 1943	Michigan	Anchor Bay, Lake St. Clair	3 CFR, 1943 Supp.; 8 F. R. 12921.
2200	Oct. 7, 1936	Montana	Red Rock Lakes Migratory Waterfowl Refuge	1 F. R. 1799.
2284	May 9, 1938	North Carolina	Pea Island National Wildlife Refuge	3 F. R. 912.
2129	July 18, 1935	do	Swanquarter National Wildlife Refuge	49 Stat. 3450.
2516	Oct. 1, 1941	Oregon	Malheur National Wildlife Refuge	3 CFR, Cum. Supp.; 6 F. R. 5053.
2818	Oct. 20, 1948	do	do	3 CFR, 1948 Supp.; 13 F. R. 6191.
2000	June 6, 1932	South Carolina	Cape Romain National Wildlife Refuge	47 Stat. 2513.
2314	Nov. 26, 1938	Texas	Aransas National Wildlife Refuge	3 CFR, Cum. Supp.; 3 F. R. 2807.
2478	Apr. 15, 1941	do	do	3 CFR, Cum. Supp.; 6 F. R. 1995.
2012	Sept. 26, 1932	Utah	Bear River Migratory Bird Refuge	47 Stat. 2535.
2370	Oct. 16, 1939	Virginia	Back Bay National Wildlife Refuge	3 CFR, Cum. Supp.; 4 F. R. 4285.
2439	Nov. 7, 1940	Washington	Willapa National Wildlife Refuge	3 CFR, Cum. Supp.; 5 F. R. 4443.

Subchapter C—Management of Wildlife Conservation Areas

PART 17—LIST OF AREAS

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§ 17.1 *Fish cultural stations.*

Fish cultural station [1]	State or Territory	Subdivision	Document	Date	Citation
Allegheny National Forest	Pennsylvania	Warren		Dec. 21, 1948	13 F. R. 8163.
Arcadia	Rhode Island	Washington		do	Do.
Argos	Indiana	Marshall		do	Do.
Austin	Texas	Travis		do	Do.
Battle Creek	California	Tehama		do	Do.
Berkshire Trout Hatchery	Massachusetts	Berkshire		do	Do.
Berlin	New Hampshire	Coos		do	Do.
Big White Salmon	Washington	Skamania		do	Do.
Boothbay Harbor	Maine	Lincoln		do	Do.
Bourbon	Missouri	Crawford		do	Do.
Bozeman	Montana	Gallatin		do	Do.
Cape Vincent	New York	Jefferson		do	Do.
Carbon Hill	Alabama	Walker		do	Do.
Carpenters Brook	New York	Onondaga		do	Do.
Carson	Washington	Skamania		do	Do.
Charlevoix	Michigan	Charlevoix		do	Do.
Chattahoochee Forest	Georgia	Fannin		do	Do.
Cheraw	South Carolina	Chesterfield		do	Do.
Cohutta	Georgia	Whitfield		do	Do.
Coleman	California	Tehama		do	Do.
Coring	Arkansas	Clay		do	Do.
Cortland	New York	Cortland		do	Do.
Craig Brook	Maine	Hancock		do	Do.
Crawford	Nebraska	Dawes		do	Do.
Creede	Colorado	Mineral		do	Do.
Creston	Montana	Flathead	58 Stat. 801	Dec. 13, 1944 Dec. 21, 1948	16 U. S. C. 161d. 13 F. R. 8163.
Crystal Lake	Colorado	Lake		Dec. 21, 1948	13 F. R. 8163.
Delph Creek	Oregon	Clackamas		do	Do.
Dexter	New Mexico	Chaves		do	Do.
Eagle Nest	do	Colfax		do	Do.
Edenton	North Carolina	Bertie		do	Do.
Elk River	Alabama	Limestone		do	Do.
Ennis	Montana	Madison		do	Do.
Entiat	Washington	Chelan		do	Do.
Erwin	Tennessee	Unicoi		do	Do.
Fairport	Iowa	Muscatine		do	Do.
Farlington	Kansas	Crawford		do	Do.
Fort Belvoir	Virginia	Fairfax		do	Do.
Fort Worth	Texas	Tarrant		do	Do.
Genoa	Wisconsin	Vernon		do	Do.
Gloucester	Massachusetts	Essex		do	Do.
Guttenberg	Iowa	Clayton		do	Do.
Hagerman	Idaho	Gooding		do	Do.
Harrison Lake	Virginia	Charles City		do	Do.
Homer	Minnesota	Winona		do	Do.
Hebron	Ohio	Licking		do	Do.
Hot Springs	New Mexico	Sierra		do	Do.
Inks Dam	Texas	Burnet		do	Do.
La Crosse	Wisconsin	La Crosse		do	Do.
Lake Mills	Wisconsin	Jefferson		do	Do.
Lamar	Pennsylvania	Clinton		do	Do.
Leadville	Colorado	Lake	E. O.	Apr. 16, 1889 Dec. 21, 1948	Do.
Leavenworth	Washington	Chelan		Dec. 21, 1948	13 F. R. 8163.
Leetown	West Virginia	Jefferson		do	Do.
Little White Salmon	Washington	Skamania		do	Do.
Louisville	Kentucky	Jefferson		do	Do.
Lyman	Mississippi	Harrison		do	Do.
Mammoth Spring	Arkansas	Fulton		do	Do.

[1] Fish cultural station unless otherwise designated.

Fish cultural station [1]	State or Territory	Subdivision	Document	Date	Citation
Manchester	Iowa	Delaware		Dec. 21, 1948	13 F. R. 8163.
Marion	Alabama	Perry		do	Do.
McKinney Lake Fish Hatchery	North Carolina	Richmond	E. O. 7775	Dec. 27, 1937 Dec. 21, 1948	2 F. R. 3431. 13 F. R. 8163.
Meridian	Mississippi	Lauderdale		Dec. 21, 1948	13 F. R. 8163.
Miles City	Montana	Custer		do	Do.
Moorefield	West Virginia	Hardy		do	Do.
Nashua	New Hampshire	Hillsboro		do	Do.
Natchitoches	Louisiana	Natchitoches		do	Do.
Neosho	Missouri	Newton		do	Do.
Newcastle	Virginia	Craig		do	Do.
New London	Minnesota	Kandiyohi		do	Do.
Northville	Michigan	Wayne		do	Do.
Orangeburg	South Carolina	Orangeburg		do	Do.
Pisgah Forest	North Carolina	Transylvania		do	Do.
Pittsford	Vermont	Rutland		do	Do.
Quilcene	Washington	Jefferson		do	Do.
Rochester	Indiana	Fulton		do	Do.
St. Johnsbury	Vermont	Caledonia		do	Do.
Salmon	Idaho	Lemhi		do	Do.
San Angelo	Texas	Tom Green		do	Do.
San Marcos	do	Hays		do	Do.
Santa Rosa	New Mexico	Guadalupe		do	Do.
Saratoga	Wyoming	Carbon		do	Do.
Senecaville	Ohio	Gurnsey		do	Do.
Spearfish	South Dakota	Lawrence		do	Do.
Springville	Utah	Utah		do	Do.
Tishomingo	Oklahoma	Johnston		do	Do.
Tupelo	Mississippi	Lee		do	Do.
Uvalde	Texas	Uvalde		do	Do.
Valdosta	Georgia	Lowndes		do	Do.
Valley City	North Dakota	Barnes		do	Do.
Walhalla	South Carolina	Oconee		do	Do.
Warm River	Idaho	Freemont		do	Do.
Warm Springs	Georgia	Merriweather		do	Do.
Welaka	Florida	Putman		do	Do.
White Sulphur Springs	West Virginia	Greenbriar		do	Do.
Williams Creek	Arizona	Apache		do	Do.
Winthrop	Washington	Okanogan		do	Do.
Wytheville	Virginia	Wythe		do	Do.
Yellowstone Park	Wyoming	Yellowstone National Park.		do	Do.

[1] Fish cultural station unless otherwise designated.

§ 17.2 *Game ranges.*

Game range	State	Subdivision	Document	Date	Citation
Cabeza Prieta	Arizona	Yuma, Pima	E. O. 8598 E. O. 8038	Nov. 18, 1940 Jan. 25, 1939	3 CFR, Cum. Supp.; 5 F. R. 4559. 3 CFR, Cum. Supp.; 4 F. R. 437.
Charles Sheldon Antelope Range	Nevada	Washoe, Humboldt	E. O. 7522	Dec. 21, 1936	1 F. R. 2527.
Desert	do	Clark, Lincoln	E. O. 8578 E. O. 7373 P. L. O. 156	Oct. 29, 1940 May 20, 1936 Aug. 4, 1943	3 CFR, Cum. Supp.; 5 F. R. 4313. 1 F. R. 501. 43 CFR, 1943 Supp., Ch. I, App.; 8 F. R. 11224.
Fort Peck	Montana	Fergus, Garfield, Philips, McCone, Petroleum, Valley.	E. O. 7509	Dec. 11, 1936	1 F. R. 2482.
Kofa	Arizona	Yuma	E. O. 8039 E. O. 8598	Jan. 25, 1939 Nov. 18, 1940	3 CFR, Cum. Supp..; 4 F. R. 438. 3 CFR, Cum. Supp.; 5 F. R. 4559.

§ 17.3 *National wildlife refuges.*

National wildlife refuge	State or territory	Subdivision	Document	Date	Citation
Alaska Railroad Muskrat and Beaver Refuge.	Alaska	3d and 4th Judicial Division	E. O. 4592	Feb. 21, 1927	
Aleutian Islands	do	3d Judicial Division	E. O. 1733 [2] E. O. 5000 E. O. 5318 E. O. 2442 E. O. 5243 E. O. 4076 E. O. 4251	Mar. 3, 1913 Nov. 23, 1928 Apr. 7, 1930 Aug. 11, 1916 Dec. 19, 1929 Sept. 20, 1924 June 10, 1925	
Anaho Island	Nevada	Washoe	E. O. 1819 [2]	Sept. 4, 1913	
Anclote	Florida	Pasco Pinellas	P. L. O. 319 E. O. 8081 [2]	May 15, 1946 Apr. 5, 1939	43 CFR, 1946 Supp.; Ch. I, App.; 11 F. R. 5746. 3 CFR, Cum. Supp.; 4 F. R. 1475.
Appert Lake	North Dakota	Emmons	E. O. 8110 [2]	May 10, 1939	3 CFR, Cum. Supp.; 4 F. R. 1993.
Aransas	Texas	Aransas, Refugio	E. O. 7784 [2]	Dec. 31, 1937	3 F. R. 13.
Ardoch	North Dakota	Walsh	E. O. 8147 [2]	June 12, 1939	3 CFR, Cum. Supp.; 4 F. R. 2405.
Arrowwood	do	Foster, Stutsman	E. O. 7168 [2]	Sept. 4, 1935	
Back Bay	Virginia	Princess Anne	E. O. 7907 [2]	June 6, 1938	3 CFR, Cum. Supp.; 3 F. R. 1358.
Bamforth	Wyoming	Albany	E. O. 5783 [2]	Jan. 29, 1932	
Bear Butte	South Dakota	Meade		Dec. 21, 1948	13 F. R. 8163.
Bear River Migratory Bird Refuge	Utah	Box Elder	45 Stat. 448	Apr. 23, 1928	16 U. S. C. 690.
Belle Fourche	South Dakota	Butte	E. O. 1032 [2]	Feb. 25, 1909	
Benton Lake	Montana	Cascade, Choteau	E. O. 5228 [2]	Nov. 21, 1929	
Bering Sea	Alaska	2d Judicial Division	E. O. 1037 [2]	Feb. 27, 1909	
Big Lake	Arkansas	Mississippi	E. O. 2230 [2] E. O. 2872 E. O. 3964 E. O. 5747 E. O. 8008	Aug. 2, 1915 May 31, 1918 Feb. 23, 1924 Nov. 11, 1931 Nov. 17, 1938	3 CFR, Cum. Supp.; 3 F. R. 2747.
Billings Lake	North Dakota	Cavalier	E. O. 8111 [2]	May 10, 1939	3 CFR, Cum. Supp.; 4 F. R. 1993.
Bitter Lake	New Mexico	Chaves	P. L. O. 326 [2] E. O. 7724	Aug. 30, 1946 Oct. 8, 1937	43 CFR, 1946 Supp., Ch. I, App.; 11 F. R. 10298. 2 F. R. 2467.
Blackbeard Island	Georgia	McIntosh	E. O. 1993 [2] E. O. 2203 E. O. 3957 E. O. 4512	July 17, 1914 May 25, 1915 Feb. 15, 1924 Sept. 20, 1926	

[1] National wildlife refuge unless otherwise designated.
[2] Designated a national wildlife refuge by Proclamation No. 2416, July 25, 1940; 5 F. R. 2677.

National wildlife refuge [1]	State or territory	Subdivision	Document	Date	Citation
Black Coulee	Montana	Blaine	E. O. 7801 [2]	Jan. 28, 1938	3 F. R. 271.
Blackwater	Maryland	Dorchester	(3)	Dec. 21, 1948	13 F. R. 1864.
Bogoslof	Alaska	3d Judicial Division	E. O. 1049 [2]	Mar. 2, 1909	
Bombay Hook	Delaware	Kent	P. L. O. 160 [2]	Aug. 17, 1943	43 CFR, 1943 Supp., Ch. I, App.; 8 F. R. 11816.
			E. O. 7643	June 22, 1937	2 F. R. 1305.
Bone Hill	North Dakota	La Moure	E. O. 8112 [2]	May 10, 1939	3 CFR, Cum. Supp.; 4 F. R. 1993.
Bosque del Apache	New Mexico	Socorro	E. O. 8289	Nov. 22, 1939	3 CFR, Cum. Supp.; 4 F. R. 4691.
Bowdoin	Montana	Phillips	E. O. 8592	Nov. 12, 1940	3 CFR, Cum. Supp.; 5 F. R. 4478.
			E. O. 7295	Feb. 14, 1936	
			PLO 336	Dec. 30, 1946	43 CFR, 1946 Supp., ch. I, App.; 12 F. R. 181.
Box Butte	Nebraska	Dawes	PLO 189	Oct. 30, 1943	43 CFR, 1943 Supp.; 8 F. R. 15329.
Breton	Louisiana	St. Bernard	E. O.	Oct. 4, 1904	
		Plaquemines	E. O. 7983 [2]	Oct. 4, 1938	3 CFR, Cum. Supp.; 3 F. R. 2389.
Brevard	Florida	Brevard	E. O. 4328 [2]	Oct. 21, 1925	
Brigatine	New Jersey	Atlantic		Dec. 21, 1948	13 F. R. 8164.
Brumba	North Dakota	Towner	E. O. 8148 [2]	June 12, 1939	3 CFR, Cum. Supp.; 4 F. R. 2405.
Buffalo Lake	do	Pierce	E. O. 8113 [2]	May 10, 1939	3 CFR, Cum. Supp.; 4 F. R. 1994.
Caloosahatchee	Florida	Lee	E. O. 3299 [2]	July 1, 1920	
Camas	Idaho	Jefferson	E. O. 7720 [2]	Oct. 8, 1937	2 F. R. 2465.
Camp Lake	North Dakota	McLean	E. O. 8114 [2]	May 10, 1939	3 CFR, Cum. Supp.; 4 F. R. 1994.
Canfield Lake	do	Burleigh	E. O. 8115 [2]	do	3 CFR, Cum. Supp.; 4 F. R. 1995.
Cape Henlopen	Delaware	Sussex		Dec. 21, 1948	13 F. R. 8164.
Cape Meares	Oregon	Tillamook	E. O. 7957 [2]	Aug. 19, 1938	3 CFR, Cum. Supp.; 3 F. R. 2047.
Cape Romain	South Carolina	Charleston	E. O. 7316 [2]	Mar. 13, 1936	1 F. R. 1.
Carolina Sandhills	do	Chesterfield	E. O. 8067 [2]	Mar. 17, 1939	3 CFR, Cum. Supp.; 4 F. R. 1257.
Cedar Keys	Florida	Levy	E. O. 7484 [2]	Nov. 6, 1936	1 F. R. 2041.
Chamisso	Alaska	2d Judicial Division	E. O. 1658 [2]	Dec. 7, 1912	
Charles Lake	North Dakota	Hettinger	E. O. 8116 [2]	May 10, 1939	3 CFR, Cum. Supp.; 4 F. R. 1995.
Chase Lake	do	Stutsman	E. O. 932 [2]	Aug. 28, 1908	
Chassahowitzka	Florida	Hernando	P. L. O. 140	June 15, 1943	43 CFR, Cum. Supp., Ch. I, App.; 8 F. R. 8880.
Chatauqua	Illinois	Mason	E. O. 7524 [2]	Dec. 23, 1936	1 F. R. 2557.
Chincoteague	Maryland	Somerset		Dec. 21, 1948	13 F. R. 8164.
	Virginia	Accomac			
Chinsegut	Florida	Hernando	(3)	do	13 F. R. 8164.
Clear Lake	California	Modoc	E. O. 1332 [2]	Apr. 11, 1911	
			E. O. 1464	Jan. 13, 1912	
Clearwater	North Dakota	Mountrail		Dec. 21, 1948	13 F. R. 8163.
Cold Springs	Oregon	Umatilla	E. O. 1032	Feb. 25, 1909	
			E. O. 1439	Nov. 25, 1911	
			E. O. 8380	Mar. 19, 1940	3 CFR, Cum. Supp.; 5 F. R. 1115.
Columbia	Washington	Adams, Grant	P. L. O. 243	Sept. 6, 1944	43 CFR, 1944 Supp., Ch. I, App.; 9 F. R. 11400.
Columbia River	do	Walla Walla	E. O. 4501 [2]	Aug. 28, 1926	
Colusa	California	Colusa		Dec. 21, 1948	13 F. R. 8164.
Conconully	Washington	Okanogan	E. O. 1032 [2]	Feb. 25, 1909	
Copalis	do	Gray's Harbor	E. O. 704 [2]	Oct. 23, 1907	
Cottonwood Lake	North Dakota	McHenry	E. O. 8149 [2]	June 12, 1939	3 CFR, Cum. Supp.; 4 F. R. 2405
Crab Orchard	Illinois	Jackson, Union, and Williamson.		Aug. 5, 1947	61 Stat. 770.
Creedman Coulee	Montana	Hill	E. O. 8924	Oct. 25, 1941	3 CFR, Cum. Supp; 6 F. R. 5507.
Crescent Lake	Nebraska	Garden	E. O. 5579 [2]	Mar. 16, 1931	
			E. O. 7183	Sept. 12, 1935	
Culebra	Puerto Rico	Humacoa	E. O. 1042 [2]	Feb. 27, 1909	
Curry Bird Game and Fish Refuge	Alaska	3d Judicial Division	E. O. 4592	Feb. 21, 1927	
Dakota Lake	North Dakota	Dickey	E. O. 8117 [2]	May 10, 1939	3 CFR, Cum. Supp.; 4 F. R. 1995.
Deer Flat	Idaho	Canyon	E. O. 7655 [2]	July 12, 1937	2 F. R. 1453, 1665.
Delta	Louisiana	Plaquemines	E. O. 7229	Nov. 19, 1935	
			E. O. 7383	June 5, 1936	1 F. R.653.
			E. O. 7538	Jan. 19, 1937	2 F. R. 141.
			E. O. 8517	Aug. 16, 1940	3 CFR, Cum. Supp; 5 F. R. 2881.
Des Lacs	North Dakota	Burke, Ward	E. O. 7154-A [2]	Aug. 22, 1935	
Dungeness	Washington	Clallam	E. O. 2123 [2]	Jan. 20, 1915	
			E. O. 8518	Aug. 16, 1940	3 CFR, Cum. Supp; 5 F. R. 2882.
Eagle Creek	South Dakota	Todd		Dec. 21, 1948	13 F. R. 8163.
East Timbalier	Louisiana	Terrebonne	E. O. 718	Dec. 7, 1907	
Evanston	Wyoming	Uinta	E. O. 8644	Jan. 21, 1941	3 CFR, Cum. Supp; 6 F. R. 581.
Everglades	Florida	Dade, Monroe		Dec. 21, 1948	13 F. R. 8164.
Fallon	Nevada	Churchill	E. O. 5606 [2]	Apr. 22, 1931	
Farallon	California	Marin	E. O. 1043 [2]	Feb. 27, 1909	
Fire Island	Alaska	3d Judicial Division	E. O. 4131	Jan. 22, 1925	
Flattery Rocks	Washington	Clallam	E. O. 703 [2]	Oct. 23, 1907	
Flickertail	North Dakota	Emmons	E. O. 8118 [2]	May 10, 1939	3 CFR, Cum. Supp.; 4 F. R. 1995.
Florence Lake	do	Burleigh	E. O. 8119 [2]	do	Do.
Forrester Island	Alaska	1st Judicial Division	P. L. O. 198	Dec. 20, 1943	43 CFR, 1943 Supp., Ch. I, App.; 11 F. R. 14498.
			E. O. 4592 [2]	Feb. 21, 1927	
Fort Keogh	Montana	Custer	E. O. 5122 [2]	May 18, 1929	
Fort Niobrara	Nebraska	Cherry	E. O. 1461 [2]	Jan. 11, 1912	
			E. O. 1642	Nov. 14, 1912	
			E. O. 3256	Mar. 31, 1920	
			E. O. 7301	Feb. 21, 1936	
Fort Tyler	New York	Suffolk	E. O. 7941 [2]	Aug. 2, 1938	3 CFR, Cum. Supp.; 3 F. R. 1945.
Gravel Island	Wisconsin	Door	E. O. 1678 [2]	Jan. 9, 1913	
Great White Heron	Florida	Monroe	E. O. 7993 [2]	Oct. 27, 1938	3 CFR, Cum. Supp.; 3 F. R. 2581.
Green Bay	Wisconsin	Door	E. O. 1487 [2]	Feb. 21, 1912	
Hagerman	Texas	Grayson	P. L. O. 314	Feb. 9, 1946	43 CFR, 1946 Supp.; Ch. I, App.; 11 F. R. 1825, 2603.
Hailstone	Montana	Stillwater	E. O. 9292	Dec. 31, 1942	3 CFR, Cum. Supp.; 8 F. R. 41.
Halfbreed Lake	do	do	E. O. 9167	May 19, 1942	3 CFR, Cum. Supp.; 7 F. R. 3767.
Half-way Lake	North Dakota	Stutsman	E. O. 8120 [2]	May 10, 1939	3 CFR, Cum. Supp.; 4 F. R. 1996.
Hart Mountain National Antelope Refuge.	Oregon	Lake	E. O. 7523 [2]	Dec. 21, 1936	1 F. R. 2528.
			E. O. 7895	May 23, 1938	3 F. R. 1189.
Havasu Lake	California	San Bernardino	E. O. 8467	Jan. 22, 1941	3 CFR, Cum. Supp.; 6 F. R. 593.
	Arizona	Mohave, Yuma	P. L. O. 409	Sept. 16, 1947	43 CFR, 1947 Supp., Ch. I, App.; 12 F. R. 6328.
Hawaiian Islands	Hawaii	Honolulu	E. O. 1019 [2]	Feb. 3, 1909	
Hazen Bay	Alaska	4th Judicial Division	E. O. 7770 [2]	Dec. 14, 1937	2 F. R. 3279.
Hazy Islands	do	1st Judicial Division	E. O. 1459 [2]	Jan. 11, 1912	
Hewitt Lake	Montana	Phillips	E. O. 7833 [2]	Mar. 7, 1938	3 F. R. 641.
Hiddenwood	North Dakota	McLean, Ward	E. O. 8150 [2]	June 12, 1939	3 CFR, Cum. Supp.; 4 F. R. 2406.
Hobart Lake	do	Barnes	E. O. 8151 [2]	do	Do.
Horicon	Wisconsin	Dodge		Dec. 21, 1948	13 F. R. 8164.
Huron	Michigan	Marquette	E. O. 357-D [2]	Oct. 10, 1905	
			E. O. 7795	Jan. 21, 1938	3 F. R. 225.
Hutchinson Lake	North Dakota	Kidder	E. O. 8121 [2]	May 10, 1939	3 CFR, Cum. Supp.; 4 F. R. 1996.
Hutton Lake	Wyoming	Albany	E. O. 5782 [2]	Jan. 28, 1932	

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National wildlife refuge [1]	State or territory	Subdivision	Document	Date	Citation
Imperial	Arizona, California	Yuma, Imperial	E. O. 8685	Feb. 14, 1941	3 CFR, Cum. Supp.; 6 F. R. 1016.
Indian Key	Florida	Pinellas	E. O. 409 [2]	Feb. 10, 1906	
			E. O. 3502	June 25, 1921	
Island Bay	Florida	Charlotte	E. O. 958 [2]	Oct. 23, 1908	
Johnson Lake	North Dakota	Eddy, Nelson	E. O. 8122 [2]	May 10, 1939	3 CFR, Cum. Supp.; 4 F. R. 1996.
Johnston Island	Hawaii	Honolulu	E. O. 4467 [2]	June 29, 1926	
Jones Island	Washington	San Juan	E. O. 7594 [2]	Mar. 30, 1937	2 F. R. 740.
Kellys Slough	North Dakota	Grand Forks	E. O. 8650	Jan. 23, 1941	3 CFR, Cum. Supp.; 6 F. R. 599.
			E. O. 7320	Mar. 19, 1936	1 F. R. 51.
Kenai National Moose Range	Alaska	3d Judicial Division	E. O. 8979	Dec. 16, 1941	3 CFR, Cum. Supp.; 6 F. R. 6471.
			P. L. O. 390	Aug. 4, 1947	43 CFR, 1947 Supp., Ch. I, App.; 12 F. R. 5463.
Kentucky Woodlands	Kentucky	Lyon, Trigg	E. O. 7966 [2]	Aug. 30, 1938	3 CFR, Cum. Supp.; 3 F. R. 2137.
Key West	Florida	Monroe	E. O. 923 [2]	Aug. 8, 1908	
Killcohook	Delaware, New Jersey	Newcastle, Salem	E. O. 6582	Feb. 3, 1934	
			E. O. 6960	Feb. 4, 1935	
			E. O. 8648	Jan. 23, 1941	3 CFR, Cum. Supp.; 6 F. R. 599.
Kit Carson	Colorado	Cheyenne	E. O. 8645	Jan. 22, 1941	3 CFR, Cum. Supp.; 6 F. R. 591.
Kodiak	Alaska	3d Judicial Division	E. O. 8857	Aug. 19, 1941	3 CFR, Cum. Supp.; 6 F. R. 4287.
Lacassine	Louisiana	Cameron	E. O. 7780 [2]	Dec. 30, 1937	3 F. R. 1.
Lac Aux Mortes	North Dakota	Ramsey		Dec. 21, 1948	13 F. R. 8163.
Lacreek	South Dakota	Bennett	E. O. 7160 [2]	Aug. 26, 1935	
Laguna Atascosa	Texas	Cameron		Dec. 21, 1948	13 F. R. 8164.
Lake Andes	South Dakota	Charles Mix	E. O. 7292 [2]	Feb. 14, 1936	
Lake Arconge	do	do		Dec. 21, 1948	13 F. R. 8163.
Lake Elsie	North Dakota	Richland	E. O. 8152 [2]	June 12, 1939	3 CFR, Cum. Supp.; 4 F. R. 2406.
Lake George	do	Kidder	E. O. 8153 [2]	do	Do.
Lake Ilo	do	Dunn	E. O. 8154 [2]	do	3 CFR, Cum. Supp.; 4 F. R. 2407.
Lake Isom	Tennessee	Lake, Obion	E. O. 7953 [2]	Aug. 12, 1938	3 CFR, Cum. Supp.; 3 F. R. 1995.
Lake Mason	Montana	Musselshell	E. O. 8770	June 3, 1941	3 CFR, Cum. Supp.; 6 F. R. 2743.
Lake Moraine	North Dakota	Burleigh	E. O. 8123 [2]	May 10, 1939	3 CFR, Cum. Supp.; 4 F. R. 1996.
Lake Nettie	do	McLean	E. O. 8155 [2]	June 12, 1939	3 CFR, Cum. Supp.; 4 F. R. 2407.
Lake Oliver	do	Oliver	E. O. 8124 [2]	May 10, 1939	3 CFR, Cum. Supp.; 4 F. R. 1996.
Lake Patricia	do	Morton	E. O. 8156 [2]	June 12, 1939	3 CFR, Cum. Supp.; 4 F. R. 2407.
Lake Thibadeau	Montana	Hill	E. O. 7713 [2]	Sept. 23, 1937	2 F. R. 2281.
Lake Zahl	North Dakota	Williams	E. O. 8158 [2]	June 12, 1939	3 CFR, Cum. Supp.; 4 F. R. 2408.
Lambs Lake	do	Nelson	E. O. 8159 [2]	do	Do.
Lamesteer	Montana	Wibaux	E. O. 9166	May 19, 1942	3 CFR, Cum. Supp.; 7 F. R. 3767.
Legion Lake	North Dakota	Mountrail	E. O. 8160 [2]	June 12, 1939	3 CFR, Cum. Supp.; 4 F. R. 2408.
Lenore Lake	Washington	Grant	E. O. 7510 [2]	Dec. 11, 1936	1 F. R. 2483.
Little Goose	North Dakota	Grand Forks	E. O. 8125 [2]	May 10, 1939	3 CFR, Cum. Supp.; 4 F. R. 1997.
Little Lake	do	Emmons	E. O. 8126 [2]	do	Do.
Little Pend Orielle	Washington	Stevens	E. O. 8104 [2]	May 2, 1939	3 CFR, Cum. Supp.; 4 F. R. 1771.
Locomotive Springs	Utah	Box Elder	E. O. 5727 [2]	Sept. 29, 1931	
Long Lake	North Dakota	Burleigh, Kidder	E. O. 5808 [2]	Feb. 25, 1932	
			E. O. 5914	Aug. 26, 1932	
			E. O. 8161	June 12, 1939	
Long Tail Point	Wisconsin	Brown	E. O. 7476 [2]	Oct. 23, 1936	1 F. R. 1927.
Lords Lake	North Dakota	Bottineau, Rolette	E. O. 8127 [2]	May 10, 1939	3 CFR, Cum. Supp.; 4 F. R. 1997.
Lost Lake	do	McLean	E. O. 8128 [2]	do	3 CFR, Cum. Supp.; 4 F. R. 1999.
Lostwood	do	Burke, Mountrail	E. O. 7171 [2]	Sept. 4, 1935	
Lower Klamath	Oregon, California	Klamath, Siskiyou	E. O. 924 [2]	Aug. 8, 1908	
			E. O. 2200	May 14, 1915	
			E. O. 3422	Mar. 28, 1921	
			E. O. 8475	July 10, 1940	3 CFR, Cum. Supp.; 5 F. R. 2541.
Lower Souris	North Dakota	Bottineau, McHenry	E. O. 7170 [2]	Sept. 4, 1935	
			E. O. 7799	Jan. 27, 1938	3 F. R. 261
Malheur	Oregon	Harney	E. O. 929 [2]	Aug. 18, 1908	
			E. O. 7106	July 19, 1935	
Maple River	North Dakota	Dickey	E. O. 8162 [2]	June 12, 1939	3 CFR, Cum. Supp.; 4 F. R. 2407.
Matia Island	Washington	San Juan	E. O. 7595 [2]	Mar. 30, 1937	2 F. R. 741.
Matlacha Pass	Florida	Lee	E. O. 943 [2]	Sept. 26, 1908	
Mattamuskeet	North Carolina	Hyde	E. O. 6924 [2]	Dec. 18, 1934	
McKay Creek	Oregon	Umatilla	E. O. 4662 [2]	June 7, 1927	
McLean	North Dakota	McLean	E. O. 8157 [2]	June 12, 1939	3 CFR, Cum. Supp.; 4 F. R. 2408.
Medicine Lake	Montana	Sheridan, Roosevelt	E. O. 7148 [2]	Aug. 19, 1935	
Mesilla	New Mexico, Texas	Dona Ana, El Paso	P. L. O. 220	Apr. 6, 1944	43 CFR, 1944 Supp.; Ch. I, App.; 9 F. R. 4031, 4077.
Michigan Islands	Michigan	Alpena, Charlevoix	P. L. O. 365	Apr. 10, 1947	43 CFR, 1947 Supp., Ch. I, App.; 12 F. R. S. 2529.
Mille Lacs	Minnesota	Aitkin, Mille Lacs	E. O. 2199 [2]	May 14, 1915	
			E. O. 3340	Oct. 13, 1920	
Mingo	Missouri	Stoddard, Wayne		Dec. 21, 1948	13 F. R. 8164.
Minidoka	Montana	Blaine, Cassia, Power, and Minidoka.	E. O. 1032	Feb. 25, 1909	
			E. O. 7417	July 17, 1936	1 F. R. 903.
			E. O. 8600	Nov. 20, 1940	3 CFR, Cum. Supp.; 5 F. R. 4623.
Minnewastena	North Dakota	Benson	E. O. 8129 [2]	May 10, 1939	3 CFR, Cum. Supp.; 4 F. R. 1997.
Missisquoi	Vermont	Franklin		Dec. 21, 1948	13 F. R. 8164.
Monomoy	Massachusetts	Barnstable		do	Do.
Montezuma	New York	Seneca	E. O. 7971 [2]	Sept. 12, 1938	3 CFR, Cum. Supp.; 3 F. R. 2235.
Moosehorn	Maine	Washington	E. O. 7967 [2]	Aug. 30, 1938	3 CFR, Cum. Supp.; 3 F. R. 2138.
Morgan	Vermont	Addison	E. O. 7650	July 1, 1937	2 F. R. 1377.
			E. O. 8086 [2]	Apr. 11, 1939	3 CFR, Cum. Supp.; 4 F. R. 1511.
Mud Lake	Minnesota	Marshall	E. O. 8601 [2]	Nov. 20, 1940	3 CFR, Cum. Supp.; 5 F. R. 4623.
Muleshoe	Texas	Bailey	E. O. 7583	Mar. 23, 1937	2 F. R. 685.
			E. O. 7214 [2]	Oct. 24, 1935	
National Bison Range	Montana	Lake, Sanders	E. O. 3596	Dec. 22, 1921	
			35 Stat. 267	May 23, 1908	16 U. S. C. 671.
National Elk Refuge	Wyoming	Teton	E. O. 2177 [2]	Apr. 21, 1915	
			E. O. 2417	July 8, 1916	
			E. O. 7489	Nov. 14, 1936	1 F. R. 2159.
			E. O. 7680	July 30, 1937	2 F. R. 1621.
Necedah	Wisconsin	Juneau	E. O. 8065	Mar. 14, 1939	3 CFR, Cum. Supp; 4 F. R. 1241.
			E. O. 8319	Jan. 15, 1940	3 CFR, Cum. Supp.; 5 F. R. 207.
			E. O. 8479	July 11, 1940	3 CFR, Cum. Supp.; 5 F. R. 2557.
			E. O. 8763	May 28, 1941	3 CFR, Cum. Supp.; 6 F. R. 2674.
Ninepipe	Montana	Lake	E. O. 8145 [2]	May 31, 1939	3 CFR, Cum. Supp.; 4 F. R. 2201.
			E. O. 3503	June 25, 1921	
North Platte	Nebraska	Scotts Bluff, Sioux	E. O. 2446 [2]	Aug. 21, 1916	
			E. O. 3540	Aug. 26, 1921	
Noxubee	Mississippi	Winston, Noxubee, Oktibbeha.	E. O. 8444	June 14, 1940	3 CFR, Cum. Supp.; 5 F. R. 2251.
			P. L. O. 205	Jan. 27, 1944	43 CFR, 1944 Supp.; Ch. I, App.; 9 F. R. 1536.
			P. L. O. 401	Aug. 19, 1947	43 CFR, 1947 Supp.; Ch. I. App.; 12 F. R. 5850.

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Nunivak	Alaska	2d Judicial Division	E. O. 5095 [2]	Apr. 15, 1929	
			E. O. 5470	Oct. 22, 1930	
Okefenokee	Georgia	Charlton, Clinch, Ware	E. O. 7994 [2]	Oct. 27, 1938	3 CFR, Cum. Supp.; 3 F. R. 2581.
			E. O. 7593	Mar. 30, 1937	2 F. R. 739.
Oregon Islands	Oregon	Curry	E. O. 7035 [2]	May 6, 1935	
Pablo	Montana	Lake	E. O. 3504 [2]	June 25, 1921	
Painted Woods	North Dakota	McLean			
Parker River	Massachusetts	Essex			
Passage Key	Florida	Manatee	E. O. 357B [2]	Oct. 10, 1905	
Pathfinder	Wyoming	Carbon, Natrona	E. O. 8296	Nov. 30, 1939	3 CFR, Cum. Supp.; 4 F. R. 4763.
			E. O. 7425	Aug. 1, 1936	1 F. R. 1089.
Pea Island	North Carolina	Dare	E. O. 7864 [2]	Apr. 8, 1938	3 F. R. 863.
Pelican Island	Florida	Indian River	E. O.	Mar. 14, 1903	
			E. O. 1014 [2]	Jan. 26, 1909	
Petit Bois	Alabama, Mississippi	Mobile, Jackson	E. O. 1775 [2]	May 16, 1913	
Piedmont	Georgia	Jasper, Jones	E. O. 8037 [2]	Jan. 18, 1939	3 CFR, Cum. Supp; 4 F. R. 391.
Pine Island	Florida	Lee	E. O. 939 [2]	Sept. 15, 1908	
Pioneer Lake	North Dakota	Walsh	E. O. 8163 [2]	June 12, 1939	3 CFR, Cum. Supp; 4 F. R. 2409.
Pishkun	Montana	Teton	E. O. 1664 [2]	Dec. 17, 1912	
Pleasant Lake	North Dakota	Benson	E. O. 8164 [2]	June 12, 1939	3 CFR, Cum. Supp; 4 F. R. 2409.
Prairie Lake	do	Nelson	E. O. 8658	Feb. 3, 1941	3 CFR, Cum. Supp; 6 F. R. 769.
Pretty Rock	do	Grant	E. O. 8659	do	3 CFR, Cum. Supp; 6 F. R. 770.
Pribilof Reservation	Alaska	3d Judicial Division	E. O. 1044	Feb. 27, 1909	
Quillayute Needles	Washington	Clallam, Jefferson	E. O. 705 [2]	Oct. 23, 1907	
Rabb Lake	North Dakota	Rolette		Dec. 21, 1948	13 F. R. 8163.
Railroad Valley	Nevada	Nye	E. O. 6697 [2]	May 2, 1934	
Red Rock Lakes	Montana	Beaverhead	E. O. 7023	Apr. 22, 1935	
			E. O. 7172	Sept. 4, 1935	
Reelfoot	Tennessee	Lake, Obion		Dec. 21, 1948	13 F. R. 8164.
Rice Lake	Minnesota	Aitkin	E. O. 7221 [2]	Oct. 31, 1935	
Rock Lake	North Dakota	Towner	E. O. 8165 [2]	June 12, 1939	3 CFR, Cum. Supp.; 4 F. R. 2409.
Rose Lake	do	Nelson		Dec. 21, 1948	13 F. R. 8163.
Ruby Lake	Nevada	Elko, White Pine	E. O. 7923 [2]	July 2, 1938	3 CFR, Cum. Supp.; 3 F. R. 1639.
Sabine	Louisiana	Cameron	E. O. 7764 [2]	Dec. 6, 1937	2 F. R. 3183.
Sacramento	California	Glenn, Colusa	E. O. 7562 [2]	Feb. 27, 1937	2 F. R. 537.
Saint Lazaria	Alaska	1st Judicial Division	E. O. 1040 [2]	Feb 27, 1909	
Saint Marks	Florida	Jefferson, Wakulla, Taylor	E. O. 5740 [2]	Oct. 31, 1931	
			E. O. 7222	Nov. 1, 1935	
			E. O. 7749	Nov. 22, 1937	2 F. R. 2947.
			E. O. 7977	Sept. 19, 1938	3 CFR, Cum. Supp.; 3 F. R. 2262.
			E. O. 9119	Apr. 1, 1942	3 CFR, Cum. Supp.; 7 F. R. 2555.
Salton Sea	California	Imperial	E. O. 5498 [2]	Nov. 25, 1930	
Salt Plains	Oklahoma	Alfalfa	E. O. 7925 [2]	July 5, 1938	3 CFR, Cum. Supp.; 3 F. R. 1640.
			E. O. 5314	Mar. 26, 1930	
			P. L. O. 144	June 24, 1943	43 CFR, Cum. Supp.; Ch. I, App.; 8 F. R. 9430.
Salt River	Arizona	Gila	E. O. 1032 [2]	Feb. 25, 1909	
San Andres	New Mexico	Dona Ana	E. O. 8646	Jan. 22, 1941	3 CFR, Cum. Supp.; 6 F. R. 592.
Sand Lake	South Dakota	Brown	E. O. 7169 [2]	Sept. 4, 1935	
Sanibel	Florida	Lee		Dec. 21, 1948	13 F. R. 8164.
Santa Ana	Texas	Hidalgo		do	Do.
Santee	South Carolina	Clarendon, Berkeley		do	Do.
Savannah	Georgia, South Carolina	Chatham, Effingham, Jasper	E. O. 5748 [2]	Nov. 12, 1931	
			E. O. 7391	June 17, 1936	1 F. R. 713.
School Section Lake	North Dakota	Rolette		Dec. 21, 1948	13 F. R. 8163.
Semidi	Alaska	3d Judicial Division	E. O. 5858 [2]	June 17, 1932	
Seney	Michigan	Schoolcraft	E. O. 7246 [2]	Dec. 10, 1935	
			E. O. 7664	July 17, 1937	2 F. R. 1499.
			P. L. O. 252	Dec. 6, 1944	43 CFR, 1944 Supp.; Ch. I, App. 9 F. R. 14649.
Sheldon National Antelope Refuge	Nevada	Washoe, Humboldt	E. O. 5540 [2]	Jan. 26, 1931	
			E. O. 7364	May 6, 1936	1 F. R. 407.
Shell Keys	Louisiana	Iberia	E. O. 682 [2]	Aug. 17, 1907	
Shell Lake	North Dakota	Mountrail	E. O. 8166 [2]	June 12, 1939	3 CFR, Cum. Supp.; 4 F. R. 2410.
Sheyenne Lake	do	Sheridan		Dec. 21, 1948	13 F. R. 8163.
Shinnecock	New York	Suffolk	E. O. 8184 [2]	June 28, 1939	3 CFR, Cum. Supp.; 4 F. R. 2699.
			E. O. 7532	Jan. 8, 1937	2 F. R. 63.
Sibley Lake	North Dakota	Griggs	E. O. 8167 [2]	June 12, 1939	3 CFR, Cum. Supp.; 4 F. R. 2410.
Silver Lake	do	Benson, Ramsey		Dec. 21, 1948	13 F. R. 8163.
Skagit	Washington	Skagit		do	13 F. R. 8164.
Slade	North Dakota	Kidder		do	Do.
Smith Island	Washington	Island	E. O. 1959 [2]	June 6, 1914	
Snake River	Idaho	Canyon	E. O. 7691 [2]	Aug. 17, 1937	2 F. R. 1701.
Snyder Lake	North Dakota	Towner	E. O. 8660	Feb. 3, 1941	3 CFR, Cum. Supp.; 6 F. R. 770.
Springwater	do	Emmons	E. O. 8661	do	Do.
Squaw Creek	Missouri	Holt	P. L. O. 159	Aug. 17, 1943	43 CFR, 1943 Supp., Ch. I, App.; 8 F. R. 11815.
			E. O. 7156 [2]	Aug. 23, 1935	
			E. O. 9311	Mar. 6, 1943	3 CFR, Cum. Supp.; 8 F. R. 2913.
Stewart Lake	North Dakota	Slope	E. O. 8662	Feb. 3, 1941	3 CFR, Cum. Supp.; 6 F. R. 770.
Stoney Slough	do	Barnes	E. O. 8663	do	3 CFR, Cum. Supp.; 6 F. R. 771.
Storm Lake	do	Sargent		Dec. 21, 1948	13 F. R. 8163.
Strawberry Valley	Utah	Wasatch	E. O. 1032 [2]	Feb. 5, 1909	
			E. O. 4391	Mar. 11, 1926	
Stump Lake	North Dakota	Nelson	E. O. 296A [2]	Mar. 9, 1905	
Sullys Hill National Game Preserve	do	Benson	46 Stat. 1509	Mar. 3, 1931	16 U. S. C. 674.
Sunburst Lake	do	Emmons	E. O. 8664	Feb. 3, 1941	3 CFR, Cum. Supp.; 6 F. R. 771.
Susquehanna	Maryland	Cecil, Harford	E. O. 9185	June 23, 1942	3 CFR, Cum. Supp.; 7 F. R. 4723.
Sutter	California	Sutter		Dec. 21, 1948	13 F. R. 8164.
Swan Lake	Missouri	Chariton	E. O. 7563 [2]	Feb. 27, 1937	2 F. R. 537.
Swanquarter	North Carolina	Hyde	(3)	Dec. 21, 1948	13 F. R. 8164.
Tamarac	Minnesota	Becker	E. O. 7902 [2]	May 31, 1938	3 F. R. 1255.
Tennessee	Tennessee	Benton, Decatur, Henry, and Humphreys.	E. O. 9670	Dec. 28, 1945	3 CFR, 1946 Supp.; 11 F. R. 4.
Tewaukon	North Dakota	Sargent	P. L. O. 286	June 26, 1945	43 CFR, 1945 Supp., Ch. I, App.; 10 F. R. 8859.
Thief Valley	Oregon	Baker, Union	E. O. 8575	Oct. 22, 1940	3 CFR, Cum. Supp.; 5 F. R. 4213.
Three Arch Rocks	do	Tillamook	E. O. 699 [2]	Oct. 14, 1907	
Tishomingo	Oklahoma	Johnston, Marshall	P. L. O. 312	Jan. 14, 1946	43 CFR, 1946 Supp., Ch. I, App.; 11 F. R. 1563.
Tomahawk	North Dakota	Barnes	E. O. 8665	Feb. 3, 1941	3 CFR, Cum. Supp.; 6 F. R. 771.
Trempealeau	Wisconsin	Buffalo, Trempealeau	E. O. 7437 [2]	Aug. 21, 1936	1 F. R. 1391.
Tule Lake	California	Modoc, Siskiyou	E. O. 5945 [2]	Nov. 3, 1932	
			E. O. 7341	Apr. 10, 1936	1 F. R. 187.
Turnbull	Washington	Spokane	E. O. 7681 [2]	July 30, 1937	2 F. R. 1622.
Tuxedni	Alaska	3d Judicial Division	P. L. O. 484	June 7, 1948	13 F. R. 3298.
			E. O. 1039 [2]	Feb. 27, 1909	

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Tybee	Georgia	Chatham	E. O. 7882 [2]	May 9, 1938	3 F. R. 1084.
Union Slough	Iowa	Kossuth	E. O. 8015	Nov. 30, 1938	3 CFR, Cum. Supp.; 3 F. R. 2821.
Upper Klamath	Oregon	Klamath	E. O. 7976 [2]	Sept. 19, 1938	3 CFR, Cum. Supp.; 3 F. R. 2261.
	Illinois	Carroll, Jo Daviess, Rock Island, Whiteside.	E. O. 4851 [2]	Apr. 3, 1928	
			E. O. 4519	Oct. 2, 1926	43 Stat. 650, as amended by 43 Stat. 1354, 45 Stat. 502 and 48 Stat. 1015.
			E. O. 5721	Sept. 19, 1931	
	Iowa	Allamakee, Clayton, Clinton, Dubuque, Jackson, Scott.	E. O. 4519	Oct. 2, 1926	
			E. O. 5721	Sept. 19, 1931	
Upper Mississippi River Wildlife and Fish Refuge.	Minnesota	Houston, Winona, Wabasha.	E. O. 4519	Oct. 2, 1926	
			E. O. 5721	Sept. 19, 1931	
			E. O. 7212	Oct. 24, 1935	
			E. O. 7452	Sept. 19, 1936	1 F. R. 1631.
	Wisconsin	Buffalo, Crawford, Grant, La Crosse, Trempealeau, Vernon.	E. O. 4519	Oct. 2, 1926	
			E. O. 5721	Sept. 19, 1931	
			E. O. 7212	Oct. 24, 1935	
			E. O. 7452	Sept. 19, 1936	Do.
	Minnesota and Wisconsin.		E. O. 8331	Jan. 24, 1940	3 CFR, Cum. Supp.; 5 F. R. 314.
			P. L. O. 195	Dec. 7, 1943	43 CFR, 1943 Supp., Ch. I, App.; 8 F. R. 16798, 17331.
Upper Souris	North Dakota	Renville, Ward	E. O. 7161 [2]	Aug. 27, 1935	
Valentine	Nebraska	Cherry	E. O. 7142 [2]	Aug. 14, 1935	
Waubay	South Dakota	Day	E. O. 8013	Nov. 25, 1938	3 CFR, Cum. Supp.; 3 F. R. 2783.
West Sister Island	Ohio	Lucas	E. O. 7245 [2]	Dec. 10, 1935	
Wheeler	Alabama	Limestone, Madison, Morgan.	E. O. 7937 [2]	Aug. 2, 1938	3 CFR, Cum. Supp.; 3 F. R. 2047.
			E. O. 9790 [2]	Oct. 14, 1946	3 CFR, 1946 Supp.; 11 F. R. 12121.
			E. O. 7926	July 7, 1938	3 CFR, Cum. Supp.; 3 F. R. 1669.
				Aug. 12, 1947	12 F. R. 5942.
White Lake	North Dakota	Slope	E. O. 8666	Feb. 3, 1941	3 CFR, Cum. Supp; 6 FR 771.
White River	Arkansas	Monroe, Desha, Arkansas, Phillips.	E. O. 7173 [2]	Sept. 14, 1935	
Wichita Mountains Wildlife Refuge	Oklahoma	Comanche	Proc. 563	June 2, 1905	34 Stat. 3062.
			E. O. 7116	July 26, 1935	
			Proc. 2211	Nov. 27, 1936	1 F. R. 2481.
Widows Island	Maine	Knox		Dec. 21, 1948	13 F. R. 8164.
Wildfang Lake	North Dakota	Burleigh		do	13 F. R. 8163.
Wild Rice Lake	do	Sargent		do	Do.
Willapa	Washington	Pacific	E. O. 7541 [2]	Jan. 22, 1937	2 F. R. 168.
			E. O. 7721	Oct. 8, 1937	2 F. R. 2465.
Willow Creek	Montana	Lewis, Clark	E. O. 1032 [2]	Feb. 25, 1909	
Willow Lake	North Dakota	Rolette		Dec. 21, 1948	13 F. R. 8163.
Wilson	Georgia	Effingham		do	13 F. R. 8164.
Winnemucca	Nevada	Pershing, Washoe	E. O. 7435 [2]	Aug. 19, 1936	1 F. R. 1335.
Wintering River	North Dakota	McHenry	E. O. 8667	Feb. 3, 1941	3 CFR, Cum. Supp.; 6 F. R. 771.
Wolf Island	Georgia	McIntosh	E. O. 5316 [2]	Apr. 3, 1930	
Wood Lake	North Dakota	Benson		Dec. 21, 1948	13 F. R. 8163.
Yanktonai	do	McLean		do	Do.

[1] National wildlife refuge unless otherwise designated.
[2] Designated a national wildlife refuge by Proclamation No. 2416, July 25, 1940; 5 F. R. 2677.

§ 17.4 *Cooperative refuges.*

Cooperative refuge [1]	State	Subdivision	Date	Citation
Batchtown	Illinois	Calhoun	Oct. 6, 1947	12 F. R. 6597.
Calhoun	do	Calhoun, Jersey	Nov. 8, 1946	11 F. R. 13397.
Flannigan Island	do	Adams	Nov. 19, 1946	11 F. R. 13644.
Henderson	do	Henderson	do	11 F. R. 13641.
Keithsburg	do	Mercer	do	11 F. R. 13640.
Louisa	Iowa	Louisa	do	11 F. R. 13642.
Spring Lake	Illinois	Carroll	Nov. 8, 1946	11 F. R. 13397.

[1] Cooperative refuges are titled "Wildlife Refuges" unless otherwise indicated.

§ 17.5 *Wildlife management areas.*

Wildlife management areas	State	Subdivision	Document	Date	Citation
Beltrami	Minnesota	Beltrami, Roseau, and Lake of the Woods.	E. O. 9091	Mar. 6, 1942	36 F. R., Cum. Supp; 7 F. R. 1778, 3767
			P. L. O. 495	July 8, 1948	13 F. R. 4016, 4189.
Carolina Sandhill	South Carolina	Chesterfield, Darlington	E. O. 8510	Aug. 8, 1940	3 CFR, Cum. Supp.; 5 F. R. 2818.
Missouri	Missouri	Boone	E. O. 8509	do	Do.
Necedah	Wisconsin	Jackson, Monroe, Juneau, and Wood	E. O. 8763	May 28, 1941	3 CFR, Cum. Supp.; 6 F. R. 2674.
New York	New York	Jefferson, Oswego, Schuyler, Tompkins, Chautauqua, Allegany, Livingston, Ontario, Yates, Madison, Delaware, and Albany.	E. O. 9234	Aug. 31, 1942	3 CFR, Cum. Supp.; 7 F. R. 6925.
North Carolina	North Carolina	Moore, Richmond, and Scotland	E. O. 8548	Sept. 24, 1940	3 CFR, Cum. Supp.; 5 F. R. 3819.
Safford	Arizona	Graham	E. O. 9140	Apr. 20, 1942	3 CFR, Cum. Supp.; 7 F. R. 2961.
			E. O. 9192	July 3, 1942	3 CFR, Cum. Supp.; 7 F. R. 5151.
				Dec. 25, 1948	13 F. R. 8344.
Talcot Lake	Minnesota	Cottonwood	E. O. 8173	June 15, 1939	3 CFR, Cum. Supp.; 4 F. R. 2444.
				Dec. 25, 1948	13 F. R. 8344.
Yazoo	Mississippi	Washington		do	Do.

§ 17.6 *Research refuges.*

Research refuges	State	Subdivision	Document	Date	Citation
Patuxent Research Refuge	Maryland	Anne Arundel, Prince Georges	E. O. 7514	Dec. 16, 1936	1 F. R. 2495.

§ 17.7 *Federal aid areas.*

Federal aid areas	State	Subdivision	Document	Date	Citation
Greys River Elk Winter Pasture and Feed Ground.	Wyoming	Lincoln	P. L. O. 155 P. L. O. 213	Aug. 4, 1943 Mar. 10, 1944	43 CFR, 1943 Supp., Ch. I, App.; 8 F. R. 11223. 43 CFR, 1944 Supp., Ch. I, App.; 9 F. R. 3427.
Independence County	Arkansas	Independence	E. O. 8708	Mar. 10, 1941	3 CFR, Cum. Supp.; 6 F. R. 1399.
Lake Washington State Game Refuge	North Dakota	Eddy	P. L. O. 158	Aug. 12, 1943	43 CFR, 1943 Supp., Ch. I, App.; 8 F. R. 11694.
North Lake Waterfowl Refuge	Idaho	Jefferson	P. L. O. 278	May 21, 1945	43 CFR, 1945 Supp., Ch. I, App.; 10 F. R. 6313.
Randolph County State Game Refuge	Arkansas	Randolph	E. O. 9130	Apr. 13, 1942	3 CFR, Cum. Supp.; 7 F. R. 2810.
Sinlahekin Deer Winter Range and Wildlife Refuge.	Washington	Okanogan	E. O. 8920	Oct. 22, 1941	3 CFR, Cum. Supp.; 6 F. R. 5441.
Squaw Creek Antelope Range and Wildlife Refuge.	do	Kittitas	E. O. 8622	Dec. 27, 1940	3 CFR, Cum. Supp.; 5 F. R. 5275.
Summer Lake Migratory Waterfowl and Game Management Area.	Oregon	Lake	P. L. O. 300	Oct. 25, 1945	43 CFR, 1945 Supp., Ch. I, App.; 10 F. R. 13720.

§ 17.8 *Administrative sites and experiment stations.*

Administrative sites and experiment stations	Territory	Subdivision	Document	Date
Fairbanks Experiment Station	Alaska		E. O. 4629 E. O. 4719 E. O. 5352	Apr. 13, 1927 Sept. 12, 1927 May 23, 1930
Fort Yukon Wildlife Administrative Site	do	Fourth	E. O. 5384	June 27, 1930
Kenai Wildlife Administrative Site	do	Third	E. O. 6802	Aug. 4, 1934
Kodiak Wildlife Administrative Site	do	do	E. O. 6039	Feb. 20, 1933
Marshall Wildlife Administrative Site	do	Second	E. O. 6901	Nov. 13, 1934
McGrath Wildlife Administrative Site	do	Fourth	E. O. 6973	Feb. 19, 1935
Near Island Administrative Site	do	Third	E. O. 6833	Aug. 28, 1934
Snag Point Wildlife Administrative Site	do	do	E. O. 6946	Jan. 11, 1935

PART 20—GAME RANGES

Sec.
20.1 Protection of wildlife.
20.2 Acts not permitted on game ranges, or wildlife refuges.
20.3 Grazing.
20.4 Specimens for scientific, exhibition, or propagating purposes.
20.5 Scientific studies.
20.6 Removal of surplus animals.
20.7 Economic utilization of resources.
20.8 Fishing.
20.9 Exhibition and revocation of permits.

AUTHORITY: §§ 20.1 to 20.9 issued under 43 Stat. 98, sec. 10, 45 Stat. 1224, 48 Stat. 1269; 18 U. S. C. 41, 16 U. S. C. 715l, 43 U. S. C. ch. 8A.

SOURCE: §§ 20.1 to 20.9 contained in Reg., Feb. 13, 1937, 2 F. R. 590.

§ 20.1 *Protection of wildlife.* It is not permitted to hunt, trap, catch, disturb, or kill, or attempt to hunt, trap, catch, disturb, or kill any wild bird or other animal, or to take or molest the nest or eggs of such birds, on any game ranges, or wildlife refuges within grazing districts except when authorized by permit issued by or under the authority of the Secretary: *Provided*, That duly authorized grazing permittees and employees of the Department of the Interior engaged in the control of predatory animals and rodents may trap or otherwise take such rodents, predatory animals, or predacious birds when in the opinion of the Director, control measures are necessary to reduce the numbers of such animals or birds in order to safeguard the perpetuation of other species of wildlife, to protect livestock, or to conserve grazing resources, or to retard soil erosion.

§ 20.2 *Acts not permitted on game ranges, or wildlife refuges.* The following acts are not permitted on lands of the United States within game ranges, or wildlife refuges within grazing districts:

(a) Setting on fire, or causing to be set on fire any timber, brush, or grass, except as authorized by the resident officer in charge of such area.

(b) Building a camp fire in leaves, rotten wood, or other places where it is likely to spread; against large or hollow logs or stumps where it is difficult to extinguish it completely; or in any other dangerous place, or during windy weather, without confining it to holes or cleared spaces from which all vegetation, or other inflammable material has been removed.

(c) Leaving a camp fire unattended or not completely extinguished.

(d) Disturbing, molesting, or interfering, by intimidation, threat, assault, or otherwise, with any person engaged in the management of wildlife or livestock on such ranges, or refuges, or the prevention of trespass thereon.

(e) Unless authorized by permit from the resident officer in charge, the carrying of a firearm, except by authorized Federal or State officers.

(f) Throwing or placing a burning cigarette, match, pipe heel, firecracker, or any ignited substance in any place where it may start a fire; or discharging any kind of fireworks on any part of such ranges, or refuges.

(g) The destruction, injury, defacement, removal, or disturbance in any manner, of any building, notice, sign, signboard, equipment, fence, post, road, trail, dike, dike embankment, dam, bridge, or other structure, or of any other public property of any kind on such ranges, or refuges.

(h) Entering, occupying, or using without permission from the officer in charge, any building of the United States on such areas used for administration purposes by the Bureau of Land Management, of the Department of the Interior, or by the Service, except in case of emergency to prevent human suffering.

(i) The entering or being upon such land with intent to destroy, molest, disturb, or injure property used, or acquired for use, by the United States, in the administration of such areas.

(j) The dumping of garbage, or other refuse or debris, or the draining or dumping of oils, acids or poisons in, or otherwise polluting any waters, waterholes, or streams within any such ranges, or refuges.

§ 20.3 *Grazing.* No cattle, sheep, horses, or other livestock are permitted to graze on the public lands within the exterior boundaries of game ranges, or refuges, within grazing districts, except under permit of the Secretary of the Interior and in accordance with such conditions as he may prescribe therein and no grazing is permitted on lands within the exterior boundaries of such game ranges or refuges, which have been or which hereafter may be acquired by the United States for the conservation of migratory birds and other wildlife, except under permit of the Secretary and in accordance with such conditions as he may prescribe therein.

§ 20.4 *Specimens for scientific, exhibition, or propagating purposes.* Specimens of plant and animal life or other natural objects on any range, or refuge, within a grazing district, may be taken for scientific, exhibition, or propagating purposes, under special permit issued by the Secretary and countersigned by the Director, but no such permit shall be deemed to authorize the taking possession, transportation, or sale of any wildlife, or the nests or eggs of birds, contrary to State or Federal law.

§ 20.5 *Scientific studies.* Any person may enter upon any range, or refuge, within a grazing district, for scientific study, the taking of photographs thereon, or for other like purposes, but must comply with the regulations in this part, and the rules for the administration of grazing districts.

§ 20.6 *Removal of surplus animals.* Whenever it shall appear after investigation that the number of any species of game animal on any range, or refuge, within a grazing district, shall have increased beyond the numbers specified in the Executive order establishing the particular range, it shall be the duty of the Director, and the Director, Bureau of Land Management, Department of Interior, jointly to determine the number of surplus animals it is desirable to remove from such range, or refuge, and upon such determination such surplus animals may be removed under such conditions and in the manner authorized or prescribed by the Director.

§ 20.7 *Economic utilization of resources.* Permits to cut and remove timber or firewood, occupy or cultivate areas, use any material of commercial value, or make other like use of any lands within the exterior boundaries of ranges, or refuges, within grazing districts, which lands have been or may hereafter be acquired by the United States for the use of the Department for the conservation of migratory birds or other wildlife, not inconsistent with the objects for which such ranges, or refuges, were established may be issued by the Director, upon such rates of charge, if any, as may be ascertained and determined by him to be commensurate with the value of the privilege given by such permits. Permits for like purposes as to other lands within such ranges, or refuges, may be issued in conformity with rules and regulations of the Department of the Interior covering such usage: *Provided*, That in order to safeguard the food and cover requirements for wildlife, permits to remove timber or firewood from the range, or refuge, shall not be issued until applications therefor have first been approved by the resident officer of the Service and timber permittees shall make such disposition of brush, tops, lops, slashings, and other forest debris resulting from timber operations as such officer may prescribe.

§ 20.8 *Fishing.* Any person may enter upon any range, or refuge, within a grazing district for the purpose of fishing in accordance with the laws of the State in which such range, or refuge, is located, but must comply with the provisions of the regulations in this part, and the rules for the administration of grazing districts.

§ 20.9 *Exhibition and revocation of permits.* Permits shall be exhibited for inspection at any reasonable time upon request of any officer or employee of the Department of the Interior engaged in the administration of such ranges, or refuges, or in the enforcement of laws and regulations applicable to wildlife. Any permit may be terminated at any time by agreement between the issuing officer and the permittee; it may be revoked by the Director, Bureau of Land Management, Department of the Interior, or his designated representative, if issued by or under his authority, or by the Director, or his designated representative, if issued by or under his authority, for noncompliance with the terms thereof or of the regulations in this part, for nonuse, or for violation of any law or regulation applicable to the game range, or wildlife refuge, or of any State or Federal law protecting wildlife or the nests or eggs of birds; and it is subject at all times to discretionary revocation by the Secretary.

PART 31—PACIFIC REGION

Sec.
31.1 List of States.

SUBPART—BLACK COULEE NATIONAL WILDLIFE REFUGE, MONTANA

FISHING

Sec.
31.2 Fishing permitted.
31.3 State fishing laws.
31.4 Fishing licenses and permits.
31.5 Routes of travel.
31.6 Use of boats.
31.7 Temporary restrictions.

SUBPART—BOWDOIN NATIONAL WILDLIFE REFUGE, MONTANA

HUNTING

31.11 Hunting waterfowl and coots permitted.
31.12 Hunting licenses and permits.
31.13 Disorderly conduct; intoxication.
31.14 Hunting dogs.
31.15 Entry upon refuge; firearms.
31.16 Fires and camping.

NONCOMMERCIAL FISHING

31.17 Noncommercial fishing permitted.
31.18 Waters open to fishing.
31.19 State fishing laws.
31.20 Fishing licenses and permits.
31.21 Routes of travel.
31.22 Use of boats.
31.23 Temporary restrictions.

COMMERCIAL FISHING

31.24 Commercial fishing permitted.
31.25 State fishing laws.
31.26 Fishing licenses and permits.
31.27 Routes of travel.
31.28 Reports.
31.29 Revocation of permits.
31.30 Firearms.

SUBPART—CHARLES SHELDON ANTELOPE RANGE, NEVADA

HUNTING

31.41 Hunting permitted.
31.42 Excepted area.
31.43 Entry.
31.44 State hunting laws.
31.45 Exception.

SUBPART—COLD SPRINGS NATIONAL WILDLIFE REFUGE, OREGON

FISHING

31.51 Fishing permitted.
31.52 Waters open to fishing.
31.53 State fishing laws.
31.54 Fishing permits.
31.55 Routes of travel.
31.56 Use of motor boats prohibited.

SUBPART—CONCONULLY NATIONAL WILDLIFE REFUGE, WASHINGTON

FISHING

31.61 Fishing permitted.
31.62 State fishing laws.
31.63 Fishing licenses and permits.
31.64 Routes of travel.
31.65 Use of motorboats prohibited.
31.66 Temporary restrictions.

SUBPART—CREEDMAN COULEE NATIONAL WILDLIFE REFUGE, MONTANA

FISHING

31.71 Fishing permitted.
31.72 State fishing laws.
31.73 Fishing licenses and permits.
31.74 Routes of travel.
31.75 Use of boats prohibited.
31.76 Temporary restrictions.

SUBPART—DEER FLAT NATIONAL WILDLIFE REFUGE, IDAHO

FISHING

31.81 Fishing permitted.
31.82 Area closed to fishing.
31.83 State fishing license; exhibition.
31.84 Routes of travel.
31.85 Temporary restrictions.
31.86 Restrictions during hunting season.

PRIVATE OPERATIONS

31.87 Permits for private operations.

PUBLIC USE

31.88 Public use.
31.89 Motorboats.
31.90 Recreational activities.
31.91 Fires.
31.92 Artificial lights.

HUNTING

31.93 Hunting permitted.
31.94 Areas open to hunting.
31.95 State laws.
31.96 Hunting licenses and permits.
31.97 Disorderly conduct; intoxication.
31.98 Hunting dogs.
31.99 Entry upon refuge; firearms.
31.100 Penalties.

SUBPART—DESERT GAME RANGE, NEVADA

HUNTING

31.111 Deer hunting permitted.
31.112 Area open to hunting.
31.113 Entry.
31.114 State hunting laws.
31.115 State cooperation.

SUBPART—FORT PECK GAME RANGE, MONTANA

HUNTING

31.121 Deer hunting permitted.
31.122 Area open to hunting.
31.123 Entry.
31.124 State hunting laws.
31.125 State cooperation.

SUBPART—HART MOUNTAIN NATIONAL ANTELOPE REFUGE, OREGON

HUNTING

31.131 Hunting of deer permitted.
31.132 Area open to hunting.
31.133 Compliance with State laws and regulations.
31.134 Disorderly conduct; intoxication.
31.135 Entry upon refuge.
31.136 Limitation on firearms.

SUBPART—LAKE MASON NATIONAL WILDLIFE REFUGE, MONTANA

HUNTING

31.151 Hunting permitted.
31.152 Area open to hunting.
31.153 State laws.
31.154 Hunting licenses and permits.
31.155 Disorderly conduct; intoxication.
31.156 Hunting dogs.
31.157 Entry upon refuge; firearms.
31.158 Penalties.

SUBPART—LENORE LAKE NATIONAL WILDLIFE REFUGE, WASHINGTON

FISHING

31.161 Fishing permitted.
31.162 State fishing laws.
31.163 Fishing licenses and permits.
31.164 Routes of travel.
31.165 Use of motorboats.
31.166 Temporary restrictions.

SUBPART—LITTLE PEND OREILLE NATIONAL WILDLIFE REFUGE, WASHINGTON

FISHING

Sec.
31.171 Fishing permitted.
31.172 Waters open to fishing.
31.173 State fishing laws.
31.174 Fishing licenses and permits.
31.175 Routes of travel.
31.176 Use of motor boats.

HUNTING

31.177 Deer hunting permitted.
31.178 State game laws.
31.179 Hunting license and permit.
31.180 Disorderly conduct, intoxication.
31.181 Forfeiture of privileges.

SUBPART—LOWER KLAMATH NATIONAL WILDLIFE REFUGE, CALIFORNIA AND OREGON

HUNTING

31.191 Hunting permitted.
31.192 Areas open to hunting.
31.193 State laws.
31.194 Hunting licenses and permits.
31.195 Disorderly conduct; intoxication.
31.196 Hunting dogs.
31.197 Entry upon refuge; firearms.
31.198 Penalties.

SUBPART—MALHEUR NATIONAL WILDLIFE REFUGE, OREGON

FISHING

31.201 Fishing permitted.
31.202 Licenses.
31.203 Routes of travel.
31.204 Firearms and fires.
31.205 Suspension of fishing privileges.
31.206 Revocation of permits.

HUNTING

31.207 Hunting permitted.
31.208 Area open to hunting.
31.209 Entry.
31.210 Permit.
31.211 Dogs.
31.212 Boats.
31.213 State cooperation.

SUBPART—MCKAY CREEK NATIONAL WILDLIFE REFUGE, OREGON

FISHING

31.221 Fishing permitted.
31.222 Waters open to fishing.
31.223 State fishing laws.
31.224 Fishing permits.
31.225 Routes of travel.
31.226 Use of motor boats.

SUBPART—MEDICINE LAKE NATIONAL WILDLIFE REFUGE, MONTANA

FISHING

31.231 Fishing permitted.
31.232 Waters open to fishing.
31.233 State fishing laws.
31.234 Fishing licenses and permits.
31.235 Routes of travel.
31.236 Use of boats.
31.237 Temporary restrictions.

HUNTING

31.238 Hunting permitted.
31.239 Public shooting area.
31.240 Entry.
31.241 Hunting licenses and permits.
31.242 Dogs.

SUBPART—NINEPIPE AND PABLO NATIONAL WILDLIFE REFUGES, MONTANA

FISHING

31.251 Fishing permitted.
31.252 Licenses.
31.253 Routes of travel.
31.254 Firearms and fires.

SUBPART—RAILROAD VALLEY NATIONAL WILDLIFE REFUGE, NEVADA

HUNTING

Sec.
31.271 Hunting permitted.
31.272 Shooting area.
31.273 Entry.
31.274 Permits.

SUBPART—RED ROCK LAKES NATIONAL WILDLIFE REFUGE, MONTANA

HUNTING

31.281 Hunting permitted.
31.282 Public shooting ground.
31.283 Fires and camping.
31.284 Hunting dogs.
31.285 Exhibition of licenses and bag.
31.286 Defacement or destruction of public property.

FISHING

31.287 Fishing permitted.
31.288 Entry.
31.289 State fishing laws.
31.290 Temporary restrictions.

SUBPART—RUBY LAKE NATIONAL WILDLIFE REFUGE, NEVADA

FISHING

31.301 Fishing permitted.
31.302 Waters open to fishing.
31.303 State fishing laws.
31.304 Fishing licenses and permits.
31.305 Routes of travel.
31.306 Use of boats.
31.307 Bait restrictions.
31.308 Temporary restrictions.

HUNTING

31.309 Hunting permitted.
31.310 Entry.
31.311 State hunting laws.

SUBPART—SNAKE RIVER NATIONAL WILDLIFE REFUGE, IDAHO

HUNTING

31.321 Hunting permitted.
31.322 State laws.
31.323 Hunting licenses and permits.
31.324 Disorderly conduct; intoxication.
31.325 Hunting dogs.
31.326 Firearms.
31.327 Forfeiture of privileges.

SUBPART—THIEF VALLEY NATIONAL WILDLIFE REFUGE, OREGON

FISHING

31.331 Fishing permitted.
31.332 State fishing laws.
31.333 Fishing licenses and permits.
31.334 Routes of travel.
31.335 Use of motorboats.
31.336 Temporary restrictions.

SUBPART—TULE LAKE NATIONAL WILDLIFE REFUGE, CALIFORNIA

HUNTING

31.341 Hunting permitted.
31.342 Shooting area.
31.343 Entry.
31.344 Permits.
31.345 Dogs.

AUTHORITY: §§ 31.1 to 31.344 issued under 43 Stat. 98, 18 U. S. C. 41; 45 Stat 1222, 16 U. S. C. 715i, and Reorg. Plan II, 53 Stat. 1431; 5 U. S. C. 133t, note.

§ 31.1 *List of States.* The Pacific Region is comprised of the States of California, Idaho, Montana, Nevada, Oregon, and Washington.

[Dec. 16, 1948, 13 F. R. 8221]

SUBPART—BLACK COULEE NATIONAL WILDLIFE REFUGE, MONTANA

FISHING

SOURCE: §§ 31.2 to 31.7 contained in Reg., Nov. 5, 1943, 8 F. R. 15529.

§ 31.2 *Fishing permitted.* Noncommercial fishing is permitted in all waters of the Black Coulee National Wildlife Refuge, Montana, between July 15 and the eighth day prior to the opening day of the migratory-waterfowl hunting season of each year, both dates inclusive, in accordance with Parts 18 and 21 and subject to the conditions, restrictions, and requirements of §§ 31.3 to 31.7 inclusive.

§ 31.3 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Montana. Fishing under this part shall be by hook and line only, as defined by State law.

§ 31.4 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Montana State Fish and Game Commission, if such license is required. This license shall serve as a Federal permit for fishing in the waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Montana State Fish and Game Commission or of the Fish and Wildlife Service.

§ 31.5 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

§ 31.6 *Use of boats.* The use of boats or floating devices of any description is prohibited on all waters of the refuge except for official purposes.

§ 31.7 *Temporary restrictions.* During periods of waterfowl concentrations on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are suitably posted by such officer.

SUBPART—BOWDOIN NATIONAL WILDLIFE REFUGE, MONTANA

HUNTING

SOURCE: §§ 31.11 to 31.16 contained in Reg., Sec. Int., Oct. 5, 1940, Oct. 3, 1941; 5 F. R. 3950, 4052, 6 F. R. 5096.

§ 31.11 *Hunting waterfowl and coots permitted.* Migratory waterfowl (except those species for which no open season is prescribed by the Migratory Bird Treaty Act Regulations), and coots may be taken on and in all lands and waters of the Bowdoin National Wildlife Refuge embraced within the boundary designated "public shooting ground" on the diagram dated 1941 made a part of this section when, in manner, by means, and to the extent not prohibited either by Federal or State law or by regulations, and under the special provisions,

conditions, restrictions, and requirements of §§ 31.12 to 31.17, inclusive.

§ 31.12 *Hunting licenses and permits.* Any person who hunts within the refuge shall be in possession of a valid hunting license issued by the State of Montana, if such license is required, and, if hunting migratory waterfowl, a properly validated migratory bird hunting stamp. This license and stamp shall serve as a Federal permit for hunting on the refuge and must be carried on the person of the licensee while so hunting. The license and stamp must be exhibited upon the request of any representative of the Montana State Fish and Game Commission authorized to enforce the State game laws, or of any representative of the Department of the Interior. The licensee must also upon request of the officer in charge exhibit for inspection all birds killed by him or in his possession. Failure to comply with any of the conditions, restrictions, or requirements of the regulations in this subpart will be sufficient cause for removing such person from the refuge and for refusing him further hunting privileges on the refuge.

§ 31.13 *Disorderly conduct; intoxication.* No person who is visibly intoxicated will be permitted to enter upon the refuge for the purpose of hunting, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

§ 31.14 *Hunting dogs.* Each person hunting on the public shooting ground will be permitted to take his hunting dogs, not to exceed two in number, upon such area for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the public shooting ground or elsewhere on the refuge.

§ 31.15 *Entry upon refuge; firearms.* Persons entering the refuge for the purpose of hunting shall use such established routes of travel as may be designated by suitable posting by the officer in charge and shall not otherwise enter upon the refuge. The carrying or being in possession of rifled firearms or the use of single-ball or slug-load shotgun shells on the refuge is prohibited.

§ 31.16 *Fires and camping.* The lighting of fires for any purpose or camping on any area of the refuge except under permit is prohibited, and special care must be taken to prevent lighted matches, cigars, or cigarettes, or pipe ashes from being dropped in grass or other inflammable material.

NONCOMMERCIAL FISHING

SOURCE: §§ 31.17 to 31.23 contained in Reg., Nov. 23, 1943, 8 F. R. 16323.

§ 31.17 *Noncommercial fishing permitted.* Fishing is permitted in the waters of the Bowdoin National Wildlife Refuge, Montana, specified in § 31.18 from sunrise to sunset during the period May 1 to October 31, inclusive, of each year, in accordance with the provisions of Parts 18 and 21 of this chapter and subject to the conditions, restrictions, and requirements of §§ 31.18 to 31.23, inclusive.

§ 31.18 *Waters open to fishing.* The waters in the feeder canal from the main Reclamation Service ditch to Lake Bowdoin in the SW¼ of sec. 32, T. 31 N., R. 31 E., Montana Principal Meridian, shall be open to fishing.

§ 31.19 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Montana.

§ 31.20 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Montana State Fish and Game Commission, if such license is required. This license shall serve as a Federal permit for fishing in the specified waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Montana State Fish and Game Commission or of the Fish and Wildlife Service.

§ 31.21 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

§ 31.22 *Use of boats.* The use of boats or floating devices of any description is prohibited on all waters of the refuge except for official purposes.

§ 31.23 *Temporary restrictions.* During periods of waterfowl concentrations on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are suitably posted by such officer.

COMMERCIAL FISHING

SOURCE: §§ 31.24 to 31.30 contained in Reg., Sept. 12, 1944, 9 F. R. 11400.

§ 31.24 *Commercial fishing permitted.* Until further notice rough or nongame fish only may be taken for commercial purposes in such waters of the Bowdoin National Wildlife Refuge, Montana, as may be designated in permits issued by the officer in charge, between the hours of 6 a. m. and 9 p. m. each day from December 1 to March 31, both dates inclusive, in accordance with the provisions of Parts 18 and 21 of this chapter and subject to the conditions, restrictions, and requirements of §§ 31.25 to 31.30 inclusive.

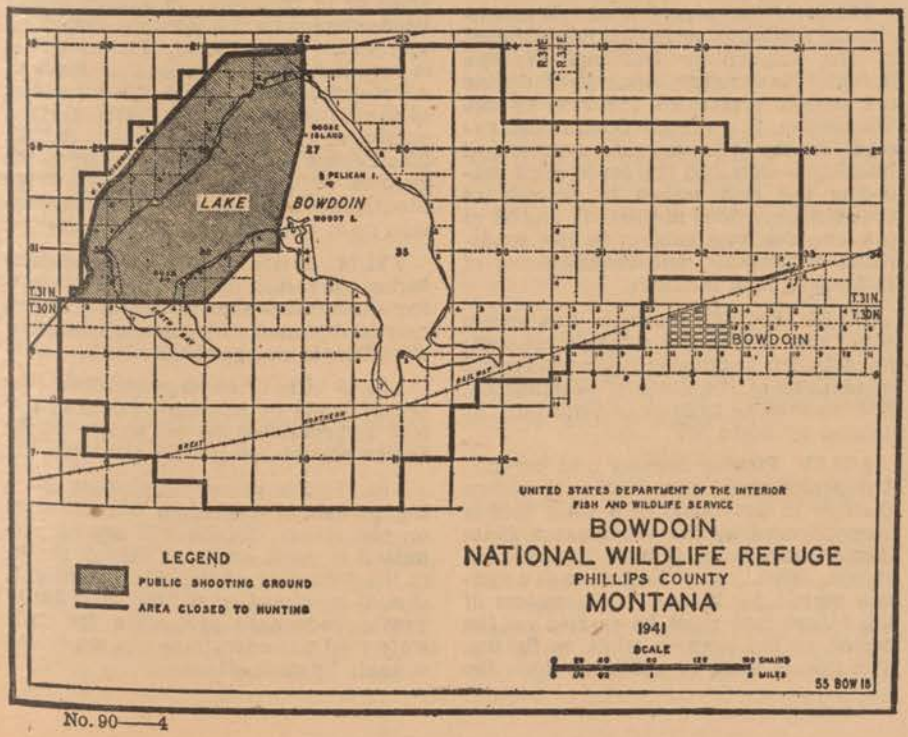
§ 31.25 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Montana.

§ 31.26 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Montana State Fish and Game Commission, if such license is required. This license and the Federal permit for fishing in the waters of the refuge must be carried on the person of the licensee while so fishing. The license and permit must be exhibited upon the request of any representative of the Montana State Fish and Game Commission or of the Fish and Wildlife Service.

§ 31.27 *Routes of travel.* Persons entering the refuge for the purpose of commercial fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

§ 31.28 *Reports.* Each permittee authorized to take fish on the refuge for commercial purposes, shall within 10 days after the expiration or termination of his permit submit to the officer in charge, or his representative, a report correctly stating the kinds of fish and the quantity of each kind taken.

§ 31.29 *Revocation of permits.* Any permit issued under §§ 31.24 to 31.30 may be revoked by the issuing officer for non-



compliance with the terms thereof, for nonuse, or for violation of any law or regulation applicable to the refuge and it is subject at all times to discretionary revocation by the Secretary of the Interior.

§ 31.30 *Firearms.* The carrying or being in possession of firearms of any description on the refuge is not permitted.

SUBPART—CHARLES SHELDON ANTELOPE RANGE, NEVADA

HUNTING

SOURCE: §§ 31.41 to 31.45 contained in Reg., Sept. 23, 1944, 9 F. R. 11856.

§ 31.41 *Hunting permitted.* Hunting for antelope with rifled firearms, except guns using .22-caliber rim fire ammunition, will be permitted on the Charles Sheldon Antelope Range during that part of the State's open season and to the extent prescribed and announced by the Director of the Fish and Wildlife Service in cooperation with the State Fish and Game Commission of Nevada.

§ 31.42 *Excepted area.* Hunting will not be permitted on that portion of the range lying east of the trail passing Big Spring Reservoir to Hawks Valley and north of a line following the main east-west road through the range from its intersection with the Hawks Valley Trail to the road leading to the old CCC camp, and following the road to the old CCC camp, and thence with a line due east from the camp to the east boundary of the range.

§ 31.43 *Entry.* Entry on and use of the range for any purpose is governed by Parts 18, 20, and 21 of this chapter and strict compliance therewith is required.

§ 31.44 *State hunting laws.* All hunters must comply with State hunting laws and regulations, and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations.

§ 31.45 *Exception.* It should be noted that the hunting privileges granted herein do not apply to the Sheldon National Antelope Refuge.

SUBPART—COLD SPRINGS NATIONAL WILDLIFE REFUGE, OREGON

FISHING

SOURCE: §§ 31.51 to 31.56 contained in Reg., Sec. Int., Oct. 19, 1939, 4 F. R. 4436.

§ 31.51 *Fishing permitted.* Until further notice, in accordance with the provisions of Parts 18 and 21 of this chapter fish may be taken for noncommercial purposes, and by hook and line only, from the waters of the Cold Springs National Wildlife Refuge, Oregon, subject to conditions and restrictions specified in §§ 31.52 to 31.56 inclusive.

§ 31.52 *Waters open to fishing.* All waters within the refuge shall be open to fishing insofar as such fishing is not inconsistent with the primary object for which the refuge was established. No fishing of any kind will be permitted within the refuge during the migratory-waterfowl hunting season. In the event that the Director of the Fish and Wildlife Service shall find that fishing in any of these waters is unduly depleting any species of fishes therein or is interfering with the use of any particular waters by migratory birds or other wildlife, he may suspend the privilege of fishing in such waters pending final determination by the Secretary of the Interior.

§ 31.53 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Oregon, and in the absence of a State law or regulation in respect to the fishing season and the number and size of fishes that may be taken, the Director of the Fish and Wildlife Service may fix such seasons and limits.

§ 31.54 *Fishing permits.* Any person exercising the privilege of fishing within the refuge shall be in possession of a valid fishing license issued by the State of Oregon, if such license is required, and shall carry such license on his person while fishing, and when requested to do so shall exhibit it to any representative of the State Game Commission of the State of Oregon authorized to enforce the game and fish laws of the State or to any representative of the Fish and Wildlife Service.

§ 31.55 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as shall from time to time be designated by the officer in charge of the refuge.

§ 31.56 *Use of motor boats prohibited.* The use of motor boats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes.

SUBPART—CONCONULLY NATIONAL WILDLIFE REFUGE, WASHINGTON

FISHING

SOURCE: §§ 33.61 to 31.66 contained in Reg., Sec. Int., June 29, 1942, 7 F. R. 5252.

§ 31.61 *Fishing permitted.* Noncommercial fishing is permitted in all waters of the Conconully National Wildlife Refuge, Washington, each year during the season prescribed therefor by the Washington State Game Commission except during the migratory-waterfowl hunting season and the seven days preceding the said season in accordance with the provisions of Parts 18 and 21 of this chapter, and subject to the conditions, restrictions, and requirements of §§ 31.62 to 31.66 inclusive.

§ 31.62 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Washington. Fishing shall be by hook and line only, as defined by State law.

§ 31.63 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Washington State Game Commission, if such license is required. This license shall serve as a Federal permit for fishing in the waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Washington State Game Commission or of the Fish and Wildlife Service.

§ 31.64 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follows such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

§ 31.65 *Use of motorboats prohibited.* The use of motorboats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes.

§ 31.66 *Temporary restrictions.* During periods of waterfowl concentration on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

SUBPART—CREEDMAN COULEE NATIONAL WILDLIFE REFUGE, MONTANA

FISHING

SOURCE: §§ 31.71 to 31.76 contained in Reg., Sec. Int., June 29, 1942, 7 F. R. 5253.

§ 31.71 *Fishing permitted.* Noncommercial fishing is permitted on the Creedman Coulee National Wildlife Refuge, Montana, from July 15 to the eighth day prior to the opening day of the migratory-waterfowl hunting season of each year, inclusive, in all waters of the refuge, in accordance with the provisions of Parts 18 and 21 of this chapter, and subject to the conditions, restrictions, and requirements of §§ 31.72 to 31.76 inclusive.

§ 31.72 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Montana. Fishing shall be by hook and line only, as defined by State law.

§ 31.73 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Montana State Fish and Game Commission, if such license is required. This license shall serve as a Federal permit for fishing in the waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Montana State Fish and Game Commission or of the Fish and Wildlife Service.

§ 31.74 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

§ 31.75 *Use of boats prohibited.* The use of boats or floating devices of any sort is prohibited on all waters of the refuge except for official purposes.

§ 31.76 *Temporary restrictions.* During periods of waterfowl concentration on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

SUBPART—DEER FLAT NATIONAL WILDLIFE REFUGE, IDAHO

FISHING

SOURCE: §§ 31.81 to 31.86 contained in Reg., Sec. Int., May 16, 1941, as amended, Oct. 15, 1942; 6 F. R. 2605, 8 F. R. 1404, except as noted following sections affected.

§ 31.81 *Fishing permitted.* Fishes may be taken for commercial and noncommercial purposes from the waters of the Deer Flat National Wildlife Refuge in accordance with the laws of Idaho governing fishing, subject to the exceptions, conditions, and requirements of §§ 31.82 to 31.86.

§ 31.82 *Area closed to fishing.* All lands and waters within the boundary of the refuge in Township 2 North, Range 2 West of the Boise Meridian, are closed to fishing, except during the period from January 1 to June 30 of each year, as follows: In New York Canal, fishing may be done from dike or bank only; in remaining waters in Range 2, fishing may be done from rowboat only.

[Apr. 24, 1945, 10 F. R. 4993]

§ 31.83 *State fishing license; exhibition.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the State of Idaho, if such license is required. This license shall serve as a Federal permit for fishing in the refuge and must be carried on the person of the licensee while so fishing. The license or permit provided for herein must be exhibited upon the request of any representative of the Idaho State Fish and Game Commission or the United States Department of the Interior, authorized to enforce State or Federal fish and game laws.

§ 31.84 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge.

§ 31.85 *Temporary restrictions.* During the periods of waterfowl concentrations on the refuge, fishing will not be permitted in those areas of the refuge that, in the judgment of the officer in charge should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

§ 31.86 *Restrictions during hunting season.* Fishing is prohibited during the migratory-waterfowl hunting season on such areas of the refuge as are designated as open to public hunting by regulation of the Director.

PRIVATE OPERATIONS

§ 31.87 *Permits for private operations.* Cutting and removal of willow and other growth necessary for proper wildlife management and the cutting and removal of ice may be allowed without charge under permit of the refuge manager within such areas and at such times as he may designate, and no person shall enter the refuge for these purposes without such written permission. The erection, occupancy, and/or maintenance of any building within the refuge must be under appropriate permit issued by the Director or Regional Director of the Fish and Wildlife Service except that such permit is not required for official structures erected or used by the Federal or State Government or by the Boise Project Board of Control, nor for temporary structures as tents that may be erected, occupied, and use without permit on designated public use areas or camp sites.

[May 16, 1941, as amended Oct. 15, 1942; 6 F. R. 2605, 8 F. R. 1404]

PUBLIC USE

SOURCE: §§ 31.88 to 31.92 contained in Reg., Sec. Int., May 16, 1941, as amended Oct. 15, 1942; 6 F. R. 2605, 8 F. R. 1404, except as noted following section affected.

§ 31.88 *Public use.* Public uses of the refuge are permitted at the times and places and in the manner specified in § 31.89 to § 31.92 inclusive.

§ 31.89 *Motorboats.* Motorboats properly equipped with mufflers to eliminate excessive noises may be operated without permit from sunrise to two hours after sunset of each day during the period April 16 to September 30, inclusive, of each year, except that boats and motorboats are not permitted to operate within the closed area on Township 2, Range 2 West of the Boise Meridian nor within 100 yards of any water control structure, nor in areas designated by the officer in charge by posting where wave action will wash or otherwise damage the slopes of the reservoir. The refuge officer in charge may issue free-use permits authorizing motorboat racing, wherein motorboats may operate without mufflers in such areas and at such times during said period as he may designate: *Provided,* Such motorboat racing is officially sponsored by a recognized civic organization or motorboat club.

[Apr. 24, 1945, 10 F. R. 4993]

§ 31.90 *Recreational activities.* Picnic, baseball, skating, camping, and other public uses may be conducted at any time without permit on such areas as the refuge officer in charge may from time to time officially designate by posting for such activities.

§ 31.91 *Fires.* The lighting of fires for any purpose is permitted only on officially designated public use areas.

§ 31.92 *Artificial lights.* The use of gas, oil, electric, or other lights, or portable artificial lights, is prohibited except that such lights may be used by agents of the State, United States, and the Boise Project Board of Control when performing their official duties and by persons within the officially designated public use areas, camp sites, and on roads leading thereto, and by ice-skaters.

HUNTING

SOURCE: §§ 31.93 to 31.100 contained in Reg., Sec. Int., Aug. 3, 1942, 7 F. R. 6273.

§ 31.93 *Hunting permitted.* Until further notice, migratory waterfowl (except those species for which no open season is prescribed by the Migratory Bird Treaty Act regulations) and coots may be taken within the areas of the Deer Flat National Wildlife Refuge, Idaho, described in § 31.94 during the period prescribed for the taking of such birds in Idaho by the Migratory Bird Treaty Act regulations, in accordance with the provisions of Parts 18 and 21 of this chapter, and in accordance with the regulations promulgated pursuant to the authority contained in the Migratory Bird Treaty Act, when, in manner, by means, and to the extent not prohibited by either Federal or State law or regulation, and under the special provisions, conditions, restrictions, and requirements of §§ 31.94 to 31.100 inclusive.

§ 31.94 *Areas open to hunting.* All the lands of the United States within the following-described area of the refuge shall be open to hunting: All the lands of the refuge in secs. 15, 16, 17, 19, 20, 21, 22, 27, 28, 29, and 30, except the area known as the Military Restricted Area that lies northwesterly of a straight line extending from the northeast corner of the SE¼SE¼ of said sec. 17 to a point near the center of the NE¼NW¼ of the said sec. 30, all in T. 3 N., R. 3 W., Boise Meridian, Idaho.

§ 31.95 *State laws.* Any person while hunting within the refuge must comply with the applicable laws and regulations of the State of Idaho.

§ 31.96 *Hunting licenses and permits.* Any person who hunts within the refuge shall be in possession of a valid hunting license issued by the State of Idaho, if such license is required, and, if hunting migratory waterfowl, a properly validated migratory-bird hunting stamp. The said license and stamp shall serve as a Federal permit for hunting on the refuge and must be carried on the person of the licensee while so hunting. The said license and stamp must be exhibited upon the request of any representative of the Idaho Fish and Game Commission authorized to enforce the State game laws or any representative of the Department of the Interior. Upon request of the officer in charge, the licensee also must exhibit for inspection all birds killed by him or in his possession.

§ 31.97 *Disorderly conduct; intoxication.* No person who is visibly intoxicated will be permitted to enter upon the refuge for the purpose of hunting, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

§ 31.98 *Hunting dogs.* Each person hunting on the public shooting grounds will be permitted to take his hunting dogs, not to exceed two in number, upon such areas for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the public shooting grounds or elsewhere on the refuge.

§ 31.99 *Entry upon refuge; firearms.* Persons entering the refuge for the purpose of hunting shall use such routes of travel as may be designated by suitable posting by the officer in charge and shall not otherwise enter upon the refuge. The carrying or being in possession of firearms within the areas of the refuge not open to public hunting is prohibited, except that such firearms may be possessed or transported across such closed areas pro-

vided they are unloaded, and broken or properly encased. The carrying or being in possession of rifled firearms or the use of single-ball or slug-load shotgun shell on the refuge is prohibited.

§ 31.100 *Penalties.* Failure of a permittee to comply with any of the conditions, restrictions, or requirements of §§ 31.93 to 31.100, inclusive, will be sufficient cause for removing him from the refuge and for refusing him further hunting privileges on the refuge.

SUBPART—DESERT GAME RANGE, NEVADA

HUNTING

SOURCE: §§ 31.111 to 31.115 contained in Reg., Oct. 21, 1948, 13 F. R. 6287.

§ 31.111 *Deer hunting permitted.* Deer may be taken on certain lands of the United States, described in § 31.112 within the Desert Game Range, during the open season and in such numbers and sex as may be prescribed by the Nevada Fish and Game Commission, after a joint annual examination of the range by the Fish and Wildlife Service and the Nevada Fish and Game Commission, subject to the special provisions, conditions, restrictions, and requirements of §§ 31.112 to 31.115, inclusive.

§ 31.112 *Area open to hunting.* The following described lands of the United States within the Desert Game Range shall be open to the hunting of deer:

Beginning at a point where U. S. Highway No. 95 intersects the west boundary of the Desert Game Range, thence southeasterly along said Highway No. 95 to the east boundary of the Desert Game Range, thence south along such boundary to the Red Rock Road, thence westerly along said Red Rock Road to the west boundary of the Desert Game Range, thence north along the said west boundary to the place of beginning.

§ 31.113 *Entry.* Entry on and use of the range for any purpose are governed by the provisions of Parts 18, 20 and 21 of this chapter, and strict compliance therewith is required.

§ 31.114 *State hunting laws.* Strict compliance with all State laws and regulations is required, and any person who hunts on the range must have in his possession, and exhibit at the request of any authorized Federal or State officer, a valid State hunting license and a special permit issued by the State authorizing him to hunt on the area. Such State license and permit will serve as a Federal permit for entry on the Range for the purpose of hunting.

§ 31.115 *State cooperation.* State cooperation may be enlisted in the regulation, management, and operation of the public hunting areas, and the State may promulgate such special regulations as may be necessary for such regulation, management, and operation. In the event such State regulations are issued, compliance therewith shall be a requisite to lawful entry for the purpose of hunting.

SUBPART—FORT PECK GAME RANGE, MONTANA

HUNTING

SOURCE: §§ 31.121 to 31.125 contained in Reg., Oct. 22, 1948, 13 F. R. 6330.

§ 31.121 *Deer hunting permitted.* Deer may be taken in accordance with the laws and regulations of the State of Montana on such lands of the United States within the Fort Peck Game Range as may be mutually determined after a joint annual examination of the range by representatives of the Fish and Wildlife Service and of the Montana Fish and Game Commission, subject to the special provisions, conditions, restrictions, and requirements of §§ 31.122 to 31.125, inclusive.

§ 31.122 *Area open to hunting.* The part or parts of the Fort Peck Game Range that are open to the hunting of deer each year shall be designated by suitable posting by the officer in charge of the range.

§ 31.123 *Entry.* Entry on and use of the range for any purpose are governed by the provisions of Parts 18, 20 and 21 of this chapter, and strict compliance therewith is required.

§ 31.124 *State hunting laws.* Strict compliance with all State laws and regulations is required, and any person who hunts on the range must have in his possession, and exhibit at the request of any authorized Federal or State officer, a valid State hunting license and a special permit issued by the State authorizing him to hunt on the area. Such State license and permit will serve as a Federal permit for entry on the range for the purpose of hunting.

§ 31.125 *State cooperation.* State cooperation may be enlisted in the regulation, management, and operation of the public hunting area, and the State may promulgate such special regulations as may be necessary for such regulation, management, and operation. In the event such State regulations are issued, compliance therewith shall be a requisite to lawful entry for the purpose of hunting.

SUBPART—HART MOUNTAIN NATIONAL ANTELOPE REFUGE, OREGON

HUNTING

SOURCE: §§ 31.131 to 31.136 contained in Reg., July 14, 1944, 9 F. R. 8189.

§ 31.131 *Hunting of deer permitted.* Until further notice deer may be taken during the open season prescribed by the State Game Commission of Oregon, on certain lands, described in § 31.132, of the United States within the exterior boundary of the Hart Mountain National Antelope Refuge, Oregon, in accordance with the provisions of Parts 18 and 21 of this chapter, and subject to the special provisions, conditions, restrictions, and requirements of §§ 31.132 to 31.136 inclusive.

§ 31.132 *Area open to hunting.* Such lands of the United States in the Hart Mountain National Antelope Refuge, Oregon, as shall be mutually agreed upon from time to time by the Director of the Fish and Wildlife Service and the State Game Commission of Oregon, and as indicated by appropriate posting on the ground by the officer in charge, shall be open to the hunting of deer.

§ 31.133 *Compliance with State laws and regulations.* Any person who hunts on the refuge shall be in possession of a valid hunting license issued by the State of Oregon authorizing him to hunt deer and a permit, if required. Said license and permit shall serve as a Federal permit for hunting deer on the refuge and must be carried on the person of the licensee while so hunting. The license and permit must be exhibited upon the request of any representative of the Oregon State Game Commission authorized to enforce the State game laws or of any representative of the Department of the Interior. The licensee must comply in every respect with the State laws and regulations governing the hunting of deer and upon request of any of the aforesaid representatives must exhibit for inspection all game killed by him or in his possession.

§ 31.134 *Disorderly conduct, intoxication.* No person who is intoxicated will be permitted to enter or remain upon the refuge for the purpose of hunting hereunder, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

§ 31.135 *Entry upon refuge.* Persons entering the refuge for the purpose of hunting, as permitted by §§ 31.131 to 31.136, inclusive, shall use such routes of travel as may be designated by suitable posting by the officer in charge and shall not otherwise enter upon the refuge.

§ 31.136 *Limitation on firearms.* Deer may be taken only with a rifled firearm, except that a gun using .22 caliber rim fire ammunition may not be used in hunting or taking deer on the refuge.

SUBPART—LAKE MASON NATIONAL WILDLIFE REFUGE, MONTANA

HUNTING

SOURCE: §§ 31.151 to 31.158 contained in Reg., Sec. Int., Sept. 26, 1942, 7 F. R. 8066, except as noted following section affected.

§ 31.151 *Hunting permitted.* Migratory waterfowl (except those species for which no open season is prescribed by the Migratory Bird Treaty Act regulations) and coots may be taken within the area hereinafter described of the Lake Mason National Wildlife Refuge, Montana, during the season prescribed therefor for Montana by the Migratory Bird Treaty Act regulations, in accordance with the provisions of Parts 18 and 21 of this chapter and in accordance with the regulations promulgated pursuant to the authority contained in the Migratory Bird Treaty Act, when, in manner, by means, and to the extent not prohibited by either Federal or State law or regulation, and under the special provisions, conditions, restrictions, and requirements of §§ 31.152 to 31.158 inclusive.

§ 31.152 *Area open to hunting.* All of the lands of the refuge controlled by the United States within Townships 9 and 10 North, Ranges 23 and 24 East, except that portion of the lake lying in the N½NW¼, sec. 24; N½N½, sec. 23; N½NE¼, sec. 22; SE¼, sec. 15; S½, sec. 14; and SW¼, sec. 13, all in T. 9 S., R.

24 E., Montana Principal Meridian, shall be open to hunting.

[Sept. 11, 1944, 9 F. R. 11401]

§ 31.153 *State laws.* Any person while hunting within the refuge must comply with the applicable State laws and regulations.

§ 31.154 *Hunting licenses and permits.* Any person who hunts within the refuge shall be in possession of a valid State hunting license, if such license is required, and if hunting migratory waterfowl, a properly validated migratory-bird hunting stamp. The license and the stamp shall serve as a Federal permit for hunting on the refuge and must be carried on the person of the licensee while so hunting. The license and the stamp must be exhibited upon the request of any representative of the Montana State Fish and Game Commission authorized to enforce the State game laws, or of any representative of the Department of the Interior. Upon request of the officer in charge, the licensee must also exhibit for inspection all birds killed by him or in his possession.

§ 31.155 *Disorderly conduct; intoxication.* No person who is visibly intoxicated will be permitted to enter upon the refuge for the purpose of hunting, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

§ 31.156 *Hunting dogs.* Each person hunting on the public shooting grounds will be permitted to take his hunting dogs, not to exceed two in number, upon such areas for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the public shooting grounds or elsewhere on the refuge.

§ 31.157 *Entry upon refuge; firearms.* Persons entering the refuge for the purpose of hunting shall use such routes of travel as may be designated by suitable posting by the officer in charge and shall not otherwise enter upon the refuge. The carrying or being in possession of firearms within the areas of the refuge not open to public hunting is prohibited, except that such firearms may be possessed or transported across such closed areas provided they are unloaded, and broken or properly encased. The carrying or being in possession of rifled firearms or the use of single-ball or slug-loaded shotgun shells on the refuge is prohibited.

§ 31.158 *Penalties.* Failure of a permittee to comply with any of the conditions, restrictions, or requirements of §§ 31.151 to 31.158, inclusive, will be sufficient cause for removing him from the refuge and for refusing him further hunting privileges on the refuge.

Subpart—Lenore Lake National Wildlife Refuge, Washington

FISHING

Source: §§ 31.161 to 31.166 contained in Reg., Sec. Int., June 29, 1942, 7 F. R. 5252.

§ 31.161 *Fishing permitted.* Noncommercial fishing is permitted in all waters of the Lenore Lake National Wildlife Refuge, Washington, each year during the season prescribed therefor by the Washington State Game Commission except during the migratory-waterfowl hunting season and the seven days preceding the said season, in accordance with the provisions of Parts 18 and 21 of this chapter, and subject to the conditions, restrictions, and requirements of §§ 31.162 to 31.166, inclusive.

§ 31.162 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Washington. Fishing shall be by hook and line only, as defined by State law.

§ 31.163 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Washington State Game Commission, if such license is required. This license shall serve as a Federal permit for fishing in the waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Washington State Game Commission or of the Fish and Wildlife Service.

§ 31.164 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

§ 31.165 *Use of motorboats.* The use of motorboats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes.

§ 31.166 *Temporary restrictions.* During periods of waterfowl concentration on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

Subpart—Little Pend Oreille National Wildlife Refuge, Washington

FISHING

Source: §§ 31.171 to 31.176 contained in Reg., Sec. Int., May 16, 1940, as amended May 6, 1943; 5 F. R. 1999, 8 F. R. 6549.

§ 31.171 *Fishing permitted.* Until further notice, noncommercial fishing, by hook and line only (as defined by State law), is permitted in certain waters of the Little Pend Oreille Wildlife Refuge, Washington, in accordance with the provisions of Parts 18 and 21 of this chapter and subject to the conditions and restrictions of §§ 31.172 to 31.176 inclusive.

§ 31.172 *Waters open to fishing.* Only the waters of the Little Pend Oreille River and its tributaries within the refuge shall be open to fishing. No fishing of any kind will be permitted within the refuge during the Federal open season for the hunting of migratory-waterfowl. In the event that fishing is found to be unduly depleting any species of fishes or is interfering with the use of any particular waters by migratory birds or other wildlife, the privilege of fishing will be suspended by the Secretary, which suspension shall be effective 3 days after publication of notice thereof in the Federal Register.

§ 31.173 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Washington.

§ 31.174 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the State of Washington, if such license is required. This license shall serve as a Federal permit for fishing in the refuge and must be carried on the person of the permittee while so fishing. The license must be exhibited upon request of any representative of the State Game Commission authorized to enforce the State game and fish laws or of any representative of the Fish and Wildlife Service.

§ 31.175 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by the officer in charge by suitable posting.

§ 31.176 *Use of motor boats.* The use of motor boats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes.

HUNTING

Source: §§ 31.177 to 31.181 contained in Reg., July 14, 1944, 9 F. R. 8189.

§ 31.177 *Deer hunting permitted.* Until further notice deer may be taken in the open season prescribed therefore by the State Game Commission of Washington on lands of the United States within the exterior boundary of the Little Pend Oreille National Wildlife Refuge, Washington, under the special provisions, conditions, restrictions, and requirements of §§ 31.178 to 31.181 inclusive.

§ 31.178 *State game laws.* Any person who hunts within the refuge must comply with the applicable State laws and regulations.

§ 31.179 *Hunting license and permit.* Any person who hunts within the refuge shall be in possession of a valid State hunting license and a permit, if such license and permit are required. The license and the permit must be carried on the person of the licensee while so hunting and must be exhibited upon request of any representative of the Washington State Game Commission or of the Fish and Wildlife Service. Upon request of any such officer the licensee must also exhibit for inspection all game killed by him or in his possession.

§ 31.180 *Disorderly conduct, intoxication.* No person who is intoxicated will be permitted to enter upon the refuge for the purpose of hunting, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

§ 31.181 *Forfeiture of privileges.* Failure of any person hunting upon the refuge to comply with any of the provisions, conditions, restrictions, or requirements of §§ 31.177 to 31.181, inclusive, or the violation by him of any

provision of Federal laws or regulations applicable to wildlife, not only will render such person liable to prosecution under the law, but also will be sufficient cause for removing him from the refuge and for refusing him further hunting privileges on such refuge, or any other use or privilege on any such refuge for which a permit may be required.

SUBPART — LOWER KLAMATH NATIONAL WILDLIFE REFUGE, CALIFORNIA AND OREGON

HUNTING

SOURCE: §§ 31.191 to 31.198 contained in Reg., Sec. Int., Oct. 15, 1942, 8 F. R. 2215, except as noted following section affected.

§ 31.191 *Hunting permitted.* Migratory waterfowl (except those species for which no open season is prescribed by the Migratory Bird Treaty Act regulations), coots, and pheasants may be taken within certain areas, described in § 31.192, of the Lower Klamath National Wildlife Refuge, in California and Oregon, during the period prescribed therefor for the respective States by the Migratory Bird Treaty Act regulations, in accordance with the provisions of Parts 18 and 21 of this chapter, and in accordance with the regulations promulgated pursuant to the authority contained in the Migratory Bird Treaty Act of July 3, 1918, as amended, when, in manner, by means, and to the extent not prohibited by either Federal or State law or regulation, and under the special provisions, conditions, restrictions, and requirements of §§ 31.192 to 31.198, inclusive.

§ 31.192 *Areas open to hunting.* All the lands of the United States within the following-described areas of the refuge shall be open to hunting:

(a) All that part of the refuge lying in the State of Oregon.

(b) All that part of the refuge lying northeasterly of a line extending from the intersection of the north-south quarter line section 14, T. 48 N., R. 2 E., and the north boundary of the State of California, southeasterly to the center of section 30, T. 48 N., R. 3 E.; thence easterly to the center of section 29, T. 48 N., R. 3 E.; and thence southeasterly to a point on the refuge boundary at the east one-sixteenth corner on the east-west quarter line of section 9, T. 47 N., R. 3 E., Mount Diablo Meridian.

(c) Impoundment Units 4, 7, 8, and 9, comprising all or parts of the following subdivisions: sections 1 and 2 T. 47 N., R. 2 E., sections 14, 23, 24, 25, 26, 35 and 36 T. 48 N., R. 2 E.; sections 4, 5, 6, 7, 8 and 9 T. 47 N., R. 3 E., and sections 29, 30, 31, and 32 T. 48 N., R. 3 E., Mount Diablo Meridian and designated by suitable posting by the officer in charge of the refuge.

[Oct. 15, 1942, as amended Oct. 4, 1946; 8 F. R. 2215, 11 F. R. 11508]

§ 31.193 *State laws.* Any person while hunting within the refuge must comply with the applicable State laws and regulations.

§ 31.194 *Hunting licenses and permits.* Any person who hunts within the refuge shall be in possession of a valid State hunting license, if such license is required, and, if hunting migratory waterfowl, a properly validated migratory-bird hunting stamp. The license and the stamp shall serve as a Federal permit for hunting on the refuge and must be carried on the person of the licensee while so hunting. The license and the stamp must be exhibited upon the request of any representative of the California Department of Natural Resources or of the Oregon State Game Commission authorized to enforce the State game laws, or of any representative of the Department of the Interior. Upon request of the officer in charge, the licensee must also exhibit for inspection all wildlife killed by him or in his possession.

§ 31.195 *Disorderly conduct; intoxication.* No person who is visibly intoxicated will be permitted to enter upon the refuge for the purpose of hunting, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

§ 31.196 *Hunting dogs.* Each person hunting on the public shooting grounds will be permitted to take his hunting dogs, not to exceed two in number, upon such areas for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the public shooting grounds or elsewhere on the refuge.

§ 31.197 *Entry upon refuge; firearms.* Persons entering the refuge for the purpose of hunting shall use such routes of travel as may be designated by suitable posting by the officer in charge and shall not otherwise enter upon the refuge. The carrying or being in possession of firearms within the areas of the refuge not open to public hunting is prohibited, except that such firearms may be possessed or transported along routes of travel designated by the officer in charge, across such closed areas provided they are unloaded, and broken or properly encased. The carrying or being in possession of rifled firearms or the use of single-ball or slug-loaded shotgun shells on the refuge is prohibited.

§ 31.198 *Penalties.* Failure of a permittee to comply with any of the conditions, restrictions, or requirements of §§ 31.191 to 31.198, inclusive, will be sufficient cause for removing him from the refuge and for refusing him further hunting privileges on the refuge.

SUBPART—MALHEUR NATIONAL WILDLIFE REFUGE, OREGON

FISHING

SOURCE: §§ 31.201 to 31.206 contained in Reg., June 3, 1936, 1 F. R. 535.

§ 31.201 *Fishing permitted.* Pursuant to regulations in Parts 18 and 21 of this chapter, until further notice, under permit issued by the superintendent in charge or his duly authorized representative, fish may be taken when and as permitted by the laws and regulations of the State of Oregon in the Blitzen River, from the mouth of Bridge Creek where it enters the said river, southward to the south boundary of the refuge, and in Bridge Creek, within the Malheur National Wildlife Refuge (Blitzen Valley), subject to the conditions and restrictions of §§ 31.202 to 31.205, inclusive.

§ 31.202 *Licenses.* Prior to the issuance of a permit to fish in the above-described waters of the refuge, the applicant for the privilege of fishing shall be in posesssion of and exhibit to the resident officer in charge a valid State fishing license, if such license is required, and any person to whom has been issued a Federal fishing permit shall carry such permit on his person when exercising the privileges thereunder: *Provided,* That such fishing shall be done in such manner as will not interfere with the objects for which the refuge was established.

§ 31.203 *Routes of travel.* Persons entering the refuge for the purpose of reaching waters thereof for fishing shall follow such routes of travel as shall from time to time be designated by the officer in charge of the refuge.

§ 31.204 *Firearms and fires.* The carrying or being in possession of firearms of any description or lighting of fires for any purpose while on such refuge is not permitted. Special care must be observed to prevent lighted matches, cigars, cigarettes, or pipe ashes from being dropped in grass or other inflammable material.

§ 31.205 *Suspension of fishing privileges.* Whenever it shall appear, during the open season herein provided, that because of intensive fishing or other causes the supply of fish in any portion or portions of the waters open to fishing is becoming excessively reduced, the resident officer in charge of the refuge may, in his discretion, within three days after giving notice to that effect, terminate fishing in such area or areas as may in his judgment have become so affected; and all outstanding permits shall thereupon become null and void for fishing in such area or areas.

§ 31.206 *Revocation of permits.* Any permit issued under §§ 31.201 to 31.206, inclusive, may be revoked by the issuing officer for noncompliance with the terms thereof, for nonuse, or for violation of any law or regulation applicable to the refuge or of any State or Federal law or regulation protecting fish or other wildlife, or the nests or eggs of birds; and it is subject at all times to discretionary revocation by the Secretary.

HUNTING

SOURCE: §§ 31.207 to 31.213 contained in Reg., Oct. 21, 1948, 13 F. R. 6287.

§ 31.207 *Hunting permitted.* Migratory waterfowl, coots, and pheasants may be taken within the area of Malheur National Wildlife Refuge, Oregon, described in § 31.208 in accordance with the Migratory Bird Treaty Act Regulations (50 CFR 6.1–6.12), when, in manner, and to the extent not prohibited by State law or regulation: *Provided,* That the privileges herein granted shall be exercised in accordance with the provisions of Parts 18 and 21 of this chapter and under the special provisions, conditions, restrictions, and requirements of §§ 31.208 to 31.213, inclusive.

§ 31.208 *Area open to hunting.* All that area of land and water owned by the

United States in Harney County, Oregon, situated in and abutting on the west end of Malheur Lake, together with part of the Narrows connecting said Malheur Lake with Mud Lake, bounded and described as follows:

Beginning in the east boundary of T. 26 S., R. 31 E. (south of Malheur Lake, the east quarter corner of fractional sec. 25, approximately one-half mile south of and near the west end of Malheur Lake; thence with four courses within said township, west in said fractional sec. 25, 80.00 chs. to the quarter-section corner common to fractional secs. 25 and 26; south with part of the line common to said fractional secs. 25 and 26, 20.00 chs. to the southeast corner of lot four (4) of said fractional sec. 26; in fractional sec. 26, west 40.00 chs., north approximately 2.00 chs. to the corner in the record meander line (known as the Neal Survey Line) of T. 26 S., R. 30 E., (south of Malheur Lake), in the northwest boundary of fractional sec. 26, common to lots five (5) and seven (7) on the southeast side of the Narrows connecting Malheur and Mud Lakes; thence approximately S. 78°15' W. crossing said Narrows 8.50 chs. to the record meander line (known as the Neal Survey Line) of T. 26 S., R. 31 E. (north of Malheur Lake), the meander corner common to fractional secs. 26 and 35 on the northwest side of the said Narrows; thence with 17 courses in T. 26 S., R. 31 E. (north of Malheur Lake), west with part of the line common to said fractional secs. 26 and 35 approximately 3.00 chs. to the quarter-section corner in said line; in sec. 26, north 40.00 chs., west 20.00 chs., north 20.00 chs., east 20.00 chs., north 20.00 chs. to the quarter-section corner common to fractional secs. 23 and 26; west with the line common to said fractional secs. 23 and 26, 20.00 chs. to the west sixteenth-section corner in said line; in fractional sec. 23, north 40.00 chs., east 40.00 chs., north 20.00 chs., west 20.00 chs., north 20.00 chs. to the quarter-section corner common to fractional secs. 14 and 23; in said fractional sec. 14, north 20.00 chs., east 20.00 chs., north 20.00 chs., east 20.00 chs. to the quarter-section corner common to fractional secs. 13 and 14; east in said fractional sec. 13, 80.00 chs. to the quarter-section corner common to T. 26 S., R. 31 E. (north of Malheur Lake), fractional sec. 13, and T. 26 S., R. 32 E. (north of Malheur Lake), fractional sec. 18; thence with 22 courses in said T. 26 S., R. 32 E. (north of Malheur Lake), in fractional sec. 18, east 20.00 chs., north 20.00 chs., east 20.00 chs., north 20.00 chs., to the quarter-section corner common to fractional secs. 7 and 18; west with part of the line common to said fractional secs. 7 and 18, 20.00 chs. to the west sixteenth-section corner in said line; in fractional sec. 7, north 60.00 chs., east 40.00 chs., north 20.00 chs. to the east sixteenth-section corner common to fractional secs. 6 and 7; west with the line common to said fractional secs. 6 and 7, 40.00 chs. to the west sixteenth-section corner in said line; in fractional sec. 6, north 40.00 chs., east 20.00 chs., south 20.00 chs., east 40.00 chs., to the south sixteenth-section corner common to fractional secs. 5 and 6; south with part of the line common to said fractional secs. 5 and 6, 20.00 chs. to the corner common to fractional secs. 5, 6, 7, and 8; south with the line common to fractional secs. 7 and 8, 80.00 chs. to the corner common to fractional secs. 7, 8, 17, and 18; east with part of the line common to fractional secs. 8 and 17, 20.00 chs. to the west sixteenth-section corner in said line; in fractional sec. 8, north 40.00 chs., east 20.00 chs., north 40.00 chs. to the quarter-section corner common to fractional secs. 5 and 8; in said fractional sec. 5, north 20.00 chs., west 40.00 chs., to the south sixteenth-section corner in the line common to fractional secs. 5 and 6; north with said line 60.00 chs. to the corner common to said fractional secs. 5 and 6, and T. 25 S., R. 32 E. fractional sec. 31 and sec. 32; thence with four courses in said T. 25 S., R. 32 E., north with part of the line common to said fractional sec. 31 and sec. 32, 20.00 chs. to the south sixteenth-section corner in said line; east in sec. 32, 80.00 chs. to the south sixteenth-section corner common to sec. 32 and fractional sec. 33; in fractional sec. 33, east 20.00 chs., south 20.00 chs. to the west sixteenth-section corner in the south boundary of said fractional sec. 33, and in the north boundary of T. 26 S., R. 32 E. (north of Malheur Lake), fractional sec. 4; thence, east with part of the south boundary of said T. 25 S., R. 32 E., fractional sec. 33 and in part with the north boundary of T. 26 S., R. 32 E. (north of Malheur Lake), fractional sec. 4, 60.00 chs. to the corner common to said T. 25 S., R. 32 E., fractional secs. 33 and 34 and in the north boundary of said T. 26 S., R. 32 E. (north of Malheur Lake), fractional sec. 4; thence with 3 courses in T. 25 S., R. 32 E., north with the line common to fractional secs. 33 and 34, 40.00 chs. to the quarter-section corner in said line; in said fractional sec. 34, east 40.00 chs., south 40.00 chs. to the quarter-section corner in the south boundary of T. 25 S., R. 32 E. fractional sec. 34 and in the north boundary of T. 26 S., R. 32 E. (north of Malheur Lake), fractional sec. 3; thence west with part of the line common to said T. 25 S., R. 32 E. and T. 26 S., R. 32 E. (north of Malheur Lake), approximately 10.00 chs. to the west sixteenth-section corner in the north boundary of T. 26 S., R. 32 E. (north of Malheur Lake), sec. 3 and in the south boundary of T. 25 S., R. 32 E., fractional sec. 34; thence with three courses in T. 26 S., R. 32 E. (north of Malheur Lake), in fractional sec. 3, south 40.00 chs., east 20.00 chs., south approximately 36.00 chs. to the record meander line (known as the Neal Survey Line) in the south boundary of said fractional sec. 3, at the corner common to lots ten (10) and eleven (11); thence within Malheur Lake, south approximately 107.60 chs. to a fence; with six courses along a fence S 86°30' W., 30.35 chs., N 59°15' W., 44.60 chs., S 47°25' W., 65.50 chs., S 28°20' E., 34.00 chs., S 56°25' W., 35.00 chs., S 64°40' W., approximately 5.00 chs., S 79°05' W., leaving fence, approximately 102.00 chs., to a fence; with three courses along a fence, S 16°00' E., approximately 28.00 chs., N 88°20' W., 1.90 chs., S 0°50' E., 49.00 chs., to the record meander line (known as the Neal Survey Line) of T. 26 S., R. 31 E. (south of Malheur Lake), in the north boundary of fractional sec. 30, at the corner common to lots fourteen (14) and fifteen (15) of said fractional sec. 30; thence with three courses in T. 26 S., R. 31 E. (south of Malheur Lake), in fractional sec. 30, south approximately 32.50 chs., to the southeast corner of lot eleven (11), N 56°00' W. approximately 5.50 chs., west approximately 34.00 chs., to the place of beginning.

§ 31.209 *Entry.* Entry on and use of the refuge for any purpose are governed by the regulations in Parts 18 and 21 of this chapter and strict compliance therewith is required. Persons entering the refuge for the purpose of hunting shall use such routes of travel within the refuge as are designated by posting. The carrying or being in possession of firearms within the areas of the refuge not open to public hunting is prohibited, except that such firearms may be possessed or transported across such closed areas provided they are unloaded, and broken or properly encased. The carrying or being in possession of rifled firearms or the use of single-ball or slug-load shotgun shell on the refuge is prohibited.

§ 31.210 *Permit.* Any person who hunts within the refuge must have on his person and exhibit at the request of any authorized Federal or State officer whatever license is required by the State law and, if over sixteen years of age, a properly validated migratory bird hunting stamp. The said license and stamp shall serve as a Federal permit for hunting on the refuge.

§ 31.211 *Dogs.* Each person hunting on the public shooting ground will be permitted to take his hunting dogs, not to exceed two in number, upon such area for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the public shooting grounds or elsewhere on the refuge.

§ 31.212 *Boats.* The use of boats, canoes, or floating devices of any description for the purpose of hunting is prohibited.

§ 31.213 *State cooperation.* The cooperation of the Oregon Game Commission may be enlisted in the regulation, management, and operation of the public hunting area, and the State may promulgate such special rules or regulations as may be necessary for such regulation, management, and operation. In the event such State rules or regulations are issued, compliance therewith shall be a requisite for lawful entry for the purpose of hunting.

Because § 31.207 grants certain privileges with respect to the use of the public property described herein which heretofore were not authorized, and because the privileges may be enjoyed only during the open season for hunting migratory waterfowl and coots, which commences in Oregon on October 29, 1948, it is found that it is necessary to issue §§ 31.207 to 31.213, inclusive, subject to the effective date limitation of section 4 (c) of the Administrative Procedure Act (60 Stat. 238, 5 U. S. C. 1003 (c).

Subpart—McKay Creek National Wildlife Refuge, Oregon

Fishing

Source: §§ 31.221 to 31.226 contained in Reg., Sec. Int., Oct. 23, 1939, 4 F. R. 4437.

§ 31.221 *Fishing permitted.* Until further notice, in accordance with the provisions of Parts 18 and 21 of this chapter, fishes may be taken for noncommercial purposes, and by hook and line only, from the waters of the McKay Creek National Wildlife Refuge, Oregon, subject to conditions and restrictions specified in §§ 31.222 to 31.226 inclusive.

§ 31.222 *Waters open to fishing.* All waters within the refuge shall be open to fishing insofar as such fishing is not inconsistent with the primary object for which the refuge was established. No fishing of any kind will be permitted within the refuge during the migratory-waterfowl hunting season. In the event that the Director of the Fish and Wildlife Service shall find that fishing in any of these waters is unduly depleting any species of fishes therein or is interfering with the use of any particular waters by

migratory birds or other wildlife, he may suspend the privilege of fishing in such waters pending final determination by the Secretary of the Interior.

§ 31.223 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Oregon, and in the absence of a State law or regulation in respect to the fishing season and the number and size of fishes that may be taken the Director of the Fish and Wildlife Service may fix such seasons and limits.

§ 31.224 *Fishing permits.* Any person exercising the privilege of fishing within the refuge shall be in possession of a valid fishing license issued by the State of Oregon, if such license is required, and shall carry such license on his person while fishing, and when requested to do so shall exhibit it to any representative of the State Game Commission of the State of Oregon authorized to enforce the game and fish laws of the State or to any representative of the Director of the Fish and Wildlife Service.

§ 31.225 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as shall from time to time be designated by the officer in charge of the refuge.

§ 31.226 *Use of motor boats.* The use of motor boats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes.

Subpart—Medicine Lake National Wildlife Refuge, Montana

FISHING

Source: §§ 31.231 to 31.237 contained in Reg., July 14, 1944, 9 F. R. 8349.

§ 31.231 *Fishing permitted.* Fishing is permitted in the waters hereinafter specified of the Medicine Lake National Wildlife Refuge, Montana, when and as permitted by the laws and regulations of the State of Montana, in accordance with the provisions of Parts 18 and 21 of this chapter and subject to the conditions, restrictions, and requirements of §§ 31.232 to 31.237, inclusive.

§ 31.232 *Waters open to fishing.* The waters of the refuge in sections 5 and 6, SW¼ section 4, and NW¼ section 9, all west of Young Island and south of Bryces Island and the unnamed islands west thereof T. 31 N., R. 56 E., Montana Principal Meridian, as indicated by suitable posting, shall be open to fishing.

§ 31.233 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Montana.

§ 31.234 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Montana State Fish and Game Commission, if such license is required. This license shall serve as a Federal permit for fishing in the specified waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Montana State Fish and Game Commission or of the Fish and Wildlife Service.

§ 31.235 *Routes of travel.* Entrance to the fishing area shall be made only from or through the recreational area adjacent to State Highway No. 16 in section 6. Travel over the truck trail south of the waters open to fishing will be permitted as designated by suitable posting by the officer in charge of the refuge.

§ 31.236 *Use of boats.* The use of boats will be permitted on the waters of the refuge, open to fishing as designated by the officer in charge.

§ 31.237 *Temporary restrictions.* During periods of waterfowl concentrations on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are suitably posted by such officer.

HUNTING

Source: §§ 31.238 to 31.242 contained in Reg., Aug. 30, 1945, 10 F. R. 11612, except as noted following section affected.

§ 31.238 *Hunting permitted.* Migratory waterfowl and coots may be taken within the areas of the Medicine Lake National Wildlife Refuge, Montana, described in § 31.239 in accordance with the regulations promulgated pursuant to the authority contained in the Migratory Bird Treaty Act and with the applicable hunting laws and regulations of the State of Montana.

§ 31.239 *Public shooting area.* N½, SW¼, N½SE¼, and SW¼SE¼ Sec. 4; all north and east of County Road in Sec. 5, T. 31 N., R. 57 E., and W½ Sec. 27; all Sec. 28; all south and east of County Road in Sec. 32; all Sec. 33; and NW¼ Sec. 34, T. 32 N., R. 57 E.

[Aug. 16, 1946, 11 F. R. 9085]

§ 31.240 *Entry.* Entry on and use of the refuge for any purpose is governed by Parts 18 and 21 of this chapter, and strict compliance therewith is required. Persons entering the refuge for the purpose of hunting shall use such routes of travel within the refuge as are designated by posting. The carrying or being in possession of firearms within the areas of the refuge not open to public hunting is prohibited, except that such firearms may be possessed or transported across such closed areas provided they are unloaded, and broken or properly encased. The carrying or being in possession of rifled firearms or the use of single-ball or slug-load shotgun shell on the refuge is prohibited.

§ 31.241 *Hunting licenses and permits.* Any person who hunts within the refuge must have on his person and exhibit at the request of any authorized Federal or State officer whatever license is required by the State of Montana, and, if hunting migratory waterfowl and being over sixteen years of age, a properly validated migratory-bird hunting stamp. The said license and stamp shall serve as a Federal permit for hunting on the refuge.

§ 31.242 *Dogs.* Each person hunting on the public shooting ground will be permitted to take his hunting dogs, not to exceed two in number, upon such areas for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the public shooting grounds or elsewhere on the refuge.

Subpart—Ninepipe and Pablo National Wildlife Refuges, Montana

FISHING

Source: §§ 31.251 to 31.254 contained in Reg., Aug. 5, 1936, 1 F. R. 1012.

§ 31.251 *Fishing permitted.* Pursuant to regulations in Parts 18 and 21 of this chapter, it is hereby ordered until further notice that fish may be taken only from January 1 to April 30 and from July 1 to December 31 in any year, as permitted by the laws and regulations of the State of Montana and subject to such regulations as may be prescribed by the Bureau of Indian Affairs of the Department of the Interior, from waters within the Ninepipe and Pablo Bird Refuges, established by Executive Orders 3503 and 3504, dated June 25, 1921, subject to the conditions and restrictions in §§ 31.252 to 31.254, inclusive.

§ 31.252 *Licenses.* Any person exercising the privilege of fishing within the refuge shall be in possession of a valid State fishing license, if such license is required, and such additional license or permit as may be required by the Bureau of Indian Affairs. Any such license or permit, upon request, shall be exhibited to any representative of the State Game Department authorized to enforce fishing laws, any representative of the Bureau of Indian Affairs, or any representative of the Fish and Wildlife Service: *Provided*, That fishing shall be done in such manner and at such times as will not interfere with the object for which the refuge was established.

§ 31.253 *Routes of travel.* Persons entering the refuge for fishing purposes shall follow such routes of travel and shall enter and leave the refuge at such points as shall from time to time be designated by the officer in charge.

§ 31.254 *Firearms and fires.* The carrying or being in possession of firearms of any description is not permitted. Special care must be observed to prevent lighted matches, cigars, or cigarettes, or pipe ashes from being dropped in grass or other inflammable material.

Subpart—Railroad Valley National Wildlife Refuge, Nevada

HUNTING

Source: §§ 31.271 to 31.274 contained in Reg., Oct. 8, 1948, 13 F. R. 6018.

§ 31.271 *Hunting permitted.* Migratory waterfowl and coots only may be taken within the area of the Railroad Valley National Wildlife Refuge, Nevada, described in § 31.272, in accordance with the Migratory Bird Treaty Act regulations (50 CFR 6.1–6.12), when, in a manner and to the extent permitted by State law or regulations: *Provided*, That the privileges herein granted shall be exer-

cised in accordance with the provisions of Parts 18 and 21 of this chapter, under the special provisions, conditions, restrictions, and requirements of §§ 31.272 to 31.274, inclusive, and under such special provisions, conditions, regulations, and requirements as shall be prescribed by the Nevada Fish and Game Commission.

§ 31.272 *Shooting area.* That part of the Railroad Valley National Wildlife Refuge lying and being north of the township line between townships 7 N. and 8 N., M. D. B. & M.

§ 31.273 *Entry.* Entry on and use of the refuge for any purpose is governed by Parts 18 and 21 of this chapter and strict compliance therewith is required. The carrying or being in possession of firearms within the areas of the refuge not open to public hunting is prohibited, except that such firearms may be possessed or transported across such closed areas provided they are unloaded, and broken or properly cased. The carrying or being in possession of rifled firearms or the use of single-ball or slug-load shotgun shells on the refuge is prohibited.

§ 31.274 *Permits.* Any person who hunts within the refuge must have on his person and exhibit at the request of any authorized Federal or State officer whatever license is required by the State of Nevada, and, if over sixteen years of age, a properly validated migratory bird hunting stamp. The said license and stamp shall serve as a Federal permit for hunting on the refuge.

Subpart—Red Rock Lakes National Wildlife Refuge, Montana

Hunting

Source: §§ 31.281 to 31.286 contained in Reg., Oct. 7, 1936, as amended Sept. 30, 1937; 1 F. R. 1560, 2 F. R. 2082, except as noted following section affected.

§ 31.281 *Hunting permitted.* Pursuant to and in accordance with the provisions of Parts 18 and 21 of this chapter and in accordance with the regulations promulgated pursuant to the authority contained in the Migratory Bird Treaty Act, migratory waterfowl (except those species not permitted to be taken under the Migratory Bird Treaty Act regulations and all species of geese) and coots may be taken during the period prescribed for the taking of such birds in Montana by the said Migratory Bird Treaty Act regulations, if permitted by State law, within the area of the Red Rock Lakes National Wildlife Refuge, Beaverhead County, Montana, described in § 31.282.

[Aug. 3, 1942, 7 F. R. 6274]

§ 31.282 *Public shooting ground.* All lands and waters of the aforesaid Red Rock Lakes National Wildlife Refuge embraced within the following boundary, are hereby designated as a public shooting ground, and may be entered without permit for the purpose of hunting in accordance with § 31.281.

Boundary

Beginning at the northeast corner of sec. 34, T. 13 S., R. 2 W.

Thence from initial point,

Southerly on line between secs. 34 and 35 to the meander corner thereof, on the north shore of Lower Red Rock Lake;

Thence southerly across Lower Red Rock Lake to the meander corner of secs. 2 and 3, T. 14 S., R. 2 W., located on the south shore of said lake;

Thence continuing on section lines in T. 14 S., R. 2 W.

Southerly between secs. 2 and 3, 10, and 11, 14, and 15, and secs. 22 and 23 to the north one-sixteenth corner therof;

Thence on subdivisional lines in sec. 22;

Westerly to the northeast one-sixteenth corner; Southerly to the east center one-sixteenth corner; Westerly to the one-quarter corner of secs. 21 and 22;

Thence on subdivisional line in sec. 21;

Westerly to the southwest corner of lot 2, sec. 21;

Thence northerly on line between secs. 20 and 21 to the southeast corner of lot 8, sec. 20;

Thence on subdivisional lines in sec. 20;

Westerly between lots 8 and 9 and lots 7 and 10;

Southerly between lots 10 and 11;

Westerly on south boundary of lot 11;

Northerly between lots 11 and 12 and lots 5 and 6;

Easterly between lots 3 and 6, 2 and 7, and lots 1 and 8 to the southeast corner of lot 1, sec. 20;

Thence continuing on section lines,

Northerly between secs. 20 and 21, and secs. 16 and 17;

Easterly between secs. 8 and 17 to the one-quarter corner thereof;

Thence on subdivisional lines in sec. 8;

Northerly to the center one-quarter corner;

Westerly to the one-quarter corner of secs. 7 and 8;

Thence northerly on line between secs. 7 and 8 to the north one-sixteenth corner thereof;

Thence on subdivisional lines in sec. 7,

Westerly to the northeast one-sixteenth corner;

Northerly to the east one-sixteenth corner between secs. 6 and 7;

Thence on subdivisional lines in sec. 6;

Northerly to the southwest corner of lot 7;

Westerly on south boundary of lots 8 and 9;

Northerly between lots 5 and 9 to south bank of Red Rock River;

Thence easterly with south bank meanders of said river to the northeast corner of lot 9, on said river bank;

Thence northerly across Red Rock River to the north bank and continue on subdivisional line between lots 2 and 6 to the northeast corner of lot 6;

Westerly between lots 3 and 6;

Northerly between lots 3 and 4 to the north boundary of T. 14 S., R. 2 W.,

Thence easterly on said boundary to the northeast corner of lot 2 sec. 6;

Thence on subdivisional lines of sec. 31 in T. 13 S., R. 2 W.,

Northerly to the southeast one-sixteenth corner;

Easterly to the south one-sixteenth corner of secs. 31 and 32;

Thence northerly on line between secs. 31 and 32 to the one-quarter corner thereof;

Thence on subdivisional lines in sec. 32;

Easterly to the center one-quarter corner;

Northerly to the one-quarter corner between secs. 29 and 32;

Thence easterly on line between secs. 29 and 32, 28 and 33, and secs. 27 and 34 to place of beginning.

§ 31.283 *Fires and camping.* The lighting of fires for any purpose or camping on any area of the refuge except under permit is prohibited, and special care must be taken to prevent lighted matches, cigars, or cigarettes, or pipe ashes from being dropped in grass or other inflammable material.

§ 31.284 *Hunting dogs.* Each person hunting on the public shooting ground will be permitted to take his dogs, not to exceed two in number, upon such area for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the public shooting ground or elsewhere on the refuge.

§ 31.285 *Exhibition of licenses and bag.* Each person entering the refuge for the purpose of hunting shall, when requested by the officer in charge, or his deputy, produce for inspection his State hunting license and a properly validated Federal hunting stamp, and whenever requested by any such officer shall exhibit for inspection all waterfowl and coots killed by him; and his failure to comply with any of the conditions, restrictions, or requirements of §§ 31.281 to 31.286, inclusive, will be sufficient cause for his removal from the refuge, and for refusal of future hunting privileges, if any, on the refuge.

§ 31.286 *Defacement or destruction of public property.* The destruction, injury, defacement, removal, or disturbance in any manner of any public building, notice, sign, signboard, equipment, fence, dyke, dyke embankment, dam bridge, or other structure, or any tree, flower, vegetation, or any animal or bird other than migratory waterfowl and coots permitted to be killed hereunder, or other wildlife, or of any other public property of any kind or nature is prohibited by law.

Fishing

Source: §§ 31.287 to 31.290 contained in Reg., Apr. 10, 1946, 11 F. R. 4164.

§ 31.287 *Fishing permitted.* Game fishing in accordance with the State laws of Montana is permitted on those waters located within the boundaries of the Red Rock Lakes National Wildlife Refuge described specifically as follows: Culver Pond, Odell Creek, Red Rock Creek, Elk Springs Creek, and Culver Springs Creek: *Provided,* That such fishing will not be permitted after September 15 of any year.

§ 31.288 *Entry.* Entry on and use of the refuge for any purpose is governed by Parts 18 and 21 of this chapter, and strict compliance therewith is required. Persons entering the refuge for the purpose of fishing must follow such routes of travel within the refuge as are designated by posting.

§ 31.289 *State fishing laws.* All fishermen must comply with all State fishing laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations. This license shall serve as a Federal permit for fishing in the specified waters of the refuge.

§ 31.290 *Temporary restrictions.* During periods of waterfowl concentrations on the refuge, at times of high fire hazard, or directly following the stocking of the waters thereof with fish, fishing may be closed or limited, in any or all areas of the refuge, by the officer in charge when he deems such regula-

tions necessary to provide adequate protection to wildlife. Such closed or limited areas are to be clearly designated by posting.

SUBPART—RUBY LAKE NATIONAL WILDLIFE REFUGE, NEVADA

FISHING

SOURCE: §§ 31.301 to 31.308 contained in Reg., Aug. 31, 1943, 8 F. R. 12520.

§ 31.301 *Fishing permitted.* Non-commercial fishing is permitted in the waters specified in § 31.302 of the Ruby Lake National Wildlife Refuge, Nevada, during the daylight hours, except during the migratory-waterfowl hunting season, in accordance with the provisions of Parts 18 and 21 of this chapter, and subject to the conditions, restrictions, and requirements of §§ 31.302 to 31.308 inclusive.

§ 31.302 *Waters open to fishing.* The waters, ponds, and creeks designated by suitable posting by the officer in charge of the refuge shall be open to the taking of game fish as permitted by State or county law or regulation.

§ 31.303 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of Elko and White Pine Counties and the State of Nevada. Fishing under this regulation shall be by hook and line (including rod and reel) only, as defined by State law.

§ 31.304 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the State of Nevada, if such license is required, and a permit issued by the officer in charge of the refuge. The license and permit shall serve as a Federal permit for fishing in the specified waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Nevada State Fish and Game Commission or of the Fish and Wildlife Service.

§ 31.305 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

§ 31.306 *Use of boats.* The use of any boat, canoe, or floating device of any description is prohibited on all waters of the refuge except for official purposes, except as designated by suitable posting by the officer in charge of the refuge.

§ 31.307 *Bait restrictions.* No person shall use live minnows or any other fish or any part thereof for bait while fishing in any of the waters of the refuge, and no one may have in his possession within the boundaries of the refuge any live minnows or any seine or net that may be used in capturing minnows.

§ 31.308 *Temporary restrictions.* During periods of waterfowl concentrations on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

HUNTING

SOURCE: §§ 31.309 to 31.311 contained in Reg., Oct. 12, 1944, 9 F. R. 12476.

§ 31.309 *Hunting permitted.* The hunting of migratory waterfowl will be permitted in accordance with regulations under the Migratory Bird Treaty Act within that portion of the Ruby Lake National Wildlife Refuge, Nevada, lying in White Pine County, Ts. 25 and 26 N., Rs. 57 and 58 E., Mount Diablo Meridian.

§ 31.310 *Entry.* Entry on and use of the refuge for any purpose is governed by Parts 18 and 21 of this chapter, and strict compliance therewith is required. Not to exceed two hunting dogs may be used by each hunter but such dogs shall not be permitted to run unattended on the refuge. Hunters shall follow such routes of travel within the refuge as are designated by posting.

§ 31.311 *State hunting laws.* All hunters must comply with the State hunting laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations.

SUBPART—SNAKE RIVER NATIONAL WILDLIFE REFUGE, IDAHO

HUNTING

SOURCE: §§ 31.321 to 31.327 contained in Reg., Sept. 3, 1943, 8 F. R. 12572.

§ 31.321 *Hunting permitted.* Until further notice the Snake River National Wildlife Refuge, Idaho, shall be open to hunting as follows: (a) migratory waterfowl (except those species for which no open season is prescribed by the Migratory Bird Treaty Act regulations) and coots may be taken during the period prescribed for the taking of such birds in Idaho, in accordance with the regulations promulgated pursuant to the authority contained in the Migratory Bird Treaty Act of July 3, 1918, as amended, when, in manner, by means, and to the extent not prohibited by either Federal or State law or regulation; (b) pheasants, rabbits, and upland game may be taken in accordance with and as permitted by the State game laws and regulations during the period from September 1 to the following January 31, inclusive (c) hunting as permitted by this section shall be in accordance with Parts 18 and 21 of this chapter and subject to the special provisions, conditions, restrictions, and requirements of §§31.322 to 31.327 inclusive.

§ 31.322 *State laws.* Any person while hunting within the refuge must comply with the applicable State laws and regulations.

§ 31.323 *Hunting licenses and permits.* Any person who hunts within the refuge shall be in possession of a valid hunting license issued by the State of Idaho, if such license is required, and, if hunting migratory waterfowl, a properly validated migratory-bird hunting stamp. The said license and the stamp shall serve as a Federal permit for hunting on the refuge and must be carried on the person of the licensee while so hunting. The said license and the stamp must be exhibited upon the request of any representative of the Idaho Fish and Game Commission authorized to enforce the State game laws or any representative of the Department of the Interior. Upon request of the officer in charge of the refuge, the licensee must also exhibit for inspection all birds and game killed by him or in his possession.

§ 31.324 *Disorderly conduct; intoxication.* No person who is intoxicated will be permitted to enter or remain upon the refuge for the purpose of hunting hereunder, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

§ 31.325 *Hunting dogs.* Each person hunting on the refuge will be permitted to take his hunting dogs, not to exceed two in number, upon any area of the refuge for the purpose of hunting upland game or of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large unattended on the refuge.

§ 31.326 *Firearms.* Persons entering the refuge for the purpose of hunting shall not be in possession of rifled firearms, and the use of single-ball or slug-loaded shotgun shells on the refuge is prohibited.

§ 31.327 *Forfeiture of privileges.* Failure of any person hunting on the refuge to comply with any of the provisions, conditions, restrictions, or requirements of §§ 31.321 to 31.327, inclusive, or the violation by him of any of the provisions of State or Federal law or regulations applicable to hunting on the refuge not only will render such person liable to prosecution under the law but also will be sufficient cause for removing him from the refuge and for refusing him further hunting privileges on the refuge.

SUBPART—THIEF VALLEY NATIONAL WILDLIFE REFUGE, OREGON

FISHING

SOURCE: §§ 31.331 to 31.336 contained in Reg., Sec. Int., June 29, 1942, 7 F. R. 5252.

§ 31.331 *Fishing permitted.* Noncommercial fishing is permitted in all waters of the Thief Valley National Wildlife Refuge, Oregon, each year during the season prescribed therefor by the Oregon State Game Commission except during the migratory-waterfowl hunting season and the seven days preceding the said season, in accordance with the provisions of Parts 18 and 21 of this chapter and subject to the conditions, restrictions, and requirements of §§ 31.332 to 31.336 inclusive.

§ 31.332 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Oregon. Fishing shall be by hook and line only, as defined by State law.

§ 31.333 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Oregon State Game

Commission, if such license is required. This license shall serve as a Federal permit for fishing in the waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Oregon State Game Commission or of the Fish and Wildlife Service.

§ 31.334 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

§ 31.335 *Use of motorboats.* The use of motorboats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes.

§ 31.336 *Temporary restrictions.* During periods of waterfowl concentration on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

SUBPART—TULE LAKE NATIONAL WILDLIFE REFUGE, CALIFORNIA

HUNTING

SOURCE: §§ 31.341 to 31.345 contained in Reg., Aug. 25, 1948, 13 F. R. 5059.

§ 31.341 *Hunting permitted.* Migratory waterfowl and coots may be taken within the area of Tule Lake National Wildlife Refuge, California, described in § 31.342 in accordance with Migratory Bird Treaty Act Regulations (§§ 6.1–6.12 of this chapter), when, in manner, and to the extent not prohibited by State law or regulation: *Provided*, That the privileges herein granted shall be exercised in accordance with the provisions of Parts 18 and 21 of this chapter, for the administration of National Wildlife Refuges under the jurisdiction of the Fish and Wildlife Service and under the special provisions, conditions, restrictions, and requirements of §§ ?1.342 to 31.345, inclusive.

§ 31.342 *Shooting area.* That part of the Tule Lake National Wildlife Refuge, designated by suitable posting by the officer in charge of the refuge, lying and being north of the following described line:

Beginning on the east boundary of the refuge at the E¼ corner of section 20, T. 47 N., R. 5 E., M. D. M., thence west along the center line of sections 20 and 19, T. 47 N., R. 5 E., and the center line of sections 24, 23, 22, 21, 20, and 19, T. 47 N., R. 4 E., to the point of intersection with the west boundary of the refuge.

§ 31.343 *Entry.* Entry on and use of the refuge for any purpose is governed by the regulations in Parts 18 and 21 of this chapter, as amended, and strict compliance therewith is required. Persons entering the refuge for the purpose of hunting shall use such routes of travel within the refuge as are designated by posting. The carrying or being in possession of firearms within the areas of the refuge not open to public hunting is prohibited, except that such firearms may be possessed or transported across such closed areas provided they are unloaded, and broken or properly encased. The carrying or being in possession of rifled firearms or the use of single-ball or slug-load shotgun shell on the refuge is prohibited.

§ 31.344 *Permits.* Any person who hunts within the refuge must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by the State of California, and, if hunting migratory waterfowl and being over sixteen years of age, a properly validated migratory bird hunting stamp. The said license and stamp shall serve as a Federal permit for hunting on the refuge.

§ 31.345 *Dogs.* Each person hunting on the public shooting ground will be permitted to take his hunting dogs, not to exceed two in number, upon such areas for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the public shooting grounds or elsewhere on the refuge.

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COMMERCIAL FISHING

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AUTHORITY: §§ 32.1 to 32.194 issued under 43 Stat. 98, 18 U. S. C. 41; 45 Stat. 1222, 16 U. S. C. 715i, and Reorg. Plan II, 53 Stat. 1431; 5 U. S. C. 133t, note.

§ 32.1 *List of States.* The Southwestern Region is comprised of the States of Arizona, Colorado, Kansas, New Mexico, Oklahoma, Texas, Utah, and Wyoming.

[Dec. 16, 1948, 13 F. R. 8221]

SUBPART—BEAR RIVER MIGRATORY BIRD REFUGE, UTAH

SOURCE: §§ 32.2 to 32.11 contained in Reg., Sept. 28, 1932, as amended Oct. 5, 1933.

§ 32.2 *Entry upon the refuge.* The going or being upon the refuge, unless otherwise permitted, shall be only under appropriate permit issued for the purpose.

§ 32.3 *Permit requirements.* Permits will not be required in the following cases:

(a) For admission by the usual line of travel to and from the headquarters maintained at the refuge.

(b) For access to any portion of the refuge by a person accompanied by the Superintendent or his authorized representative.

(c) For access to any portion of the refuge by the State Game Commissioner of Utah or his deputy wardens or by guests of the Commissioner when accompanied by himself or deputy.

§ 32.4 *Domestic animals.* The ranging of cattle or other domestic stock or the running at large of dogs or cats upon the refuge, or allowing the entry of any such animals thereon for any purpose, except as specifically authorized in § 32.5, will not be permitted.

§ 32.5 *Economic utilization of resources.* Permits to graze livestock; harvest hay or stock feed, remove timber or firewood, occupy or cultivate areas, use any material of commercial value, or make other use of the refuge not inconsistent with its objects may be issued by the Superintendent upon such terms and at such rates of charge, if any, as may be ascertained and determined by him to be commensurate with the value of the privilege granted by such permit.

§ 32.6 *Removal of surplus and injurious objects.* The removal of surplus or injurious animal life or other products on the refuge and disposition thereof in accordance with law and regulations, shall be made by or under direction of the Director.

§ 32.7 *Specimens for scientific, exhibition, or propagating purposes.* Specimens of plant and animal life or other natural objects on the refuge, for scientific, exhibition, or propagating purposes, may be taken under special permit issued by the Secretary and countersigned by the Director, but no such permit shall be deemed to authorize the taking, possession, transportation, or sale of any wildlife, or the nests or eggs of birds, contrary to State law.

§ 32.8 *Scientific studies.* Entry upon the refuge for scientific study, the taking of photographs, or for other proper and lawful purposes, when not inconsistent with the object for which the refuge was established, may be allowed under permit issued by the Superintendent upon such conditions as he shall prescribe.

§ 32.9 *Application for permits.* Applications for permits should be made to the Superintendent of the refuge.

§ 32.10 *Exhibition of permits.* Permits shall be exhibited for inspection at any reasonable time upon request of any officer or employee of the Department engaged in the administration of the refuge.

§ 32.11 *Revocation of permits.* Any and every permit affecting the refuge is subject at all times to discretionary revocation and termination by the Secretary. Any permit may be revoked by the issuing officer for noncompliance with the terms thereof, or of this subpart, for nonuse, or for violation of the law or any regulation applicable to the refuge or any State or Federal law protecting wildlife. The Superintendent of the refuge shall make a prompt report to the Director setting forth the facts and circumstances connected with the revocation of any permit by him hereunder.

HUNTING

SOURCE: §§ 32.12 to 32.18 contained in Reg., Sept. 28, 1932, as amended Oct. 5, 1933, except as noted following sections affected.

§ 32.12 *Hunting permitted.* Hunting, killing, or taking migratory game birds will be permitted in accordance with State and Federal law upon approximately 40 percent of the flooded area of the refuge as shall be designated from time to time by special order of the Secretary upon the recommendation of the Director after the Service has conferred with the State Game Commissioner of Utah or his authorized representative: *Provided,* That there shall be no hunting permitted from the dikes or within 100 yards of any dike.

§ 32.13 *Checking stations.* The hunting or taking of migratory game birds on designated areas in accordance with State and Federal laws may be conducted without formal permit but each hunter before entering upon any such area may be required by the Superintendent to register his name and address with the Superintendent or with one of his deputies and shall produce for inspection his hunting license. Before leaving the refuge each hunter may be required by the Superintendent to report to any such officer the number of each species of game birds taken by him each day during the time spent on such designated areas and whenever requested by any such officer shall exhibit all such birds in his possession for inspection.

§ 32.14 *Routes of travel.* After the establishment of shooting areas the Superintendent of the refuge shall designate regular routes of travel over which the public may pass to and from such areas, and he may also, in his discretion, designate routes of travel to public shooting areas outside the refuge. Such routes of travel shall be located with due regard to the convenience of the public and in a manner that will not subject the birds or other wildlife on areas not open to public shooting to undue disturbance. Persons entering or crossing the refuge for the purpose of hunting shall use such established routes of travel and may not otherwise enter upon any closed area of the refuge.

§ 32.15 *Joint survey.* Before such shooting area or areas shall be designated by the Secretary, the Superintendent of the refuge in conjunction with

the State Fish and Game Commissioner shall make a complete survey of the refuge and after having selected the proposed shooting areas shall submit their recommendations for such areas to the Governor of the State of Utah for his approval. After such recommendations have been so approved and the areas designated by the Secretary they shall remain open to hunting during the open season of each year: *Provided*, That if after further consideration by the Superintendent of the refuge and the State Game Commissioner it should be decided to be for the best interests of the refuge to change the shooting area or areas, or portions thereof, a recommendation to that effect shall be made to the Director for his consideration and recommendation to the said Secretary.

The areas of the refuge which shall be opened to public shooting shall be designated with a view to providing for reasonable shooting privileges as they existed at the time the areas were established. In the event that in the process of developing the refuge and in the distribution of water thereon it follows that such areas become useless as shooting areas and in the opinion of the Superintendent of the refuge and the State Game Commissioner it is in the interest of the birds, as well as the shooting, to make changes from time to time in such shooting areas, changes in such areas may be made after recommendation by these officials.

§ 32.16 *Public shooting grounds.* There is hereby set aside and designated until further notice as public shooting areas that portion of Unit No. 1 south of a line extending from the angle point of the Bear River Club Company dike in sec. 23, T. 9 N., R. 4 W., S. L. M., westerly to Spillbox 1–3 of the main dike, except that portion of secs. 23 and 26, T. 9 N., R. 4 W., lying westerly of the Bear River Club Company dikes, which is reserved for administrative purposes; all of Unit No. 2, except that portion of sec. 35, T. 9 N., R. 4 W., S. L. M., lying within the boundaries of Unit No. 2, which is also reserved for administrative purposes; that portion of Unit No. 3 west of east boundary of secs. 2, 11, and 14, T. 8 N., R. 4 W., S. L. M., except that portion of sec. 35, T. 9 N., R. 4 W., S. L. M., lying within Unit No. 3, which is also reserved for administrative purposes; and that portion of the refuge outside the dikes lying south of Unit No. 5, the west boundary of such area to be a continuation of a line drawn from the intersection of the division dike between Units 4 and 5 where said division dike joins the main outer dike, and extending south to the east and west exterior boundary of the said refuge, for the public hunting of migratory game birds in accordance with State and Federal laws and pursuant to the provisions of this section.

§ 32.17 *Game and fur-bearing animals.* Hunting, trapping, killing, or taking game animals, nonmigratory game birds, and/or fur-bearing animals will be permitted in accordance with State laws and under such conditions as may be prescribed by the Secretary upon such area or areas of the refuge as he shall from time to time designate.

[Sept. 28, 1932, as amended Oct. 5, 1933]

§ 32.18 *Firearms.* The having or carrying of firearms on the refuge without permit from the Superintendent, except on highways or thoroughfares, and on such area or areas as may have been opened to the hunting of migratory game birds or resident game birds or animals in accordance with §§ 32.12 and 32.17 and designated routes of travel to and from such areas, or when appropriate to the object for which any special permit may have been issued, will not be permitted.

[Sept. 28, 1932, as amended Oct. 5, 1933]

FISHING

§ 32.19 *Fishing permitted.* Fishing on the refuge, when conducted in compliance with the laws of the State of Utah and in such manner as not to disturb or interfere with other wildlife on the refuge, will be permitted on such waters and at such times as the Superintendent may determine to be compatible with the protection and preservation of the wildlife on the refuge.

[Sept. 28, 1932, as amended Oct. 5, 1933]

TRAPPING

SOURCE: §§ 32.21 to 32.32 contained in Reg., Sec. Int., Dec. 11, 1940, 5 F. R. 5221.

§ 32.21 *Trapping permitted.* Muskrats surplus to refuge needs and requirements or the disposal of which is essential to the protection of dikes and the water-control structures or to the maintenance of a balanced wildlife population and management program at the Bear River Migratory Bird Refuge as determined by the Director of the Fish and Wildlife Service, may be taken as directed by the Director, but not in conflict with State trapping laws and regulations and the regulations governing said refuge, within the exterior boundaries of said refuge under permits which he shall authorize the superintendent of said refuge to issue and upon such terms and at such rates of charge or at such division of the pelts and/or carcasses as may be determined by the Director to be commensurate with the value of the operation or privilege granted, and in accordance with the special provisions, conditions, restrictions, and requirements of §§ 32.23 to 32.32 inclusive, provided that when it is determined that muskrats are damaging dikes, water-control structures, waterfowl habitat, or refuge property, such muskrats may be trapped at any time by the superintendent or his authorized representative.

§ 32.22 *Trapping permits.* Permits for the trapping of muskrats within the refuge may be issued to any person eligible under the provisions of this subpart; however, preference shall be given to bona fide residents of Box Elder, Weber, and Cache Counties, Utah. Such permits shall state the period during which trapping may be performed, the maximum number of traps that may be used, the area in which the permittee may operate, the maximum number of muskrats that may be taken, the fee or the percentage of the pelts and/or carcasses that shall be due the Government as its share under the permit, and shall contain a reservation that the Director at his discretion may terminate the permit upon 3 days' notice, and that the permittee may be required by the superintendent to set a designated part of his traps along such dike or dikes as are known to be frequented by muskrats.

§ 32.23 *Verified statement of residence; State trapping license.* Each applicant for a permit shall furnish with his application a sworn statement concerning his period of residence in the civil township, village, county, and/or city in which he claims such residence and that he is eligible to obtain a trapping license under the law of the State of Utah. Before the issuance of the permit, the applicant must exhibit his State trapping license to the superintendent.

§ 32.24 *Trapping methods; marking traps; seizure of illegal traps and devices.* Muskrats may be taken on the refuge only with traps for capturing them alive or with ordinary spring steel traps of a size not larger than No. 1½ or with traps approved by the superintendent or his representative. Permittees shall mark their traps to indicate the owner's name. The possession or use within the refuge of a muskrat spear or of any similar device by means of which muskrats may be speared or of any trap or other device that does not comply with this section is prohibited. Prohibited traps and other devices found on the refuge, if not removed therefrom by the owner thereof upon the direction of the superintendent, will be removed by the said superintendent or his representative.

§ 32.25 *Inspection and removal of traps.* Each permittee shall inspect each of his traps within the refuge at least once each day but may do so only between one-half hour before sunrise and sunset. At the close of the trapping period, he shall remove all his traps from the refuge.

§ 32.26 *Disposition of unauthorized animals.* Birds and mammals other than muskrats found alive in the traps of the permittee shall be immediately liberated. Birds and mammals other than muskrats found dead or mortally injured in the traps shall be immediately turned over to the superintendent or his representative.

§ 32.27 *Plant life protected.* Trappers must not cut any plant growth on the refuge.

§ 32.28 *Share-trapping; division and disposition of products.* Where share-trapping is practiced, the superintendent shall make such arrangements with the permittees as may be required by the Director to insure an equitable division of the pelts and/or carcasses of the animals taken, and the permittees shall comply with all such requirements. Pelts and carcasses accruing to the United States from any operations as herein authorized may be used by the Service for research purposes or, if salable, may be sold by the Fish and Wildlife Service in the open market at the best prices obtainable.

§ 32.29 *Routes of travel.* Persons entering the refuge for the purpose of trapping, as permitted by §§ 32.21 to 32.32, inclusive, shall use such established routes of travel as may be designated by suitable posting by the superintendent and shall not otherwise enter upon the refuge.

§ 32.30 *Report by permittee.* Each permittee shall, within 10 days after the closing of the trapping period, submit to the superintendent or his representative a report correctly stating the total number and the disposition of the muskrat furs taken on the refuge under his permit during the trapping period, the name and address of each person or firm to whom they were sold and the gross amount received therefor.

§ 32.31 *Exhibition and revocation of permits.* Any person exercising the privilege of trapping within the refuge shall be in possession of a valid trapping license issued by the State of Utah, if such license is required, and must possess also a valid trapping permit issued in accordance with §§ 32.21 to 32.32, inclusive. He shall carry such license and permit on his person while trapping on the refuge and shall exhibit his license and permit at any reasonable time upon request of any State warden or any officer or employee of the Department of the Interior engaged in the administration or enforcement of the game and fish laws of the State and of the United States, and shall furnish such further information concerning his identification as may be required by such officer or employee. If deemed advantageous to the United States, a permit may be terminated at any time by agreement between the issuing officer and the permittee; it may be revoked immediately by the Director or by the regional director for noncompliance with the terms thereof or of §§ 32.21 to 32.32, inclusive, for nonuse, or for violation of any law, regulation, or order applicable to the refuge, or for violation of any State or Federal law protecting wildlife or the nests or eggs of birds; and all permits issued under §§ 32.21 to 32.32, inclusive, are subject to revocation at the discretion of the Secretary.

§ 32.32 *Penalties.* Failure of a permittee to comply with any of the provisions of §§ 32.21 to 32.32, inclusive, or violation by him of any State law or regulation applicable to trapping on the refuge or of any regulation issued under authority of the Act of April 23, 1928 (45 Stat. 448; 16 U. S. C. 690), establishing said refuge not only shall render him subject to prosecution under said laws or regulations, but may be sufficient cause for refusal of future permits to trap on the refuge or for refusal of any other use or privilege on the refuge for which a permit may be required by regulations.

SUBPART—BITTER LAKE NATIONAL WILDLIFE REFUGE, NEW MEXICO

FISHING

SOURCE: §§ 32.41 to 32.47 contained in Reg., Sec. Int., May 6, 1943, 8 F. R. 6549, except as noted following section affected.

§ 32.41 *Fishing permitted.* Noncommercial fishing is permitted in the waters of the Bitter Lake National Wildlife Refuge, New Mexico, specified in § 32.42 in accordance with the provisions of Parts 18 and 21 of this chapter, and subject to the conditions, restrictions, and requirements of §§ 32.42 to 32.47 inclusive.

[Mar. 21, 1949, 14 F. R. 1384]

§ 32.42 *Waters open to fishing.* All the waters on the following-described lands of the United States within the Bitter Lake National Wildlife Refuge shall be open to fishing: The Federally owned lands in sections 26, 27, 28, 32, 33, 34, and 35, T. 9 S., R. 25 E., and all the lands of the refuge in T. 10 S., R. 25 E., New Mexico Principal Meridian.

§ 32.43 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of New Mexico. Fishing under this regulation shall be by hook and line (including rod and reel) only, as defined by State law, and the use of trot and set lines and other similar contrivances is prohibited.

§ 32.44 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the New Mexico State Game and Fish Commission, if such license is required. This license shall serve as a Federal permit for fishing in the specified waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the New Mexico State Game and Fish Commission or of the Fish and Wildlife Service.

§ 32.45 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

§ 32.46 *Use of boats.* The use of boats or floating devices of any description, including motorboats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes.

§ 32.47 *Temporary restrictions.* During periods of waterfowl concentrations on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

SUBPART—BOSQUE DEL APACHE NATIONAL WILDLIFE REFUGE, NEW MEXICO

FISHING

SOURCE: §§ 32.51 to 32.57 contained in Reg., July 14, 1944, 9 F. R. 8189.

§ 32.51 *Fishing permitted.* Noncommercial fishing is permitted from June 1 to October 15, inclusive, of each year in the waters of the Bosque del Apache National Wildlife Refuge, New Mexico specified in § 32.52 in accordance with the provisions of Parts 18 and 21 of this chapter, and subject to the conditions, restrictions, and requirements of §§ 32.52 to 32.57 inclusive.

§ 32.52 *Waters open to fishing.* All the waters of the refuge shall be open to fishing.

§ 32.53 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of New Mexico. Fishing under this regulation shall be by hook and line (including rod and reel) only, as defined by State law for all species except catfish. The use of trot and set lines in accordance with State law is permitted in fishing for and taking catfish. All other contrivances of whatever nature are prohibited.

§ 32.54 *Fishing licenses and permits.* Any person who fishes within the refuge, shall be in possession of a valid fishing license issued by the New Mexico State Game and Fish Commission, if such license is required. This license shall serve as a Federal permit for fishing in the specified waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the New Mexico State Game and Fish Commission or of the Fish and Wildlife Service.

§ 32.55 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

§ 32.56 *Use of boats.* The use of boats or floating devices of any description, including motorboats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes.

§ 32.57 *Temporary restrictions.* During periods of waterfowl nesting or concentrations on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl and are posted suitably by such officer.

SUBPART—HAGERMAN NATIONAL WILDLIFE REFUGE, TEXAS

SOURCE: §§ 32.61 to 32.68 contained in Reg., June 21, 1948, 13 F. R. 3342.

COMMERCIAL FISHING

§ 32.61 *Commercial fishing permitted.* Commercial fishing in accordance with the State Laws of Texas is permitted on all waters within the Hagerman National Wildlife Refuge in accordance with the provisions of §§ 32.62 to 32.64 inclusive.

§ 32.62 *Entry.* Entry on and use of this refuge for any purpose is governed by the regulations in Parts 18 and 21 of this chapter, and strict compliance therewith is required.

§ 32.63 *State fishing laws.* All fishermen must comply with all State fishing laws and regulations, and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations. In addition thereto each person fishing commercially on the refuge must possess a permit issued by the officer in charge prior

to exercising the commercial fishing privileges permitted hereunder.

§ 32.64 *Temporary restrictions.* During periods of waterfowl concentrations or other wildlife concentrations and to protect wildlife plantings, fishing may be closed on such areas of the refuge as, in the judgment of the officer in charge, such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting.

NONCOMMERCIAL FISHING

§ 32.65 *Noncommercial fishing permitted.* Noncommercial fishing in accordance with the State Laws of Texas is permitted on all waters within the Hagerman National Wildlife Refuge in accordance with the provisions of §§ 32.66 to 32.68 inclusive.

§ 32.66 *Entry.* Entry on and use of this refuge for any purpose is governed by the regulations in Parts 18 and 21 of this chapter, and strict compliance therewith is required.

§ 32.67 *State fishing laws.* All fishermen must comply with all State fishing laws and regulations, and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations, which license shall serve as a Federal permit for fishing in the waters of the refuge.

§ 32.68 *Temporary restrictions.* During periods of waterfowl concentrations or other wildlife concentrations and to protect wildlife plantings, fishing may be closed on such areas of the refuge as, in the judgment of the officer in charge, such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting.

SUBPART—HAVASU LAKE NATIONAL WILDLIFE REFUGE, ARIZONA AND CALIFORNIA

HUNTING

SOURCE: §§ 32.71 to 32.75 contained in Reg., Aug. 19, 1948, 13 F. R. 4922.

§ 32.71 *Hunting permitted.* Migratory waterfowl and coots may be taken within the hereinafter described area of Havasu Lake National Wildlife Refuge, Arizona and California, in accordance with the Migratory Bird Treaty Act Regulations (§§ 6.1–6.12 of this chapter), when, in manner, and to the extent not prohibited by State law or regulation: *Provided,* That the privileges herein granted shall be exercised in accordance with the provisions of Parts 18 and 21 of this chapter and under the special provisions, conditions, restrictions, and requirements of §§ 32.72 to 32.75 inclusive.

§ 32.72 *Areas open to hunting.* All the lands of the United States, designated by suitable posting by the officer in charge of the refuge, within the following described area of the refuge shall be open to hunting:

Area No. 1. Sections 4 and 5, T. 16 N., R. 21 W., and that part of the refuge lying north of the line between Townships 16 and 17 N., R. 21 and 22 W., G. & S. R. M., Arizona; and north of the line between Sections 4 and 9, T. 8 N., R. 23 E., S. B. M., California.

Area No. 2. That part of the refuge lying south of an east-west line at the approximate location of the Beal railroad station, more particularly described as that portion of land lying south of the line between Sections 15 and 22, 16 and 21, and 17 and 20, T. 16 N., R. 21 W., G. & S. R. M.; and the line between Sections 24 and 25, 23 and 26, and 22 and 27, T. 8 N., R. 23 E., S. B. M.; and lying north of a line east and west from Devil's Elbow, more particularly described as the eastward extension of the line between Sections 28 and 33, and 27 and 34, T. 7 N., R. 24 E., S. B. M.

Area No. 3. That part of the refuge lying west of a posted line on the east bank of the main channel of the Colorado River, south of the line between Sections 4 and 9 and its eastward extension, T. 8 N., R. 23 E., S. B. M., and north of the line between Sections 24 and 25, 23 and 26, and 22 and 27, T. 8 N., R. 23 E., S. B. M.

Area No. 4. That part of the refuge lying south of an east-west line at the approximate location of the Blankenship Bend, more particularly described as the westward extension of the line between Townships 15 N., and 14 N., R. 20 W., G. and S. R. M.; and lying north of an east-west line starting approximately at the Black Meadow Wash, more particularly described as the westward extension of the line between Townships 12 N., and 11 N., R. 18 W., G. and S. R. M.

§ 32.73 *Entry on the refuge.* Entry on and use of the refuge for any purpose is governed by the regulations in Parts 18 and 21 of this chapter and strict compliance therewith is required. Persons entering the refuge for the purpose of hunting shall use such routes of travel within the refuge as are designated by posting. The carrying or being in possession of firearms within the areas of the refuge not open to public hunting is prohibited, except that such firearms may be possessed or transported across such closed areas provided they are unloaded, and broken or properly encased. The carrying or being in possession of rifled firearms or the use of single-ball or slug-load shotgun shell on the refuge is prohibited.

§ 32.74 *Permit.* Any person who hunts within the refuge must have on his person and exhibit at the request of any authorized Federal or State officer whatever license is required by the State law and, if over sixteen years of age, a properly validated migratory-bird hunting stamp. The said license and stamp shall serve as a Federal permit for hunting on the refuge.

§ 32.75 *Dogs.* Each person hunting on the public shooting ground will be permitted to take his hunting dogs, not to exceed two in number, upon such areas for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the public shooting grounds or elsewhere on the refuge.

PUBLIC USE

§ 32.78 *Public use areas.* In accordance with the provisions of Parts 18 and 21 of this chapter, the Director, Fish and Wildlife Service, may permit municipalities or other governing bodies, organizations, and individuals to operate public use areas and facilities including but not limited to boathouses, boats, canoes, cabins, stores, docks, and wharfs upon such terms and at such rates of charge, if any, as may be determined by the director to be commensurate with the value of the privilege granted. Any permittee operating on the refuge as hereinabove provided shall be required, prior to construction, to submit for the approval of the director an over-all plot plan for the orderly development of the public use areas. No building, structure, or other improvement or facility shall be constructed in the public use areas until the plans, specifications, and location have been approved by the director, and no fee or rental shall be charged in excess of the tariff or schedule of rates approved by the director.

[Apr. 30, 1942, 7 F. R. 6150]

BOATING

SOURCE: §§ 32.79 to 32.85 contained in Reg., Sec. Int., Apr. 30, 1942, 7 F. R. 6150.

§ 32.79 *Boating permitted.* In accordance with the provisions of Parts 18 and 21 of this chapter, boating is permitted in the Havasu Lake National Wildlife Refuge, Arizona and California, subject to the conditions and restrictions of §§ 32.80 to 32.87, inclusive.

§ 32.80 *Permits required for the operation of privately-owned boats.* Any person desiring to keep or operate a boat for more than three days during a fiscal year on the Havasu Lake National Wildlife Refuge will be required first to obtain a permit to do so from the refuge manager of the area. For the issuance of such a permit there will be charged per fiscal year or part thereof the sum of $2 for each powerboat or sailboat, $1 for each rowboat or canoe, and $5 for each houseboat: *Provided,* That such boats shall not be used for hire or for carriage of persons or property for compensation or as an adjunct to any business for which a charge is made or compensation received directly or indirectly. Permits will continue in force until the end of the fiscal year in which issued, unless sooner revoked by the refuge manager. Number plates corresponding to the number of the permit must be provided by each permittee and shall be displayed by him in a conspicuous place on each outer side of the boat near the bow, and the permittee shall keep in his possession and available for inspection the permit granted to him. A permit may not be transferred from one boat to another, but the permit for a particular boat may be transferred from the permittee to another person during the fiscal year for which it is issued upon application to and approval by the refuge manager and the payment of a fee of 50¢.

§ 32.81 *Wharves, dock, and boathouses.* As an accompaniment to a boat permit, general landing and anchorage privileges are granted to the permittee subject to the instructions and supervision of the refuge manager. Where desired in connection with a boat permit and if deemed by the refuge manager not detrimental to the interests of the United States, there may be granted a permit to install and anchor at the shore for the private use of the permittee a floating dock, wharf, and/or boathouse of size and design approved by the officer

in charge to accommodate the boat for which the permit has been issued. A charge of $1.50 per fiscal year or any part thereof will be made for the permit for such a dock, wharf, and/or boathouse used in connection with any type of boat. The permit shall not be transferred or the use of the dock, wharf, and/or boathouse granted or sublet by the permittee to another person without application to and approval by the refuge manager and the payment of a fee of 50¢. Permits will continue in force until the end of the fiscal year in which issued unless sooner terminated or revoked. All such facilities shall be well constructed and maintained in a manner satisfactory to the refuge manager, and their location shall be approved by him. Number plates corresponding to the permit will be provided by the permittee and shall be displayed in conspicuous places on each dock or wharf.

§ 32.82 *Equipment required for boats.* The minimum requirements for the equipment of all passenger-carrying boats operating on the refuge shall be those of the United States Coast Guard together with the following additional ones:

(a) Each boat shall be provided with two or more oars, with trustworthy life preservers equal in number to the maximum number of persons to be carried, with an anchor of sufficient size and a rope, chain, or cable of sufficient length and strength to hold the boat in case of accident, and with a water pump or bailing bucket, and other necessary tools.

(b) From sunset to sunrise powerboats or sailboats under way shall carry signal lights and during such time no other lights that may be mistaken for such signal lights shall be exhibited on such boats within the refuge. Each boat shall carry a white light aft to show all around the horizon, and a combination lantern or lanterns in the fore part of the boat to show green to the right and red to the left and both colors to the front. In addition, a white light may be used in the center of the boat near the bow but the aft light shall be higher than such light and so placed as to form a range therewith, and shall be clear of house, awings, and/or other obstructions.

(c) Each rowboat or canoe, when in use at any time between sunset and sunrise shall carry a lantern or other suitable light to be exhibited whenever in the vicinity of other boats on the water.

(d) A boat at anchor while in use between sunset and sunrise shall carry forward, where it can best be seen, at a height not exceeding 20 feet above the hull, a white light visible all around the horizon.

(e) Each boat shall be provided with a whistle or other sound-producing mechanical appliance capable of producing a blast of two seconds or more in duration. A mouth whistle that can be heard for at least half a mile will be held to comply with this rule.

§ 32.83 *Navigation rules.* Boats operating on the refuge shall comply with the rules and regulations of the United States Coast Guard as well as with the following additional regulations:

(a) When two boats are approaching each other head-on or so nearly as to be in danger of collision, it shall be the duty of each to turn to the right and to pass on the port, or left side of the other.

(b) When two powerboats approach within 250 yards of each other from opposite directions, either boat shall give, as a signal of her intention, one short and distinct blast of her whistle, which the other boat shall answer promptly by a similar blast of her whistle, and thereupon each boat shall pass on the port, or left, side of the other.

(c) If the course of the approaching boats are so far to the starboard, or right, side of each other as not to be in danger of collision, either boat shall give two short and distinct blasts of her whistle as an indication of her intention to continue on her course, which the other boat shall answer promptly by two similar blasts of her whistle, and thereupon each boat shall pass on the starboard, or right, side of the other.

(d) When two boats are proceeding on courses that cross each other and such crossing may involve risk of collision, the boat on the starboard, or right, side shall have the right-of-way, and the boat on the port, or left, side shall keep out of the way of the other until the crossing has been safely effected.

(e) A boat overtaking any other boat shall keep out of the way of the overtaken boat, passing on the left side of it if that side is in the clear.

(f) Powerboats when moving under power shall keep clear of rowboats with occupants, approaching them not nearer than 100 feet and should reduce speed during the interval of passing.

(g) Motorboats propelled by gas, oil, gasoline, or alcohol engines, both outboard and inboard, shall not be operated without effective mufflers, except for occasional periods not exceeding 5 minutes at a time.

(h) No boat shall approach, pass, or be located within three hundred (300) feet of the outlets in Parker Dam, or of the Municipal Water District Inlets.

§ 32.84 *Responsibility of owners of boats.* Passenger-carrying boats shall comply with the requirements of the United States Coast Guard and, in addition thereto, boats that, in the opinion of the refuge manager, whose decision shall be final and conclusive, are not properly constructed, operated, or maintained shall not be permitted to be placed in or remain on the waters of the reservoir. Each boat when not in use and each dock, wharf, or boathouse shall be securely anchored or moored in locations designated or approved by the refuge manager and in such a manner as not to endanger other boats on the reservoir or property along the shore. Boats, docks, wharves, or boathouses found floating loose on the reservoir will be taken up, and the permittee shall reimburse the United States for any expense incurred in making the boat, dock, wharf, or boathouse secure. Owners of boats shall not permit the use or operation thereof by any person not competent to operate same or to handle the machinery thereof. The United States assumes no responsibility for loss of or damage to life or property by theft, storm, accident, or otherwise in connection with or growing out of the exercising of any privilege conferred by a permit issued in accordance with §§ 32.79 to 32.85, inclusive.

§ 32.85 *Disorderly conduct.* No intoxicated person shall be permitted on land belonging to the United States, or on docks, wharves, or boathouses constructed thereon, or in or on boats on the waters of the reservoir. The person in charge of each boat, dock, or wharf, or boathouse shall preserve order therein or thereon and shall extend courteous treatment to passengers and persons therein or thereon.

SANITATION

§ 32.88 *Sanitary requirements.* No bottles, cans, garbage, rubbish, or refuse of any kind shall be thrown into the waters of Havasu Lake, but the same shall be disposed of as directed by signs and instructions posted by the refuge manager. Outhouses, septic tanks, and cesspools shall be located and constructed as directed by the refuge manager, and all sanitary requirements specified by the refuge manager shall be observed.

[Apr. 30, 1942, 7 F. R. 6150]

PROTECTION OF WILDLIFE

§ 32.89 *Protection of wildlife, firearms.* The Havasu Lake National Wildlife Refuge, Arizona and California, has been set aside as a national wildlife refuge, and it is unlawful:

(a) To molest wild animals or birds or their nests on the area;

(b) To hunt on any part of the refuge except on areas set aside for that purpose by the Secretary of the Interior and in accordance with rules and regulations prescribed for such hunting; and,

(c) To carry or be in possession of any firearm on any lands or in or on any boat, dock, wharf, houseboat, or boathouse within the refuge, except that a person may carry an unloaded shotgun, broken or encased, during the hunting season when he is traveling to or returning from areas set aside for hunting by the Secretary of the Interior via routes or courses of travel designated by suitable posting by the refuge manager.

[Apr. 30, 1942, 7 F. R. 6150]

FISHING

SOURCE: §§ 32.92 to 32.95 contained in Reg., Sec. Int., Apr. 30, 1942, 7 F. R. 6150.

§ 32.92 *Fishing permitted.* Fishing is permitted in all the waters of the Havasu Lake National Wildlife Refuge, Arizona and California, except during the open season for the hunting of migratory game birds, in accordance with the provisions of the laws and regulations applicable to the refuge, including the regulations in Parts 18 and 21 of this chapter and subject to the conditions and restrictions of §§ 32.93 to 32.95, inclusive.

§ 32.93 *State laws.* Any person while fishing within the refuge must comply with the applicable State laws and regulations.

§ 32.94 *Fishing licenses and permits.* Any person who fishes within the refuge

shall be in possession of a valid State fishing license, if such license is required. The license shall serve as a Federal permit for fishing on the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Arizona Game and Fish Commission or of the California Department of Natural Resources authorized to enforce the State fishing laws and regulations, or of any representative of the United States Department of the Interior.

§ 32.95 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes or courses of travel as may be designated by suitable posting by the refuge manager.

REVOCATION OF PERMIT

§ 32.96 *Revocation of permits.* The permit of any person violating any of the laws or regulations applicable to the Havasu Lake National Wildlife Refuge, Arizona and California, may be revoked by the regional director, and upon such revocation such person shall remove himself and all his property from the reservoir and the lands belonging to the United States. If he fails to remove his property within a period of 30 days from the date of such revocation, it shall become the unqualified property of the United States and will be sold, removed, destroyed, or converted to the use of the United States without liability to the owner.

[Apr. 30, 1942, 7 F. R. 6150]

SUBPART — IMPERIAL NATIONAL WILDLIFE REFUGE, ARIZONA AND CALIFORNIA

HUNTING

SOURCE: §§ 32.101 to 32.108 contained in Reg., Sec. Int., Sept. 16, 1942, 7 F. R. 7696, except as noted following section affected.

§ 32.101 *Hunting permitted.* Migratory waterfowl (except those species for which no open season is prescribed by the Migratory Bird Treaty Act regulations) and coots may be taken within the area, described, in § 32.101, of the Imperial National Wildlife Refuge, Arizona and California, during the season prescribed therefor by the Migratory Bird Treaty Act regulations in accordance with the provisions of Parts 18 and 21 of this chapter and in accordance with the regulations promulgated pursuant to the authority contained in the Migratory Bird Treaty Act, when, in manner, by means, and to the extent not prohibited by either Federal or State law or regulation, and under the special provisions, conditions, restrictions, and requirements of §§ 32.102 to 32.108, inclusive.

§ 32.102 *Area open to hunting.* All the lands of the United States within the following described area of the refuge shall be open to hunting: That part of the refuge northward and westward from Reclamation River Station No. 4.

[Oct. 25, 1946, 11 F. R. 12634]

§ 32.103 *State laws.* Any person while hunting within the refuge must comply with the applicable State laws and regulations.

§ 32.104 *Hunting licenses and permits.* Any person who hunts within the refuge shall be in possession of a valid state hunting license, if such license is required, and, if hunting migratory waterfowl, a properly validated migratory-bird hunting stamp. The license and the stamp shall serve as a Federal permit for hunting on the refuge and must be carried on the person of the licensee while so hunting. The license and the stamp must be exhibited upon the request of any representative of the Arizona Game and Fish Commission or of the California Department of Natural Resources authorized to enforce the State game laws, or of any representative of the Department of the Interior. Upon request of the officer in charge, the licensee must also exhibit for inspection all wildlife killed by him or in his possession.

§ 32.105 *Disorderly conduct; intoxication.* No person who is visibly intoxicated will be permitted to enter upon the refuge for the purpose of hunting, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

§ 32.106 *Hunting dogs.* Each person hunting on the public shooting grounds will be permitted to take his hunting dogs, not to exceed two in number, upon such areas for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the public shooting grounds or elsewhere on the refuge.

§ 32.107 *Entry upon refuge; firearms.* Persons entering the refuge for the purpose of hunting shall use such routes of travel as may be designated by suitable posting by the officer in charge and shall not otherwise enter upon the refuge. The carrying or being in possession of firearms within the areas of the refuge not open to public hunting is prohibited, except that such firearms may be possessed or transported across such closed areas via routes designated by the officer in charge provided they are unloaded, and broken or properly encased. The carrying or being in possession of rifled firearms or the use of single-ball or slug-loaded shotgun shells on the refuge is prohibited.

§ 32.108 *Penalties.* Failure of a permittee to comply with any of the conditions, restrictions, or requirements of §§ 32.101 to 32.108, inclusive, will be sufficient cause for removing him from the refuge and for refusing him further hunting privileges on the refuge.

SUBPART—NATIONAL ELK REFUGE, WYOMING

FISHING

SOURCE: §§ 32.111 to 32.115 contained in Reg., Jan. 18, 1939, 4 F. R. 373, 393, except as noted following section affected.

§ 32.111 *Fishing permitted.* Until further notice, in accordance with the provisions of Parts 18 and 21 of this chapter, fish may be taken for noncommercial purposes when and as permitted by the laws and regulations of the State of Wyoming from certain waters of the National Elk Refuge, Wyoming, subject to conditions and restrictions specified in §§ 32.112 to 32.115, inclusive.

§ 32.112 *Waters open to fishing.* The waters of the Gros Ventre River within the refuge boundaries shall be open to hook-and-line fishing as defined by State law at times and for species permitted by State law and regulation.

The waters of Flat Creek, from approximately the center of the SE¼ of sec. 15, T. 41 N., R. 116 W., northward and eastward with the creek to the boundary line of the refuge at the SE¼ of sec. 34, T. 42 N., R. 115 W., shall be open to hook-and-line fishing as defined by State law during the period August 1 to September 30, inclusive, of each year, for such species as may be legally taken under State law and regulation.

No other waters of the refuge are open to fishing.

[Jan. 18, 1939, as amended June 26, 1945; 4 F. R. 373, 393, 10 F. R. 8144]

§ 32.113 *Fishing permits.* Any person exercising the privilege of fishing within the refuge shall be in possession of a valid fishing license issued by the State, if such license is required, and shall carry such license on his person while fishing, and when requested to do so shall exhibit it to any representative of the State Game and Fish Commission authorized to enforce the State game and fish laws or to any representative of the Fish and Wildlife Service: *Provided,* That fishing shall be done in such manner as will not interfere with the objects for which the refuge was established.

§ 32.114 *State fishing laws.* Any person who fishes on the refuge must comply with applicable fishing laws and regulations of the State of Wyoming, and in the absence of any State law or regulation with respect to the number and size of the fishes that may be taken, the Director of the Fish and Wildlife Service may fix such limits; and in the event he shall find that fishing in any of the waters of the refuge is unduly depleting any species of fish therein, he may suspend all fishing privileges pending final determination by the Secretary of the Interior.

§ 32.115 *Routs of travel.* Persons entering the refuge for the purpose of reaching the waters thereof for fishing shall follow such routes of travel as shall from time to time be designated by the officer in charge.

HUNTING OF ELK

SOURCE: §§ 32.116 to 32.122 contained in Reg., Aug. 10, 1944, 9 F. R. 9956.

§ 32.116 *Elk hunting permitted.* Until further notice elk may be taken during such periods of the open season prescribed therefor by the State Game and Fish Commission of Wyoming on certain lands hereinafter described, of the United States within the National Elk Refuge, Wyoming, in accordance with the provisions of Parts 18 and 21 of this chapter as are mutually agreed upon from time to time by the Director of the Fish and Wildlife Service and the Game and Fish Commission of Wyoming and are announced by the Director of the Fish and Wildlife Service, subject to the special provisions, conditions,

restrictions, and requirements of §§ 32.117 to 32.122 inclusive.

§ 32.117 *Area open to hunting.* The following-described lands of the United States within the National Elk Refuge shall be open to the hunting of elk:

That part of the refuge east of the refuge fence line running parallel to the Jackson-Moran highway, and north of the township line between Townships 41 and 42 North, the natural boundary of which shall be regarded as Flat Creek east of its junction with the canal, or ditch, in the NE¼ of section 1, T. 41, N., R. 116 W., in its east and west course through the refuge, to its intersection with the east line of section 4, T. 41 N., R. 115 W., sixth principal meridian, Wyoming.

§ 32.118 *State laws and regulations.* Any person who hunts on the refuge shall be in possession of a valid hunting license issued by the State of Wyoming authorizing him to hunt elk and a permit, if required. Said license and permit shall serve as a Federal permit for hunting elk on the refuge and must be carried on the person of the licensee while so hunting. The license and permit must be exhibited upon the request of any representative of the Wyoming Game and Fish Commission authorized to enforce the State game laws or of any representative of the Department of the Interior. The licensee must comply in every respect with the State laws and regulations governing the hunting of elk and upon request of any of the aforesaid representatives must exhibit for inspection all game killed by him or in his possession.

§ 32.119 *Disorderly conduct; intoxication.* No person who is intoxicated will be permitted to enter or remain upon the refuge for the purpose of hunting hereunder, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

§ 32.120 *Entry upon refuge.* Persons entering or crossing the refuge for the purpose of hunting, as permitted by §§ 32.116 to 32.122, inclusive, shall use such routes of travel as may be designated by suitable posting by the officer in charge and shall not otherwise enter upon the refuge.

§ 32.121 *Forfeiture of privileges.* Failure of any person hunting on the refuge to comply with any of the provisions, conditions, restrictions, or requirements of §§ 32.116 to 32.122, inclusive, or the violation by him of any of the provisions of State or Federal laws or regulations applicable to hunting on the refuge not only will render such person liable to prosecution under the law but also will be sufficient cause for removing him from the refuge and for refusing him further hunting privileges on the refuge.

§ 32.122 *State cooperation in management of the herd and the shooting area.* The provisions of §§ 32.116 to 32.122, inclusive, shall be incorporated in and deemed to be a part of any cooperative agreement between the Director of the Fish and Wildlife Service and the Game and Fish Commission of Wyoming for the regulation, management, and operation of the shooting area established hereunder, the details of which shall be mutually agreed upon betwen said Director and Commission. The Director also may take such additional measures, in cooperation with said Commission or otherwise, as may be necessary to effect proper control of the animals wintering on the refuge and to maintain their numbers within the carrying capacity of the project.

SUBPART—SALT PLAINS NATIONAL WILDLIFE REFUGE, OKLAHOMA

FISHING

SOURCE: §§ 32.131 to 32.137 contained in Reg., Apr. 19, 1946, 11 F. R. 4585.

§ 32.131 *Fishing permitted.* Noncommercial fishing in accordance with the State laws of Oklahoma is permitted in the waters of the Salt Plains Reservoir within the Salt Plains National Wildlife Refuge, located south of a line common to the north section lines of secs. 7, 8, 9, and 10; T. 26 N., R. 9 W.

§ 32.132 *Entry.* Entry on and use of the refuge for any purpose is governed by Parts 18 and 21 of this chapter, and strict compliance therewith is required. Persons entering the refuge for the purpose of fishing must follow such routes of travel within the refuge as are designated by posting.

§ 32.133 *State fishing laws.* All fishermen must comply with all State fishing laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations. No Federal permit will be required to exercise the fishing privileges permitted under this order.

§ 32.134 *Use of boats.* The use of boats on the waters of the refuge opened to fishing is permitted except that, during the open waterfowl hunting season, (a) use of motor boats, either inboard or outboard, shall be restricted to the waters of secs. 10 and 15; T. 26 N., R. 9 W., (b) boats of any type shall not approach or enter rafts of waterfowl resting on the waters of refuge.

§ 32.135 *Islands closed to public.* All islands located within the open fishing area will be closed to all public use during the months of April, May, and June of each year.

§ 32.136 *Shoreline fishing.* Fishing from the shore will be permitted from the shoreline in secs. 9, 10, and the E½ sec. 15 T. 26 N., R. 9 W., at all times of the year when permitted by the laws of the State of Oklahoma and from the balance of the shoreline adjacent to waters open to fishing at all times permitted by the laws of the State of Oklahoma except during the open waterfowl hunting season. In order to protect important food and cover vegetation plantings the officer in charge may close to shore fishing such parts of the shoreline as are considered critical. Such restrictions are to be clearly designated by posting.

§ 32.137 *Temporary restrictions.* During periods of waterfowl concentrations fishing may be restricted or closed on such areas of the refuge as, in the judgment of the officer in charge, such restrictions are necessary in order to provide adequate protection for wildlife. Such restrictions are to be published by posting or otherwise.

SUBPART—SALT RIVER NATIONAL WILDLIFE REFUGE, ARIZONA

HUNTING

SOURCE: §§ 32.141 to 32.145 contained in Reg., Sept. 23, 1944, 9 F. R. 11856, 12926.

§ 32.141 *Hunting permitted.* The hunting of migratory waterfowl will be permitted in accordance with regulations under the Migratory Bird Treaty Act within that portion of the Salt River National Wildlife Refuge, Arizona, lying east of a line extending from the Roosevelt boat landing, northeast and north through sections 21, 16, and 9, R. 12 E., T. 4 N., as posted.

§ 32.142 *Entry.* Entry on and use of the refuge for any purpose is governed by the regulations in Parts 18 and 21 of this chapter, and strict compliance therewith is required.

§ 32.143 *Dogs.* Not to exceed two hunting dogs may be used by each hunter but such dogs shall not be permitted to run unattended on the refuge.

§ 32.144 *Routes of travel.* Hunters shall follow such routes of travel within the refuge as are designated by posting.

§ 32.145 *State hunting laws.* All hunters must comply with the State hunting laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations.

SUBPART—SAN ANDRES NATIONAL WILDLIFE REFUGE, NEW MEXICO

HUNTING OF DEER

SOURCE: §§ 32.151 to 32.159 contained in Reg., Sec. Int., Aug. 5, 1942, 7 F. R. 6407.

§ 32.151 *Deer hunting permitted.* Until further notice deer may be taken during the open season prescribed therefor by the State Game and Fish Commission of New Mexico on certain lands of the United States within the San Andres National Wildlife Refuge, New Mexico, described in § 32.152 under the special provisions, conditions, restrictions, and requirements of §§ 32.152 to 32.159 inclusive.

§ 32.152 *Joint survey.* No open season shall be declared on this described area in any year until after joint examination or consultation by the Fish and Wildlife Service, the Forest Service, and the Game and Fish Commission of the State of New Mexico. If such annual examination or consultation indicates there is a surplus of deer on the area which should be reduced in any year, the number of deer to be so removed shall be determined and agreed upon by the participating agencies.

§ 32.153 *Area open to hunting.* The following-described lands of the United States within the refuge shall be open

to the hunting of deer; That part of the refuge common to the Jornada Experimental Range and bounded on the east by a line approximately one-half mile west of the rim of the San Andres Range to be flagged or otherwise suitably marked on the ground by the officer in charge.

§ 32.154 *State laws and regulations.* Any person who hunts on the refuge shall have in his possession a valid State hunting license and a permit, if such license and permit are required, authorizing him to hunt deer. The license and permit shall be exhibited upon the request of any representative of the New Mexico Game and Fish Commission authorized to enforce the State Game Laws or of any representative of the Department of the Interior, the Department of Agriculture, or other authorized official. The permittee must comply in every respect with the State laws and regulations governing the hunting of deer and must upon request of any of the aforesaid representatives exhibit for inspection all game killed by him or in his possession.

§ 32.155 *Disorderly conduct; intoxication.* No person who is visibly intoxicated will be permitted to enter upon the refuge for the purpose of hunting, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

§ 32.156 *Entry upon refuge; civil liability.* Persons entering the refuge for the purpose of hunting, as permitted by §§ 32.151 to 32.159, inclusive, are subject to civil liability for injuring or killing any livestock or damaging any property thereon, and shall use such routes of travel as may be designated by suitable posting by the officer in charge and shall not otherwise enter upon the refuge.

§ 32.157 *Limitation on firearms and bullets.* Deer may be taken only by the use of rifled firearms. Regulation No. 57 of the New Mexico Game and Fish Laws and Regulations, promulgated March 10, 1934, section 5 providing that "No big game, except turkeys, shall be shot at, wounded, taken or killed with a steel, or hard pointed bullet," shall apply to the hunting of deer on the refuge.

§ 32.158 *Penalties.* Failure of any person hunting upon the refuge to comply with any of the conditions, restrictions or requirements of §§ 32.151 to 32.159, inclusive, will be sufficient cause for removing such person from the refuge and for refusing him further hunting privileges on the refuge.

§ 32.159 *State cooperation in management of the shooting area.* The provisions of §§ 32.151 to 32.159, inclusive, shall be incorporated in and be deemed to be a part of any agreement between the Director of the Fish and Wildlife Service and the State Game Commission of New Mexico for the regulation, management, and operation of the shooting area established hereunder.

SUBPART — TISHOMINGO NATIONAL WILDLIFE REFUGE, OKLAHOMA

SOURCE: §§ 32.161 to 32.168 contained in Reg., June 21, 1948, 13 F. R. 3342.

COMMERCIAL FISHING

§ 32.161 *Commercial fishing permitted.* Commercial fishing in accordance with the State laws of Oklahoma is permitted on all waters within the Tishomingo National Wildlife Refuge in accordance with the provisions of §§ 32.162 to 32.164 inclusive.

§ 32.162 *Entry.* Entry on and use of this refuge for any purpose is governed by the regulations in Parts 18 and 21, of this chapter, and strict compliance therewith is required.

§ 32.163 *State fishing laws.* All fishermen must comply with all State fishing laws and regulations, and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations. In addition thereto each person fishing commercially on the refuge must possess a permit issued by the officer in charge prior to exercising the commercial fishing privileges permitted hereunder.

§ 32.164 *Temporary restrictions.* During periods of waterfowl concentrations or other wildlife concentrations and to protect wildlife plantings, fishing may be closed on such areas of the refuge as, in the judgment of the officer in charge, such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting.

NONCOMMERCIAL FISHING

§ 32.165 *Noncommercial fishing permitted.* Noncommercial fishing in accordance with the State Laws of Oklahoma is permitted on all waters within the Tishomingo National Wildlife Refuge in accordance with the provisions of §§ 32.166 to 32.168 inclusive.

§ 32.166 *Entry.* Entry on and use of this refuge for any purpose is governed by the regulations in Parts 18 and 21 of this chapter, and strict compliance therewith is required.

§ 32.167 *State fishing laws.* All fishermen must comply with all State fishing laws and regulations, and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations, which license shall serve as a Federal permit for fishing in the waters of the refuge.

§ 32.168 *Temporary restrictions.* During periods of waterfowl concentrations or other wildlife concentrations and to protect wildlife plantings, fishing may be closed on such areas of the refuge as, in the judgment of the officer in charge, such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting.

SUBPART—WICHITA MOUNTAINS WILDLIFE REFUGE, OKLAHOMA

SOURCE: §§ 32.181 to 32.189 contained in Reg., Sept. 3, 1943, 8 F. R. 12520, except as noted following sections affected.

§ 32.181 *General provisions.* The Wichita Mountains Wildlife Refuge hereafter shall be administered under the provisions of Parts 18 and 21 of this chapter.

[Sept. 20, 1943, 8 F. R. 13262]

FISHING

§ 32.182 *Fishing authorized.* Fish may be taken for noncommercial purposes from designated reservoirs or lakes of the Wichita Mountains Wildlife Refuge in accordance with the laws and regulations of the State of Oklahoma during such times, in such numbers, and in such manner as the Director of the Fish and Wildlife Service may from time to time determine to be appropriate, except that no live minnows, fish, or frogs may be captured by seining, netting, or otherwise in the waters of the refuge for use as bait, and no person may have in his possession within the boundaries of the refuge any seine or net that may be used in capturing such minnows or other live bait from said waters; and no person shall have in his possession on the refuge or use any live carp minnows for bait in fishing in the waters of the refuge.

[Sept. 20, 1943, 8 F. R. 13262]

§ 32.183 *Fishing permitted.* Until further notice noncommercial fishing is permitted in the waters specified herein of the Wichita Mountains Wildlife Refuge, Oklahoma, during the open season each year as fixed by State law or regulation for lakes or waters in that section of the State wherein the refuge is situated, in accordance with the provisions of § 32.181 and in extension of Parts 18 and 21 of this chapter, and subject to the conditions, restrictions, and requirements of §§ 32.184 to 32.189 inclusive.

[Oct. 4, 1943, 8 F. R. 13827]

§ 32.184 *Waters open to fishing.* The following-named waters of the refuge are hereby designated as areas open to fishing, and fishing on any other waters of the refuge will not be permitted: Caddo Lake, West Post Oak Lake, Treasure Lake, French Lake, all the lakes known as Fish Lakes on West Cache and Turkey Creeks from French Lake to Lost Lake, Lost Lake, West Cache Creek from Lost Lake south to the refuge boundary fence, Jed Johnson Lake, that part of Rush Lake east of the big-game fence, Little Medicine Creek within the refuge boundary, that part of Elmer Thomas Lake within the refuge boundary, and Crater, Osage, Quanah Parker, and Burford Lakes together with the streams flowing south therefrom to the refuge boundary fence.

§ 32.185 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Oklahoma. Fishing under this regulation shall be by hook and line (including rod

and reel) only, as defined by State law, and the use of trot and set lines and other similar contrivances is prohibited. The regulations governing the size or length of fish caught and the number of fish that may be taken each day must be complied with by persons fishing within the refuge.

§ 32.186 *Fishing licenses and permits.* Any person who fishes in any of the aforesaid waters under the aforesaid conditions must be in possession of a valid fishing license issued to him in accordance with the provisions of the laws of the State of Oklahoma, if such license is required, which shall serve as a Federal permit for fishing in said waters. Said license must be carried on the person of the permittee when he exercises the privilege of fishing in said waters and must be exhibited upon the request of any Federal or State officer authorized to enforce Federal or State fishing laws or regulations, or laws and regulations applicable to the refuge.

§ 32.187 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated from time to time by suitable posting by the officer in charge of the refuge.

§ 32.188 *Use of boats.* The use of boats or floating devices of any description is prohibited on all waters of the refuge except for official purposes by the Oklahoma State Game and Fish Commission and by representatives of the Fish and Wildlife Service authorized to enforce the laws and regulations applicable to the refuge or to fishing in Oklahoma: *Provided,* That boats, other than power or motorboats, may be used on Elmer Thomas Lake within the refuge under the supervision of the city of Lawton in accordance with, and subject to, such terms as may be prescribed in an appropriate permit by the superintendent of the refuge; and that authorized officials of the city of Lawton may utilize power or other boats in supervising such authorized boating activities on said lake.

§ 32.189 *Temporary restrictions.* During periods of waterfowl concentrations on the refuge, fishing or the use of boats of any description will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

RECREATION

SOURCE: §§ 32.191 to 32.194 contained in Reg., Oct. 4, 1943, 8 F. R. 13827.

§ 32.191 *Recreational use.* Entry on and temporary use for recreational or other appropriate purposes of any camp site or other area specifically designated for the use of the public are hereby permitted so long as such use and occupancy are in accordance with the regulations in this subpart and do not interfere with the purpose for which the refuge was established.

§ 32.192 *Recreational areas.* The following areas are hereby designated as recreational areas for the use of the public, in which camping, hiking, bathing, and fishing are permitted in accordance with this subpart:

All that part of the refuge, including reservoirs and lakes, lying south of and including the Scenic Highway, which runs in a general northwesterly and southeasterly direction through the southern half of the refuge and enters and leaves the refuge in section 9, T. 3 N., R. 15 W., on the northwest and in section 24, T. 3 N., R. 14 W., on the southeast; Lake Jed Johnson, part of Lake Rush, and the Easter pageant areas, situated in parts of sections 17, 18, 7, and 8, T. 3 N., R. 13 W.; the Mount Scott scenic drive, the Mount Scott campground, and Lake Thomas areas in parts of sections 11, 12, 13, and 14, T. 3 N., R. 13 W., as designated and marked by the superintendent of the refuge; and all main-traveled roads leading thereto: *Provided,* That bathing will not be permitted in French Lake or in the so-called fish-cultural lakes extending from the Scenic Highway near headquarters to the upper end of Lost Lake on Lower West Cache Creek: *Provided further,* That the superintendent will designate and mark the limits of all campgrounds within the recreational areas to which camping shall be confined, and no camps shall be established or fires built at places other than such designated sites.

§ 32.193 *Camping.* (a) No camping will be permitted outside specially designated camp areas, and overnight camping is specifically forbidden for more than 7 consecutive days without special permit of the superintendent.

(b) Campers shall at all times maintain the camp site occupied by them in a clean and sanitary condition, and must burn combustible rubbish on campfires and place all other garbage and refuse in receptacles provided for that purpose; and dumping or placing garbage or other refuse or debris by any person on any camp site or other part of the refuge or the abandonment of personal property thereon is not permitted.

(c) Campers shall not wash clothing or cooking utensils in any waters of the refuge, or pollute these waters in any other manner, and shall dispose of all waste water in such way as not to contaminate refuge waters.

(d) Campers shall completely extinguish campfires when no longer needed and shall smother with earth or extinguish with water all embers so that there shall be no danger of reignition; special care must be observed to prevent lighted matches, cigars, cigarettes, or pipe ashes from being dropped in grass or other inflammable material.

§ 32.194 *Bathing.* (a) Bathing will be permitted only in the reservoirs or lakes of the recreational area to the extent herein specified.

(b) Where bathhouses are furnished for the use of the public, the users thereof will assume full responsibility for lost or stolen articles.

(c) Bathing will be permitted in designated waters each day from May 1 to September 15, inclusive, of each year: *Provided,* That the superintendent may suspend bathing privileges for such period as he deems necessary in any reservoir or lake when, in his opinion, public health and safety require it or when an emergency exists, or when such bathing is not compatible with the administration of the refuge.

PART 33—CENTRAL REGION

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AUTHORITY: §§ 33.1 to 33.346 issued under 43 Stat. 98, 18 U. S. C. 41; 45 Stat. 1222, 16 U. S. C. 715i, and Reorg. Plan II, 53 Stat. 1431; 5 U. S. C. 133t, note.

§ 33.1 *List of States.* The Central Region is comprised of the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin.

[Dec. 16, 1948; 13 F. R. 8221]

SUBPART—ARROWWOOD NATIONAL WILDLIFE REFUGE, NORTH DAKOTA

FISHING

SOURCE: §§ 33.2 to 33.8 contained in Reg., June 8, 1943, 8 F. R. 8554, except as noted following section affected.

§ 33.2 *Fishing permitted.* Noncommercial fishing is permitted in the Arrowwood National Wildlife Refuge, North Dakota, during the daylight hours from June 16 to September 15, inclusive, of each year in the waters specified in § 33.3 in accordance with the provisions of Parts 18 and 21 of this chapter, and subject to the conditions, restrictions, and requirements of §§ 33.3 to 33.9 inclusive.

§ 33.3 *Waters open to fishing.* The waters designated by suitable posting by the officer in charge of the refuge on Arrowwood Lake in the SE¼ of Section 7, the SW¼ of Section 8, and Section 30, T. 144 N., R. 64 W., and Section 25, T. 144 N., R. 65 W., and on Jim Lake in NE¼, S½NW¼, and S½, of Section 19, and Section 20, T. 143 N., R. 64 W., fifth principal meridian, shall be open to fishing.

[Apr. 7, 1947, 12 F. R. 2452]

§ 33.4 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of North Dakota. Fishing shall be by hook and line (including rod and reel) only, as defined by State law.

§ 33.5 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the North Dakota Game and Fish Department, if such license is required. This license shall serve as a Federal permit for fishing in the specified waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the North Dakota Game and Fish Department or of the Fish and Wildlife Service.

§ 33.6 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

§ 33.7 *Use of boats.* The use of motorboats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes. The use of rowboats or canoes is permitted.

§ 33.8 *Temporary restrictions.* During periods of waterfowl concentrations on the refuge, fishing will not be permitted in such areas of the refuge as in the judgment of the officer in charge should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

SUBPART—BOX BUTTE NATIONAL WILDLIFE REFUGE, NEBRASKA

FISHING

SOURCE: §§ 33.21 to 33.24 contained in Reg., Mar. 7, 1947, 12 F. R. 1816.

§ 33.21 *Fishing permitted.* Noncommercial fishing in accordance with the State laws of Nebraska is permitted during the daylight hours on all waters within the Box Butte National Wildlife Refuge in accordance with the provisions of §§ 33.22 to 33.24 inclusive.

§ 33.22 *Entry.* Entry on and use of this refuge for any purpose is governed by the regulations in Parts 18 and 21 of this chapter and strict compliance therewith is required.

§ 33.23 *State fishing laws.* All fishermen must comply with all State fishing laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officers whatever license is required by such laws and regulations, which license shall serve as a Federal permit for fishing on the refuge.

§ 33.24 *Temporary restrictions.* During periods of waterfowl concentrations, or other wildlife concentrations, fishing and entry may be limited or closed on such areas of the refuge as, in the judgment of the officer in charge, such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or instructions are to be clearly designated by posting.

SUBPART—CHAUTAUQUA NATIONAL WILDLIFE REFUGE, ILLINOIS

FISHING

SOURCE: §§ 33.31 to 33.41 contained in Reg., Sec. Int., June 8, 1940, as amended Sept. 8, 1941; 5 F. R. 2270, 6 F. R. 4788.

§ 33.31 *Fishing permitted.* Until further notice, commercial and noncommercial fishing are permitted in the waters of the Chautauqua National Wildlife Refuge, Illinois, in accordance with the provisions of Parts 18 and 21 of this chapter, and subject to the conditions and restrictions of §§ 33.32 to 33.41 inclusive.

§ 33.32 *Hours of fishing.* Commercial and noncommercial fishing are permitted only between the hours of 4 a. m. and 9 p. m., on the days open to fishing.

§ 33.33 *Recreational (noncommercial) fishing.* During the period April 15 to the third Sunday in September, inclusive, all waters of the refuge shall be open to noncommercial fishing by hook and line only (as defined by State law); and, except during the Federal open season on migratory waterfowl, the following described waters shall be open to noncommercial fishing at any time:

(a) All the borrow pit adjoining the dike, or levee, on the north, west, and south parts of the refuge. Fishing from the dike, or levee, will not be permitted except as provided in § 33.40 (a).

(b) In the channel of the old ditch and in the waters adjoining said ditch to the southeast, said area being a strip of water averaging approximately one-eighth mile in width and lying parallel to and adjoining the main shore line in sec. 10, T. 22 N., R. 8 W. Fishing from the main shore line will be permitted in these waters.

(c) In the channel of the old ditch and waters adjoining it to the southeast, said area being a strip of water approximately one-eighth mile in width and lying parallel to and adjoining the main shore line in secs. 1 and 2, T. 22 N., R. 8 W., and sec. 36, T. 23 N., R. 8 W. Fishing from the main shore line will be permitted in these waters.

§ 33.34 *Fishing during the waterfowl hunting season.* No fishing of any kind will be permitted within the refuge boundary during the Federal open season on migratory waterfowl, except that noncommercial fishing will be permitted at all times in the borrow pit along the north boundary from the inlet gate east to the main shore, a distance of approximately 700 feet, and situated in the NE¼SE¼, sec. 36, T. 23 N., R. 8 W.

§ 33.35 *Commercial fishing.* The following described waters of the refuge shall be open to commercial fishing at any time, except during the Federal open season on migratory waterfowl, for such species as may be legally taken under the laws of the State of Illinois:

That part of the borrow pit that adjoins the main refuge dike from the northwest corner of the NE¼SW¼, sec. 35, T. 23 N., R. 8 W, southwesterly to the southeast corner of the NE¼SW¼, sec. 18, T. 22 N., R. 8 W; thence easterly to the southeast corner of the NE¼SW¼, sec. 17, T. 22 N., R. 8 W: *Provided*, That the Director of the Fish and Wildlife Service may issue such special permits as may be necessary to reduce the population of nongame fishes in other waters of the refuge.

§ 33.36 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Illinois. In the event that fishing is found to be unduly depleting any species of fishes or is interfering with the use of any particular waters by migratory birds or other wildlife, the privilege of fishing will be suspended by the Secretary, which suspension shall be effective 3 days after publication of notice thereof in the FEDERAL REGISTER.

§ 33.37 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the State of Illinois, if such license is required. This license shall serve as a Federal permit for fishing in the refuge and must be carried on the person of the permittee while so fishing. The license must be exhibited upon request of any representative of the Illinois Department of Conservation authorized to enforce the State game and fish laws, or of any representative of the Fish and Wildlife Service.

§ 33.38 *Special fishing restrictions.* No seine shall be employed in the taking of minnows for bait in any of the waters of the refuge. Recreational fishing shall be by the use of hook and line only (as defined by State law), except that the use of set, trot, throw, or bank lines to which are attached a series of baited hooks, by means of short lines or otherwise, is prohibited.

§ 33.39 *Use of motorboats.* The use of motorboats, either inboard or outboard, except for official purposes, is prohibited on any of the waters enclosed by the dike, or levee, that circumscribes the refuge area on the north, west, and south sides.

§ 33.40 *Trespass on refuge lands.* No person or persons shall enter upon, cross over, or fish from any dike, dam, levee, jetty or other water-control structure at any point or points within the refuge except as follows:

(a) Noncommercial fishing in the borrow pit will be permitted from that part of the dike extending easterly from the inlet gate for approximately 700 feet to the main shore line and situated in the NE¼SE¼, sec. 36, T. 23 N., R. 8 W.

(b) Boats, equipment, and other fishing paraphernalia may be hauled or taken across the said dikes, or levees, at such cross-overs, or drag-overs, as shall from time to time be designated by the officer in charge of the refuge by suitable posting.

§ 33.41 *Entry upon refuge.* The officer in charge shall designate by suitable posting such places of entry into and routes of travel within the refuge as he may consider necessary to reach fishing waters, and no person shall enter upon any other part of the refuge except as hereinabove provided.

No person other than a regular employee of the United States Department of the Interior, the Illinois State Department of Conservation, or the Illinois Natural History Survey shall enter or go upon any part of the refuge during the Federal open season on migratory waterfowl except for noncommercial fishing in the NE¼SE¼, sec. 36, T. 23 N., R. 8 W., as provided in § 33.34.

SUBPART—CRAB ORCHARD NATIONAL WILDLIFE REFUGE, ILLINOIS

CLASSIFICATION OF LANDS

SOURCE: §§ 33.51 to 33.53 contained in Reg., Oct. 21, 1948, 13 F. R. 6286.

§ 33.51 *Area I.* The hereinafter described lands within the refuge are designated as Area I, and are classified for use and administration as a public use area within which all the various forms of recreational uses, including public hunting and fishing in accordance with State laws, picnicking, boating, swimming and similar activities, shall be permitted in accordance with regulations to be issued by the Director, Fish and Wildlife Service.

Area I: All Federally owned lands within the following described subdivisions:

T. 9 S., R. 1 E., 3d P. M.
Sec. 5, SE¼SW¼, and W½SE¼;
Sec. 7, E½;
Sec. 8, all;
Sec. 9, W½NW¼, W½SW¼, W½NE¼SW¼, SE¼SW¼, and S½SE¼;
Secs. 10, NE¼SW¼, S½SW¼, NW¼SE¼, and S½SE¼;
Secs. 15 to 22 incl., all;
Secs. 28 to 33 incl., all.
T. 10 S., R. 1 E., 3d P. M.
Secs. 4 and 5, all;
Sec. 7, E½SE¼;
Secs. 8 and 9, all.

T. 9 S., R. 1 W., 3d P. M.
Secs. 13, 24, and 25, all.

§ 33.52 *Area II.* The hereinafter described lands within the refuge are designated as Area II, and are classified as a closed refuge on which all types of hunting will be prohibited, to be used and administered upon such terms and conditions and pursuant to such regulations as may be prescribed by the Director, Fish and Wildlife Service.

The various buildings and related facilities of the former Illinois Ordnance Plant and the utilities accommodating both governmental and private operations are located within a relatively small segment of Area II. These buildings, facilities, and utilities, excepting those presently utilized by the Department of the Army, are hereby classified as industrial units and, to the extent not required for use by the Government, shall be made available by the Director, Fish and Wildlife Service, for rental under lease to reputable industrial enterprises.

Such uplands within Area II as shall be determined by the Director, Fish and Wildlife Service, to be suitable for development as a quail management demonstration project are hereby so classified, and may be made available by the Director, Fish and Wildlife Service, to the Conservation Department of the State of Illinois or to any other public agency engaged in wildlife management, under an appropriate cooperative agreement.

Such buildings and facilities of the former administrative site for this area as are not required by the Fish and Wildlife Service for administrative purposes, and are desired by the University of Southern Illinois for educational purposes, are so classified and shall be made available to that institution by the Director, Fish and Wildlife Service, under a nominal rental lease. A maximum of 320 acres of land, within Area II, suitable for an agricultural experimental project are classified for that purpose, and upon request are to be made available by the Director, Fish and Wildlife Service, under permit to the University of Southern Illinois.

So far as is consistent with the above classifications and uses, the various forms of recreational uses allowed on Area I, other than hunting, shall be permitted on Area II.

Area II: All Federally owned lands within the following described subdivisions:

T. 9 S., R. 1 E., 3d P. M.
Sec. 13, that part lying south of the south right-of-way boundary of State Highway No. 13;
Sec. 14, that part lying south of the south right-of-way boundary of State Highway No. 13;
Secs. 23 to 27, incl., all;
Secs. 34 to 36, incl., all.
T. 10 S., R. 1 E., 3d P. M.
Secs. 1 to 3, incl., all.
Secs. 10 to 12, incl., all.
T. 9 S., R. 2 E., 3d P. M.
Sec. 18, that part lying south and west of the south right-of-way boundary of State Highway No. 13;
Sec. 19, that part lying south of the south right-of-way boundary of State Highway No. 13;
Sec. 20, that part lying south of the south right-of-way boundary of State Highway No. 13;
Sec. 21, that part lying south of the south right-of-way boundary of State Highway No. 13;
Sec. 22, that part lying south of the south right-of-way boundary of State Highway No. 13 and west of the west right-of-way boundary of the Chicago, Burlington and Quincy Railroad;
Sec. 26, that part of the W½SW¼ lying west of the west right-of-way boundary of the Chicago, Burlington and Quincy Railroad;
Sec. 27, that part lying west of the west right-of-way boundary of the Chicago, Burlington and Quincy Railroad;
Secs. 28 to 34 incl., all;
Sec. 35, W½NW¼ and N½NW¼SW¼.
T. 10 S., R. 2 E., 3d P. M.
Secs. 3 to 10 incl., all except the lands utilized by the Department of the Army within the S½NE¼, SE¼NW¼, NE¼SW¼ and NE¼SE¼ of Sec. 7.

§ 33.53 *Area III.* The hereinafter described lands within the refuge are designated as Area III, and are classified for use and administration as a public use area upon which all of the various forms of public recreation allowed on Area I will be permitted, except that public use of Area III shall be subordinated to group recreation, group camps and private cabin or cottage site development, on lands zoned for those purposes. The area shall be administered in accordance with regulations to be issued by the Director, Fish and Wildlife Service.

Area III: All Federally owned lands within the following described subdivisions:

T. 10 S., R. 1 E., 3d P. M.
Sec. 13, S½SW¼ and SW¼SE¼;
Sec. 14, W½NW¼, NW¼SW¼ and S½S½;
Secs. 15 to 23, inclusive;
Sec. 24, W½W½;
Secs. 26 to 35, inclusive;
Sec. 36, W½.
T. 11 S., R. 1 E., 3d P. M.
Sec. 2, frac. W½NE¼, and frac. NE¼NW¼;
Sec. 3, frac. W½NE¼, frac. E½NW¼, and N½NE¼SW¼;
Sec. 4, frac. NE¼, frac. E½NW¼, NE¼SW¼, and N½SE¼;
Sec. 6, frac. NW¼NE¼ and frac. N½NW¼.
T. 10 S., R. 1 W., 3d P. M.
Sec. 13, SW¼SE¼;
Sec. 24, E½E½;
Sec. 25, SE¼NE¼, E½SE¼SW¼, and SE¼;
Sec. 36, E½.
T. 11 S., R. 1 W., 3d P. M.
Sec. 1, frac. NE¼.

COMMERCIAL FISHING

SOURCE: §§ 33.54 to 33.57 contained in Reg., Feb. 11, 1949, 14 F. R. 696.

§ 33.54 *Authorization.* Commercial fishing under permit issued by the officer in charge is permitted in Area I and Area II of the Crab Orchard National Wildlife Refuge in accordance with the provisions of Parts 13 and 21 of this subchapter and subject to the requirements and limitations of §§ 33.55 to 33.57.

§ 33.55 *Period of fishing.* Area I shall be open to commercial fishing during the period from January 1 to May 1, inclusive, of each year. Area II shall be open to commercial fishing during the period from March 1 to May 1, inclusive, of each year.

§ 33.56 *Fishing licenses and permits.* In addition to such State commercial fishing license as is required under § 21.43 of this subchapter, each person fishing commercially shall possess a Federal permit issued without fee by the officer in charge. Such Federal permit shall specify the water or waters in which the permittee may fish and the period or periods during which such fishing may be performed. The officer in charge may limit the kinds of fish that may be taken and the number of permits that may be issued for any particular waters during such periods as he determines to be necessary for the protection of or to prevent disturbance to wildlife using such waters or areas.

§ 33.57 *Reports.* In addition to such reports as may be required by State law or regulation, each person authorized to fish commercially within the Refuge shall submit a report at the conclusion of each fishing season to the officer in charge, correctly stating the kinds of fish and the quantity of each taken by him and the total income received from the sale of such fish.

SUBPART—DES LACS NATIONAL WILDLIFE REFUGE, NORTH DAKOTA

FISHING

SOURCE: §§ 33.71 to 33.77 contained in Reg., Nov. 2, 1943, 8 F. R. 15529.

§ 33.71 *Fishing permitted.* Noncommercial fishing is permitted in the waters, specified in § 33.72, of the Des Lacs National Wildlife Refuge, North Dakota, during the daylight hours of the period June 16 to September 15, inclusive, of each year, in accordance with the provisions of Parts 18 and 21 of this chapter and subject to the conditions, restrictions, and requirements of §§ 33.72 to 33.77 inclusive.

§ 33.72 *Waters open to fishing.* The waters of Middle Des Lacs Lake excluding the marsh areas on the north and south portions and designated by the installation of suitable buoy markers in sections 19, 20, 29, and 30, T. 160 N., R. 88 W., fifth principal meridian, shall be open to fishing.

§ 33.73 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of North Dakota. Fishing under §§ 33.71 to 33.77, inclusive, shall be by hook and line (including rod and reel) only, as defined by State law.

§ 33.74 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the North Dakota Game and Fish Department, if such license is required. This license shall serve as a Federal permit for fishing in the specified waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the North Dakota Game and Fish Department or of the Fish and Wildlife Service.

§ 33.75 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

§ 33.76 *Use of boats.* The use of motorboats, either inboard or outboard, is

prohibited on all waters of the refuge except for official purposes. The use of rowboats, canoes, or sailboats is permitted.

§ 33.77 *Temporary restrictions.* During periods of waterfowl concentrations on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are suitably posted by such officer.

SUBPART—LACREEK NATIONAL WILDLIFE REFUGE, SOUTH DAKOTA

FISHING

SOURCE: §§ 33.91 to 33.94 contained in Reg., Jan. 9, 1948, 13 F. R. 154.

§ 33.91 *Fishing permitted.* Noncommercial fishing in accordance with the State laws of South Dakota is permitted during the daylight hours in the following described waters of the Lacreek National Wildlife Refuge as follows:

(a) During the period May 1 to August 15: All waters in the SE¼SE¼, Sec. 25, T. 37 N., R. 36 W., lying east of Dam No. 10.

(b) During the period December 1 to February 28: All of Unit 10.

§ 33.92 *Entry.* Entry on and use of this refuge for any purpose is governed by Parts 18 and 21 of this chapter, and strict compliance therewith is required.

§ 33.93 *State fishing laws.* Each fisherman must comply with the applicable State fishing laws and regulations, and must have on his person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations, which license shall serve as a Federal permit for fishing in the waters of the refuge.

§ 33.94 *State cooperation.* State cooperation may be enlisted in the regulation, management, and operation of the public fishing areas, and the State may promulgate such special regulations as may be necessary for such regulation, management, and operation. In the event such State regulations are issued, compliance therewith shall be a requisite to lawful entry for the purpose of fishing.

SUBPART—LOWER SOURIS NATIONAL WILDLIFE REFUGE, NORTH DAKOTA

FISHING

SOURCE: §§ 33.101 to 33.107 contained in Reg., June 23, 1939, 4 F. R. 2502.

§ 33.101 *Fishing permitted.* Until further notice, in accordance with the provisions of Parts 18 and 21 of this chapter fishes may be taken for noncommercial purposes each day during the period June 16 to September 15, both dates inclusive, in any year, within certain waters of the Lower Souris National Wildlife Refuge, North Dakota, subject to conditions and restrictions specified in §§ 33.102 to 33.107, inclusive.

§ 33.102 *Waters open to fishing.* Waters of the refuge within the N½NE¼ sec. 17, T. 159 N., R. 77 W., shall be open to hook-and-line fishing as defined by State law insofar as such fishing is not inconsistent with the primary object for which the refuge was established. In the event that the Director of the Fish and Wildlife Service shall from time to time find that fishing in any other waters of the refuge may be done without interfering with the use of any particular waters by migratory birds or other wildlife, he may authorize fishing within such waters during all or part of the period specified in § 33.101 and subject to the conditions and restrictions of §§ 33.101 to 33.107, inclusive. In the event the Director of the Fish and Wildlife Service shall find that fishing in any of the waters opened by him to fishing is unduly depleting any species of fishes therein or is interfering with the use of these waters by migratory birds or other wildlife, he may suspend the privilege of fishing in such waters.

§ 33.103 *Routes of travel.* Persons entering the refuge for the purpose of reaching waters thereof for fishing shall follow such routes of travel as shall from time to time be designated by the officer in charge of the refuge.

§ 33.104 *State fishing laws.* Any person who fishes in any waters of the refuge must comply with applicable fishing laws and regulations of the State of North Dakota, and in the absence of a State law or regulation in respect to the number and size of the fishes that may be taken, the Director of the Fish and Wildlife Service may fix such limits.

§ 33.105 *Fishing permits.* Any person exercising the privilege of fishing within the refuge shall be in possession of a valid State fishing license issued by the State of North Dakota, if such license is required, and shall carry such license on his person while fishing, and when requested to do so shall exhibit it to any representative of the North Dakota State Department of Game and Fish authorized to enforce the game and fish laws of the State, or to any representative of the Fish and Wildlife Service.

§ 33.106 *Use of boats.* The use of boats, rafts, or other floating devices while fishing within the waters of the refuge is prohibited.

§ 33.107 *Hook-and-line fishing.* Fishing is permitted only by the use of hook and line, as defined by State law, in such manner as will not interfere with the objects for which the refuge was established. The use of nets, seines, hoop nets, traps, set lines, or other similar contrivances is prohibited. Commercial fishing, as defined by State law, is prohibited in any waters of the refuge.

SUBPART—NECEDAH NATIONAL WILDLIFE REFUGE, WISCONSIN

FISHING

SOURCE: §§ 33.131 to 33.136 contained in Reg., Aug. 12, 1947, 12 F. R. 5616.

§ 33.131 *Fishing permitted.* Noncommercial fishing in accordance with the State laws of Wisconsin is permitted during the months of January and February, and during the period from May 30 to Labor Day, both inclusive, in all of the waters of the refuge that are designated by suitable posting by the officer in charge, in accordance with the conditions and restrictions of §§ 33.132 to 33.136, inclusive.

§ 33.132 *Entry.* Entry on and use of the refuge for any purpose is governed by the regulations in Parts 18 and 21 of this chapter and strict compliance therewith is required.

§ 33.133 *State fishing laws.* All persons fishing on the refuge must comply with the State fishing laws and regulations, and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license or licenses may be required by such laws and regulations, which said license shall serve as a Federal permit for fishing on the refuge.

§ 33.134 *Use of boats.* Persons fishing on the refuge may use boats (other than motor boats or floated craft) for the purpose of fishing, but may place such boats or craft on the waters of the refuge only at such points as may be designated by suitable posting by the officer in charge. The use of motor boats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes.

§ 33.135 *Temporary restrictions.* During periods of waterfowl concentrations, or other wildlife concentrations, fishing may be closed on such areas of the refuge, as, in the judgment of the officer in charge, such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting.

§ 33.136 *State cooperation.* State cooperation may be enlisted in the regulation, management, and operation of the public fishing areas, and the State may promulgate such special regulations as may be necessary for such regulation, management, and operation. In the event such State regulations are issued, compliance therewith shall be a requisite to lawful entry for the purpose of fishing.

HUNTING OF DEER

SOURCE: §§ 33.137 to 33.140 contained in Reg., Aug. 19, 1947, 12 F. R. 5781.

§ 33.137 *Deer hunting permitted.* Deer may be taken during the open season prescribed by the State Conservation Department for the hunting of deer, on all of the lands of the Necedah National Wildlife Refuge, Wisconsin, except the following:

Closed Area: W½ and that part of the SE¼ west of the Parham Ditch in Sec. 4; all refuge land north and east of the Grand Dike Road in Sec. 5, 6, 7, and 8; all refuge land west of the refuge road known as the East Dike Road in Sec. 9; all in T. 18 N., R. 3 E.; S½ of Sec. 6; N½ of Sec. 7; all west of the East Dike Road in the SW¼ Sec. 28; S½, NW¼, and that part of the NE¼ west of the road locally known as the Speedway, in Sec. 29; E½ and all of the W½ east of the Little Yellow River Drainage Ditch in Sec. 30; E½ and all of the W½ east of the north-south road locally known as the Carpenter Road in Sec. 31; all of Sec. 32; that part of the SW¼ west of the Parham Ditch and that part of the NW¼ west of the east dike of the Rynearson Flowage in Sec. 33; all in T. 19 N., R. 3 E., Fourth Principal Meridian.

§ 33.138 *Entry.* Entry on and use of the refuge for any purpose is covered by

the regulations in Parts 18 and 21 of this chapter and strict compliance therewith is required. Hunters must follow such routes of travel within the refuge as are designated by posting.

§ 33.139 *State hunting laws.* All hunters must comply with State hunting laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license or licenses as may be required by such laws and regulations which said license shall serve as a Federal permit for hunting deer on the refuge.

§ 33.140 *State cooperation.* State cooperation may be enlisted in the regulation, management, and operation of the public hunting area, and the State may promulgate such special regulations as may be necessary for such regulation, management, and operation. In the event such State regulations are issued, compliance therewith shall be a requisite to lawful entry for the purpose of hunting.

SUBPART—RICE LAKE NATIONAL WILDLIFE REFUGE, MINNESOTA

FISHING

SOURCE: §§ 33.161 to 33.166 contained in Reg., May 26, 1939, 4 F. R. 2190.

§ 33.161 *Fishing permitted.* Until further notice, in accordance with the provisions of Parts 18 and 21 of this chapter, fishes may be taken for noncommercial purposes when and as permitted by the laws and regulations of the State of Minnesota from certain waters within the Rice Lake National Wildlife Refuge, Minnesota, subject to the conditions and restrictions of §§ 33.162 to 33.166 inclusive.

§ 33.162 *Waters open to fishing.* Only the waters of Rice River within the refuge shall be open to noncommercial fishing when and as permitted by State laws and regulations, except that no fishing of any kind will be permitted within waters of the refuge during the migratory-waterfowl hunting season. No other waters of the refuge are open to fishing.

§ 33.163 *State fishing laws.* Every person who fishes in any of the aforesaid waters and under the aforesaid conditions must comply with applicable fishing laws and regulations of the State of Minnesota, and in the absence of any State law or regulation in respect to the fishing season and the number and size of fishes that may be taken, the Director of the Fish and Wildlife Service may fix such seasons and limits; and in the event he shall find that fishing in any of the aforesaid waters is unduly depleting any species of fishes therein, he may suspend the privilege of fishing in such waters pending final determination by the Secretary of Interior.

§ 33.164 *Fishing permits.* Any person exercising the privilege of fishing within the refuge shall be in possession of a valid State fishing license issued by the State of Minnesota, if such license is required, and shall carry such license on his person while fishing, and when requested to do so shall exhibit the license to any representative of the Minnesota Department of Conservation authorized to enforce the game and fish laws of the State, or to any representative of the Fish and Wildlife Service; *Provided,* That fishing shall be done in such manner as will not interfere with the objects for which the refuge was established.

§ 33.165 *Routes of travel.* Persons entering the refuge for the purpose of reaching waters thereof open to fishing shall follow such routes of travel as shall from time to time be designated by the officer in charge of the refuge and shall not enter upon any other part of the refuge other than said open waters and areas immediately adjacent thereto.

§ 33.166 *Use of motor boats.* Motor boats, both outboard and inboard, are not permitted on any waters of the refuge except for administrative purposes by employees of the Fish and Wildlife Service and of the Minnesota State Department of Conservation.

SUBPART—SAND LAKE NATIONAL WILDLIFE REFUGE, SOUTH DAKOTA

FISHING

SOURCE: §§ 33.171 to 33.178 contained in Reg., Oct. 27, 1944, 9 F. R. 13140.

§ 33.171 *Fishing permitted.* Fishing with hook and line only, in accordance with the State laws of South Dakota, is permitted during the daylight hours from May 15 to September 15, inclusive, in the waters of the James River adjacent to the Hecla Recreation Area in the NW¼NE¼ Section 29, T. 128 N., R. 61 W., and the waters along the west shore line of Sand Lake in Sections 21 and 28, T. 126 N., R. 62 W.

§ 33.172 *Entry upon refuge.* Entry on and use of the refuge for any purpose is governed by the regulations in Parts 18 and 21 of this chapter and strict compliance therewith is required. Fishermen may not use boats or floating devices of any kind and must follow such routes of travel within the refuge as are designated by posting.

§ 33.173 *State fishing laws.* All fishermen must comply with all State fishing laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations.

SUBPART—SENEY NATIONAL WILDLIFE REFUGE, MICHIGAN

FISHING

SOURCE: §§ 33.191 to 33.196 contained in Reg., Sec. Int., Aug. 1, 1941, 6 F. R. 4046.

§ 33.191 *Fishing permitted.* Noncommercial fishing is permitted in the waters of the Seney National Wildlife Refuge, Michigan, specified in § 33.192, during the hours from 6 a. m. to 8 p. m. from May 15 to March 15 of the year next following, inclusive, in accordance with the provisions of Parts 18 and 21 of this chapter, and subject to the conditions and restrictions of §§ 33.192 to 33.196, inclusive.

§ 33.192 *Waters open to fishing.* All the waters of the refuge lying and being east of the west bank of the Driggs River to its confluence with the Manistique River and thence with the west bank of the Manistique River to the boundary of the refuge, shall be open to fishing, as specified in permits issued by the officer in charge of the refuge.

§ 33.193 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable sport fishing laws and regulations of the State of Michigan. Fishing shall be by the use of hook and line (including rod and reel) only, as defined by State law.

§ 33.194 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Michigan Commission of Conservation, if such license is required, and a permit issued by the officer in charge of the refuge. The permit issued by the officer in charge shall specify the water or waters in which the permittee may fish and the period or periods during which such fishing may be performed. The officer in charge may limit the number of permits issued or refuse to issue permits for any particular waters during such periods as, in his discretion, such action is necessary for the protection of refuge roads and property or to prevent disturbance to concentrations of waterfowl using such waters or areas. The license and permit must be carried on the person of the licensee while so fishing and must be exhibited upon the request of any representative of the Michigan Commission of Conservation or of the Fish and Wildlife Service.

§ 33.195 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as shall be designated from time to time by suitable posting by the officer in charge of the refuge.

§ 33.196 *Use of boats.* Holders of fishing permits may use boats (other than motorboats) or floating craft for fishing purposes but may place such boats or craft on the waters of the refuge only at such points as may be designated by suitable posting by the officer in charge. The use of motorboats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes.

HUNTING

SOURCE: §§ 33.197 to 33.199 contained in Reg., Aug. 30, 1945, 10 F. R. 11528, except as noted following section affected.

§ 33.197 *Hunting permitted.* Deer, bear and coyotes may be taken during the open season prescribed by the Michigan Conservation Department for the hunting of deer on all of the lands of the Seney National Wildlife Refuge, Michigan except that part of the refuge bounded as follows:

On the north by Holland Ditch from the common section line of secs. 11 and 12, T. 45 N., R. 14 W., to the south section line sec. 7, T. 45 N., R. 13 W., and thence east along the south section line of secs. 7, 8, and 9, T. 45 N., R. 13 W. to State Highway No. 77; on the east by State Highway No. 77, on the south by the Manistique River west to the mouth

of Pine Creek, on the west by the Pine Creek Road.

[Aug. 30, 1945, as amended Oct. 2, 1947; 10 F. R. 11528, 12 F. R. 6725]

§ 33.198 *Entry upon refuge.* Entry on and use of the refuge for any purpose is governed by Parts 18 and 21 of this chapter, and strict compliance therewith is required. Persons entering the refuge for the purpose of hunting shall use such routes of travel within the refuge as are designated by posting. The carrying or being in possession of firearms within the areas of the refuge not open to public hunting is prohibited, except that such firearms may be possessed or transported across such closed areas provided they are unloaded, and broken or properly encased.

§ 33.199 *State hunting laws.* Any person who hunts within the refuge must comply with State hunting laws and regulations and must have on his person and exhibit at the request of any authorized Federal or State officer whatever license is required by the State of Michigan. The said license shall serve as a Federal permit for hunting on the refuge.

Subpart—Squaw Creek National Wildlife Refuge, Missouri

FISHING

Source: §§ 33.211 to 33.217 contained in Reg., Sec. Int., May 6, 1943, 8 F. R. 6550, except as noted following sections affected.

§ 33.211 *Fishing permitted.* Noncommercial fishing is permitted in the waters of the Squaw Creek National Wildlife Refuge, Missouri, specified in § 33.212, during the daylight hours of the period May 1 to September 30, inclusive, in any year, in accordance with the provisions of Parts 18 and 21 of this chapter, and subject to the special provisions, conditions, restrictions, and requirements of §§ 33.212 to 33.217, inclusive.

[Mar. 23, 1949, 14 F. R. 1395]

§ 33.212 *Waters open to fishing.* The following waters of the refuge shall be open to fishing: The waters in secs. 10, 11, 14, and 15, adjacent to the northwest and south dikes of the Northwest Pool and adjacent to Cross Levee No. 1 in the South Pool; all waters in the South Pool lying south of the north one-sixteenth line of sections 25 and 26, all in T. 61 N., R. 39 W. No other waters of the refuge shall be open to such fishing.

[Mar. 23, 1949, 14 F. R. 1395]

§ 33.213 *State fishing laws.* Any person while fishing within any areas of the refuge open to fishing must comply with the applicable State laws and regulations. Fishing shall be by hook and line (including rod and reel) only, as defined by State law, and the use of trot lines, throw lines, bank lines, or nets of any description is prohibited.

§ 33.214 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid State fishing license, if such license is required. This license shall serve as a Federal permit for fishing in the specified waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon request of any representative of the Missouri State Conservation Commission or of the fish and Wildlife Service.

§ 33.215 *Routes of travel.* Persons entering the refuge for the purpose of fishing, as permitted by this order, shall use only such routes of travel as shall be designated by suitable posting by the officer in charge.

§ 33.216 *Use of boats.* The use of boats, except inboard and outboard motorboats, is permitted in those waters of the South Pool as are designated for such uses by the Director and by suitable posting by the officer in charge.

[Apr. 24, 1945, 10 F. R. 4993]

§ 33.217 *Temporary restrictions.* During periods of waterfowl concentrations on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

[Sept. 12, 1944, 9 F. R. 11401]

Subpart—Swan Lake National Wildlife Refuge, Missouri

FISHING

Source: §§ 33.221 to 33.225 contained in Reg., July 2, 1948, 13 F. R. 3870.

§ 33.221 *Fishing permitted.* Noncommercial fishing is permitted in the waters of the Swan Lake National Wildlife Refuge, Missouri, specified herein during the daylight hours of the period May 30 to September 15, inclusive, of each year in accordance with the provisions of §§ 33.222 to 33.225 inclusive.

§ 33.222 *Waters open to fishing.* The following waters of the refuge shall be open to fishing:

Area I. The area south of levee No. 1 in sections 3, 4, and 9, T. 55 N., R. 20 W.

Area II. The waters adjacent to levee No. 3 in sections 6 and 7, T. 55 N., R. 20 W., and section 31, T. 56 N., R. 20 W.

Area III. The waters of Swan Lake west of the east 1/16 line of section 2, T. 55 N., R. 21 W., and west of the east 1/16 line of sections 26 and 35, T. 56 N., R. 21 W.

§ 33.223 *State fishing laws.* Entry on and use of this refuge for any purpose is governed by the regulations in Parts 18 and 21 of this chapter, and strict compliance therewith is required. Each fisherman must comply with the applicable State fishing laws and regulations, and must have on his person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations, which license shall serve as a Federal permit for fishing in the waters of the refuge.

§ 33.224 *Use of boats.* The use of rowboats, canoes, and other similar floating devices is permitted only in fishing Area III, and the use of such boats, canoes, or other devices in any other part of the refuge is prohibited except for official purposes. The use of motorboats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes.

§ 33.225 *Temporary restrictions.* During periods of waterfowl concentrations on the Refuge, fishing will not be permitted in such areas of the Refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

Subpart—Talcot Lake Wildlife Management Area, Minnesota

FISHING

Source: §§ 33.231 to 33.234 contained in Reg., May 19, 1945, 10 F. R. 6126.

§ 33.231 *Fishing permitted.* Noncommercial fishing in accordance with the State laws of Minnesota is permitted on all the waters of Talcot Lake located within the boundaries of the Talcot Lake Wildlife Management Area excepting waters within the immediate vicinity of the dam.

§ 33.232 *Entry.* Entry on and use of the area for any purpose is governed by Parts 18 and 23 of this chapter, and strict compliance therewith is required. Persons entering the area for the purpose of fishing must follow such routes of travel within the area as are designated by posting.

§ 33.233 *State fishing laws.* All fishermen must comply with all State fishing laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such law and regulations. This license shall serve as a Federal permit for fishing in the specified waters of the area.

§ 33.234 *Temporary restrictions.* During periods of waterfowl concentrations on the area, fishing will not be permitted in such areas of the area as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations. Such closed areas are to be clearly designated by posting.

Subpart—Tamarac National Wildlife Refuge, Minnesota

FISHING

Source: §§33.241 to 33.242 contained in Reg., Sept. 28, 1948, 18 F. R. 5813.

§ 33.241 *Fishing permitted.* Noncommercial fishing in accordance with the State Laws of Minnesota is permitted during the daylight hours on all waters within the Tamarac National Wildlife Refuge in accordance with the provisions of §§ 32.242 to 33.245, inclusive.

§ 33.242 *Entry.* Entry on and use of this refuge for any purpose are governed by Parts 18 and 21 of this chapter, and strict compliance therewith is required. All fishermen must comply with all State fishing laws and regulations, and must

have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations, which license shall serve as a Federal permit for fishing in the waters of the refuge.

§ 33.243 *Boats.* The use of rowboats, canoes, and other similar floating devices is permitted on all the waters of the refuge. The use of motorboats, either inboard or outboard, is prohibited on all the waters of the refuge except for official purposes.

§ 33.244 *Live bait.* No seine, trap, or net shall be employed to take minnows, frogs, crawfish, or other aquatic animals for bait, nor shall live minnows be used for bait in any of the waters of the refuge.

§ 33.245 *Temporary restrictions.* During periods of waterfowl and other wildlife concentrations on the refuge, fishing will not be permitted in such suitably posted areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations.

SUBPART—TREMPEALEAU NATIONAL WILDLIFE REFUGE, WISCONSIN

HUNTING OF DEER

SOURCE: §§ 33.251 to 33.253 contained in Reg., Oct. 4, 1946, 11 F. R. 11509.

§ 33.251 *Deer hunting permitted.* Deer may be taken, during the open season prescribed by the Wisconsin State Conservation Department, on all lands designated by suitable posting within the Trempealeau National Wildlife Refuge, Wisconsin, except on the following described lands:

That portion of the refuge situated in the SE¼ of Section 11, and that portion of the NW¼SW¼ of section 12 lying north and west of the main entrance road, all in T 18 N., R. 10 W., 4th P. M. Trempealeau County, Wisconsin.

§ 33.252 *Entry upon refuge.* Entry on and use of the refuge for any purpose is covered by Parts 18 and 21 of this chapter and strict compliance therewith is required.

§ 33.253 *State hunting laws.* All hunters must comply with State hunting laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license or licenses may be required by such laws and regulations, which license shall serve as a Federal permit.

SUBPART—UPPER MISSISSIPPI RIVER WILDLIFE AND FISH REFUGE, ILLINOIS, IOWA, MINNESOTA, AND WISCONSIN

GENERAL PROVISIONS

SOURCE: §§ 33.261 to 33.273 contained in Reg., Dec. 1934.

§ 33.261 *Hunting and taking of wild mammals and birds.* (a) Hunting and taking of wild mammals and birds will be permitted within the refuge only on areas not closed to hunting by the Secretary. Such hunting and taking of wild mammals and birds will be subject to the requirements of this subpart and to all State laws; hunting and taking of migratory birds will also be subject to the regulations made under the Migratory Bird Treaty Act.

(b) Carrying or having in possession firearms on areas not opened to hunting without permit of the superintendent of the refuge is prohibited except on highways or thoroughfares.

(c) Permitting dogs to run at large, except to assist in locating or retrieving mammals or birds being hunted under authority of this subpart is prohibited.

(d) Taking any nongame bird, or taking the nest or egg of any bird, except under permit of the Secretary, is prohibited.

§ 33.262 *Permits necessary for hunting and trapping.* Game animals and fur-bearing and predatory animals may be hunted, taken or trapped only under permit of the superintendent.

§ 33.263 *Taking of natural growth.* Flowers, plants, trees, or other natural growth may be taken or collected only under permit of the superintendent.

§ 33.264 *Fish.* (a) Except within areas specifically closed to fishing by the Secretary and except as otherwise provided in this subpart or in the instructions issued thereunder, fishes, mussels, and other forms of aquatic animal life may be taken within the boundaries of the refuge in accordance with State law.

(b) On areas to be designated by the Secretary as needed for the propagation and distribution of fish by the Service or by the State, the taking of fish or aquatic animal life of any kind is prohibited.

§ 33.265 *Enforcement.* The enforcement of the law and of the regulations made pursuant thereto will be under the direction of the superintendent.

§ 33.266 *Entry.* Any person may enter the refuge for any lawful purpose if he complies with the provisions of this subpart and instructions issued thereunder: *Provided,* That during the open season for the hunting of certain species of migratory game birds, no person shall enter for any purpose any area not open to hunting without first having obtained a permit to do so from the superintendent: *Provided further,* That no person shall enter for any purpose on areas designated by the Secretary for the propagation and distribution of fishes without first having obtained a permit to do so from the Secretary or his duly authorized representative.

§ 33.267 *Destruction of property.* Injuring, removing, or destroying any tree, boat, notice, signboard, fence, building, or other property of the United States is prohibited, except as authorized by this subpart or by instructions issued thereunder.

§ 33.268 *Recovery of improperly held or used natural growth, birds, or paraphernalia.* All birds, mammals, fishes, or other animals, or parts thereof, captured, injured, or killed; all flowers, plants, trees, and other natural growths, and nests and eggs of birds removed; and all implements or paraphernalia, including guns, fishing equipment, and boats used or attempted to be used contrary to the provisions of the Upper Mississippi River Wildlife and Fish Refuge Act or of any regulation made pursuant thereto, shall, when found by an employee of the Department, a marshal, or a deputy marshal, be summarily seized by him and placed in the custody of the superintendent of the refuge.

§ 33.269 *Special use permits.* Permits for special uses, such as removal of timber, cutting of hay, etc., may be granted by the superintendent, under such terms and conditions as the Secretary may prescribe. Applications for such permits should be made to the superintendent.

Permits for the following uses may be issued by the superintendent without charge:

(a) Public uses by any department or branch of the Federal or State governments, including municipalities, when no profit is to be derived therefrom.

(b) Semipublic use of lands by associations or organizations when such lands are open to the use of the public upon a noncommercial or a nonprofit basis, including lands occupied by shelter huts, camp grounds, etc., open to free use by the public.

(c) Telephone lines with free use and free connection for the Service. Telegraph lines with free use of poles for attaching thereon telephone lines for official use of the refuge.

(d) Roads and trails that are free public highways.

(e) Stone, earth, and gravel used for projects constructed under permit, or for the construction or maintenance of public roads and trails.

(f) Fish hatcheries of a noncommercial nature as approved by the Service.

(g) Sewerage systems.

(h) Signs intended for the guidance or information of the public but not in any respect for advertising purposes.

§ 33.270 *Camping.* Camping without permit may be permitted in the discretion of the superintendent.

§ 33.271 *Prohibitions.* The following acts are prohibited on the refuge:

(a) Setting on fire or causing to be set on fire any timber, brush, grass, or other soil cover, except as authorized by the superintendent.

(b) Building a camp fire in leaves, rotten wood, or other places where it is likely to spread, or against logs or stumps, where it is difficult to extinguish it.

(c) Building a camp fire in a dangerous place or during windy weather without confining it to holes or cleared spaces from which all vegetable matter has been removed.

(d) Leaving a camp fire without completely extinguishing it.

§ 33.272 *Taking of fishes, mussels, etc., governed by State law; exceptions.* Except within areas specifically closed to fishing by the Secretary and except as otherwise provided in the regulations in this part or in the instructions issued thereunder, fishes, mussels, and other forms of aquatic animal life may be taken within the boundaries of the refuge in accordance with State law.

§ 33.273 *Areas set aside for propagation of fish.* On areas to be designated by the Secretary as needed for the prop-

agation and distribution of fish by the Service or by the State, the taking of fish or aquatic animal life of any kind is prohibited.

HUNTING

§ 33.274 *Hunting permitted.* The hunting of upland game birds and game animals as defined by applicable State laws and of migratory waterfowl is permitted within the refuge, but only during the seasons fixed for the hunting of migratory waterfowl. Such hunting shall be in in conformity with the regulations made under the Migratory Bird Treaty Act and the Upper Mississippi River Wildlife and Fish Refuge Act and the laws and regulations of the respective States not inconsistent therewith. No hunting is permitted in the areas specifically scheduled in § 33.275.

[Oct. 21, 1944, 9 F. R. 12869]

§ 33.275 *Closed areas.*

WISCONSIN: BUFFALO COUNTY

Area Number 1. All the lands and waters lying and being in Sections 6, 7, 16, 17, 18, 19, 20, and 21, T. 22 N., R. 13 W., 4th P. M., Sections 1, 2, 3, 4, 10, 11, 12, and 13, T. 22 N., R. 14 W., 4th P. M., and Sections 33, 34, 35, and 36, T. 23 N., R. 14 W., 4th P. M., which are inclosed by the following definite boundaries: Beginning at the point of intersection of the old Wabasha-Nelson Ferry Road with the tracks of the Chicago, Burlington & Quincy Railroad in the NW¼, Section 6, T 22 N., R. 13 W., thence southwesterly along the said ferry road to the slough known as Beef Slough in the NW¼, Section 12, T. 22 N., R. 14 W.; thence southeasterly along the main channel of the said Beef Slough to the Mississippi River in Section 21, T. 22 N., R. 13 W.; thence northwesterly along the Mississippi River to the Chippewa River; thence northerly along the Chippewa River to the C. B. & Q. Railway tracks in the SE¼, Section 33, T. 23 N., R. 14 W.; thence southeasterly along the said railroad tracks to the point of beginning.

MINNESOTA: WABASHA COUNTY

Area Number 2. All lands and waters lying and being in sections 20, 21, 22, 27, 28, 29, 32, 33 and 34 in T. 109 N., R. 9 W., 5th P. M., which are enclosed by the following definite boundaries: Beginning at the point where the north line of section 21, T. 109 N., R. 9 W., intersects the Mississippi River; thence west approximately 97 chans to the center line of section 20, T. 109 N., R. 9 W., thence south 110 chains; thence east 10 chains; thence south 20 chains; thence east 20 chains; thence south approximately 30 chains to the south line of section 29; thence south approximately 887 feet to the 660 foot contour line as established by War Department survey in March, 1932, thence southeasterly along the said contour line to the Whitewater River where it forms the southern boundary of Lot 3, section 34, thence along the said Whitewater River to the Mississippi River, thence northerly and northwesterly along the west bank of the said Mississippi River to the place of beginning.

WISCONSIN: BUFFALO COUNTY

Area Number 3. All the lands and waters lying and being in T. 20 N., R. 12 W., 4th P. M., described as follows: Lots 9, 10, 11, and 12 in Section 7; Lots 5, 6, 7, 8, 10, 11, 12, 13 and E½SW¼, Section 18; Lots 2, 3, 4, and 5, Section 19; Lots 8, 9, and 10, Section 20; and Lot 2, Section 29, and all of the lands and waters lying and being in T. 20 N., R. 13 W., 4th P. M., described as follows: Lots 12, 13, and 14, Section 1; all fractional Sections 12, 13, and 14, including all small islands and spoil banks along the east shore of the main channel of the Mississippi River, the said lands and waters comprising the island known as Lost Island.

WISCONSIN: LA CROSSE COUNTY

Area Number 4. All the lands and waters lying and being in Section 12, T. 17 N., R. 9 W., 4th P. M., and Sections 7, 8, 9, 16, 17, and 18 in T. 17 N., R. 8 W., 4th P. M., which are inclosed by the following definite boundaries: Beginning at the point where the north bank of Black River intersects the southerly boundary of the Chicago, Burlington and Quincy Railroad in Lot 7, Section 9; thence northwesterly to where the north line of the NW¼SW¼ of Section 9 intersects the westerly right-of-way of the Chicago, Burlington and Quincy Railroad; thence westerly along the center line of Section 9 to the east line of Section 8; thence northerly to where the east line of Section 8 intersects the westerly boundary of the Chicago, Burlington and Quincy Railroad; thence northwesterly to where the south bank of Shingle Creek intersects the westerly boundary of the Chicago, Burlington and Quincy Railroad; thence westerly along the south bank of Shingle Creek to where it intersects the south line of the NE¼NW¼ of Section 8; thence westerly through Sections 8, 7, and fractional Section 12 to the Mississippi River; thence southeasterly along the east bank of the said Mississippi River to the south line of the NE¼SE¼ of Section 18; thence east through Sections 18, 17, and 16 to Gibbs Chute; thence northeasterly along the south bank of Gibbs Chute to where it intersects the Black River in Lot 5, Section 16; thence along the westerly bank of the said Black River to the place of beginning.

MINNESOTA: HOUSTON COUNTY

Area Number 5. All the lands and water lying and being in fractional Section 30, T. 104 N., R. 3 W., and Sections 13, 14, 23, 24, 25, and 26 in T. 104 N., R. 4 W., 5th P. M., which are enclosed by the following definite boundaries: Beginning at the point where the east-west center line of Section 13, T. 104 N., R. 4 W., intersects West Channel, thence west along said line through Sections 13 and 14 to the west line of said Section 14, thence south along the west line of said Section 14 to the southwest corner of the NW¼SW¼ of said Section 14; thence east along the south line of said NW¼SW¼ to the southeast corner thereof; thence south through Sections 14, 23, and 26 to the southwest corner of the NE¼NW¼ Section 26, T. 104, N., R. 4 W., thence east through the said Section 26 and Section 25 to Broken Arrow Slough, thence southeasterly along the eastern bank of the said Slough to the Mississippi River; thence northwesterly and northerly along the west bank of the said Mississippi River to West Channel; thence northerly along the west bank of West Channel to the place of beginning; excepting the tract of land in the SE¼SE¼ of Section 14, T. 104 N., N., R. 4 W., described as follows: Beginning at the southeast corner of Section 14, thence north along the east line of the said Section 14 approximately 100 feet; thence west approximately 20 chains to the west line of the E½SE¼ Section 14; thence south to the south line of the said Section 14; thence east along the said south line to the place of beginning.

WISCONSIN: VERNON COUNTY

Area Number 6. All the lands and waters lying and being in Sections 5, 6, 7, 8, 17, 18, 19, and 20, T. 14 N., R. 7 W., 4th P. M., which are inclosed by the following definite boundaries: Beginning at the point where the north line of Section 6 intersects the easterly bank of the Mississippi River; thence southerly along the easterly bank of the Mississippi River to Crosby Slough in Lot 3, Section 6; thence southerly along the east bank of Crosby Slough to a point opposite where the south line of Lot 6, Section 7, intersects the westerly bank of the Crosby Slough; thence westerly across Crosby Slough along the south line of said Lot 6 and Lot 9 to the Mississippi River; thence along the east bank of the Mississippi River to the point where the south line of Lot 3, Section 19 intersects the Mississippi River; thence east on the center line of Sections 19 and 20 to Crosby Slough; thence northerly along the west bank of Crosby Slough to the south line of Lot 6, Section 7; thence east to the southeast corner of the NW¼SW¼, Section 8; thence north approximately 60 chains to the north line of Section 8 at a point 20 chains east from the northwest corner of said Section 8; thence east 20 chains to the southeast corner of the SW¼ of Section 5; thence north to the north line of Section 5; thence west along the north line of Sections 5 and 6 to the place of beginning.

MINNESOTA: HOUSTON COUNTY

AND

IOWA: ALLAMAKEE COUNTY

Area Number 7. All the lands and waters lying and being in sections 25, 26, and 36, T. 101 N., R. 4 W., 5th P. M., sections 29, 30, 31, and 32, T. 101 N., R. 3 W., 5th P. M., sections 7, 8, 17, 18, and 19, T. 100 N., R. 3 W., 5th P. M., and fractional section 24, T. 100 N., R. 4 W., 5th P. M., which are enclosed by the following definite boundaries: Beginning at the point where the north line of section 30, T. 101 N., R. 3 W., intersects the Mississippi River, thence west along the north line of said section 30 to Mud Lake in the NW¼ section 30, thence northerly, westerly, and southwesterly along the meander line of said lake to the said north line of section 30; thence west through the northwest corner of section 30 and west along the north line of section 25, T. 101 N., R. 4 W., through the northwest corner of said section 25 and west from the said corner approximately 16 chains along the north line of section 26 to where said line intersects a bay bearing north from Minnesota Slough; thence southward along the east bank of said bay where it forms the west boundary of Lots 2, 3, and 4 of said section 26 to Minnesota Slough; thence southeasterly along the east bank of said Minnesota Slough where it forms the boundary of Lot 3, section 25, Lots 1, 2, 3, and 7, section 36, T. 101 N., R. 4 W.; and Lot 2, section 31, T. 101, N., R. 3 W.; thence southward and southeasterly along the east bank of said Minnesota Slough through section 7 and the northerly part of section 18, T. 100 N., R. 3 W., to the south line of Lot 2, section 18; thence east along the south line of said Lot 2 to the southeast corner thereof; thence south to and across Ferry Slough; thence southwesterly along the south bank of the said Ferry Slough to the Old Iowa River; thence southerly and southwesterly along the east bank of said Old Iowa River where it forms the boundary of Lots 8 and 11, section 18, NE¼NW¼ and Lot 4, section 19, Lot 1, section 24, T. 100 N., R. 4 W., Lots 11, 10, 9, and 8, section 19, T. 100 N., R. 3 W., to the Mississippi River; thence northerly to Lost Channel; thence northerly along the west bank of Lost Channel where it forms the boundary of Lots 7 and 1, section 19, and Lots 13, 12, 7, and 6, section 18 to and across Ferry Slough to the east line of section 7; thence southeasterly and northeasterly along the southern boundary of Lot 5, section 8 to and across Lost Channel; thence southeasterly along the northern bank of Ferry Slough to the Mississippi River; thence northerly along the west bank of the said Mississippi River where it forms the eastern boundary of Lots 6 and 1, section 17 and section 8, T. 100 N., R. 3 W., and Lots 6, 5, and 4, section 32, T. 101 N., R. 3 W., to the north line of Lost Channel; thence northerly to the north line of said Lot 4 to and across Lost Cannel; thence northerly and northwesterly to the Mississippi River; thence northwesterly along

the west bank of the said Mississippi River to the place of beginning.

WISCONSIN: CRAWFORD COUNTY

Area Number. 8. All the lands and waters lying and being in Sections 34, 35, and 36, T. 11 N., R. 7 W., and Sections 1, 2, 3, 4, 9, 10, 11, 12, 14, and 15, T. 10 N., R. 7 W., 4th P. M., Crawford County, Wisconsin, which are enclosed by the following definite boundaries: Beginning at the point where the southeasterly boundary of the Iowa-Wisconsin Bridge Company right-of-way intersects the Mississippi River in the SW¼ of Section 4; thence southeasterly along the east bank of the Mississippi River where it forms the southwestern boundary of Sections 4, 9, 15, and 14 to the point where the east line of Lot 5, Section 14, intersects the Mississippi River; thence northeasterly through Sections 14, 11, 12, and 1 to the point where the east line of Lot 2, Section 1, T. 10 N., R. 7 W., intersects the southerly boundary of the Chicago, Burlington and Quincy Railroad right-of-way; thence northwesterly along the southwesterly boundary of the Chicago, Burlington and Quincy Railroad right-of-way through said Sections 1, 2, 34, and 35 to where the southern boundary of the Iowa-Wisconsin Bridge Company right-of-way intersects the Chicago, Burlington and Quincy Railroad in Lot 1, Section 35, T. 11 N., R. 7 W.; thence southwesterly along the southeasterly boundary of the Iowa-Wisconsin Bridge Company right-of-way to the point of beginning.

ILLINOIS: CARROLL COUNTY

Area Number 9. All of the lands and waters lying and being in Sections 22, 23, 25, 26, 27, 35, and 36, T. 24 N., R. 3 E., 4th P. M., Carroll County, Illinois, which are enclosed by the following definite boundaries: Beginning at a point where the north line of Section 23 intersects the west boundary of the Chicago, Burlington and Quincy Railroad right-of-way; thence west with the north section lines of Sections 23 and 22 to the west toe of the levee for the Carroll County Drainage and Levee District No. 1; thence southerly and easterly with the west and south toe of said levee to a point in the SE¼SE¼, Section 27, where the south toe of the levee intersects the south line of Section 27, thence east along the south line of Section 27 to the southeast corner of said section; thence south along the west line of Section 35 to a point where said line interesects the east boundary of the right-of-way of the Levee for the Carroll County Drainage and Levee District No. 1; thence southerly and easterly with the east and north boundary of said levee right-of-way to its junction with a public road in the SW¼SE¼, Section 35; thence northerly and easterly with the west and north boundary of the public road right-of-way through Sections 35 and 36 to a point where said boundary of public road right-of-way intersects the west boundary of the Chicago, Burlington and Quincy Railroad right-of-way; thence northerly and westerly along the west boundary of said right-of-way to the place of beginning.

IOWA: CLINTON COUNTY

Area Number 10. All the lands and waters lying and being in Sections 4, 5, 9, 16, 20, 21, and 29, T. 83 N., R. 7 E., 5th P. M., Clinton County, Iowa, which are enclosed by the following definite boundaries: Beginning at a point where the north line of the SE¼ of Section 5 intersects the east boundary of the Chicago, Milwaukee, St. Paul & Pacific Railroad right-of-way; thence southerly along the easterly boundary of the Chicago, Milwaukee, St. Paul & Pacific Railroad right-of-way to the point where it intersects the south line of Section 5; thence east between Sections 5 and 8 to the northwest corner of Section 9; thence south along the west line of Section 9 to the east boundary of the Chicago, Milwaukee, St. Paul & Pacific Railroad right-of-way; thence southerly along the easterly boundary of the Chicago, Milwaukee, St. Paul & Pacific Railroad right-of-way through Sections 9 and 16 to the point where it intersects the east line of Section 17; thence south along the east line of Section 17 to the southeast corner thereof; thence west along the south line of Section 17 to the east boundary of the Chicago, Milwaukee, St. Paul, & Pacific Railroad right-of-way; thence southwesterly along the easterly boundary of the Chicago, Milwaukee, St. Paul, & Pacific Railroad right-of-way through Section 20 to the northeasterly bank of Elk River; thence southeasterly along the northeasterly bank of Elk River to Elk River Slough; thence northeasterly along the west bank of Elk River Slough to the main channel of the Mississippi River; thence northerly along the west bank of the Mississippi River to Dark Slough; thence northwesterly along the west bank of Dark Slough to the point where it intersects the north line of the SE¼ of Section 5, T. 83 N., R. 7 E.; thence west along the north line of the SE¼ of Section 5 to the place of beginning.

WISCONSIN: CRAWFORD COUNTY

Area Number 11. All the lands and waters lying and being in sections 26, 35, and 36, T. 7 N., R. 7 W., 4th P. M., and sections 1 and 2, T. 6 N., R. 7 W., 4th P. M., which are enclosed by the following definite boundaries: Beginning at the point where the north line of Lot 7, section 26, intersects the West Channel of the Mississippi River; thence southerly along the east bank of said West Channel where it forms the western boundary of sections 26 and 35, T 7 N., R. 7 W., and the western boundary of Lot 1, section 2, T. 6 N., R. 7 W., to where it intersects East Channel of the Mississippi River; thence easterly, northeasterly, northerly, and northwesterly along the west bank of the said East Channel where it forms the southeastern boundary of Lots 1 and 3, section 2, Lot 2, section 1, T. 6 N., R. 7 W., and the eastern boundary of Lots 3 and 4, section 36, Lot 9, section 35, Lot 4, section 26, T. 7 N., R. 7 W., to the north line of Lot 3, section 26; thence west along said line to and along the north line of Lot 7, section 26 to the place of beginning; excepting therefrom those lands included in the right of way of the Marquette-Prairie du Chien Bridge Company through the S½ section 26.

IOWA: CLAYTON COUNTY

Area Number 12. All the lands and waters lying and being in sections 11, 14, 23, 24, 25, 26, 35, and 36. T. 94 N., R. 3 W., 5th P. M., which are enclosed by the following definite boundaries: Beginning at the northernmost point of Lot 5, section 11, at the junction of Sny Magill Slough and the Mississippi River; thence southwesterly along the east bank of the said Sny Magill Slough where it forms the western boundary of Lots 5, 6, and 7. Section 11, Lots 3 and 4, section 14, Lots 14, 7, 8, and 18, section 23, and Lots 4, 5, and 6, section 26, and Lots 5 and 6, section 35, to where said Sny Magill Slough intersects the Mississippi River; thence northeasterly and northerly along the west bank of the Mississippi River where it forms the east boundary of sections 36, 25, 24, 23, 14, and 11, to the place of beginning; excepting therefrom the western part of Lot 5 and the northwest part of Lot 6 in section 23 and the northwestern part of Lot 5, section 35.

Area Number 13. All the lands and waters lying and being in sections 15, 16, 21, 22, 27, and 28, T. 92 N., R. 2 W., 5th P. M., Clayton County, Iowa, which are enclosed by the following definite boundaries: Beginning at a point on the easterly bank of the Mississippi River in the NW¼ section 16, where Lock and Dam No. 10 intersects the Mississippi River; thence southerly along the east bank of the Mississippi River where it forms the westerly boundary of sections 16, 21, and 28; thence east along the south line of sections 28 and 27 to the westerly bank of State Line Slough; thence northerly along the westerly bank of State Line Slough where it forms the boundary of sections 27, 22, 21, 16, and 15 to where Lock and Dam No. 10 intersects the westerly bank of State Line Slough; thence westerly along the south line of Lock and Dam No. 10 to the place of beginning; excepting therefrom a strip of land one hundred (100) feet in width in the southwest quarter of section 16 extending from Swift Slough to Dead Slough, the boundary of which is permanently and definitely marked by monuments; also excepting therefrom Sublot 3 of Lot 3 in the southeast quarter of section 28.

WISCONSIN: GRANT COUNTY

Area Number 14. All the lands and waters lying and being in sections 1 and 12, T. 2 N., R. 4 W., 4th P. M., and sections 6, 7, 8, and 17, T. 2 N., R. 3 W., 4th P. M., Grant County, Wisconsin, which are enclosed by the following definite boundaries: Beginning at the northwest corner of Lot 7, section 1, thence southerly along the west boundary of sections 1 and 12 to the Mississippi River; thence southeasterly along the easterly bank of the Mississippi River to the east line of section 17; thence north along the east line of sections 17 and 8 to the slough that forms the easterly boundary of Lot 9; thence northwesterly along the south bank of the slough forming the north boundary of Lots 9 and 8 to the west line of said Lot 8; thence north to the north line of section 8; thence west along the north line of section 8 to the northwest corner of section 8; thence north along the east line of section 6 to Railroad Slough; thence westerly along the south bank of Railroad Slough forming the north boundary of Lots 7 and 8 section 6 and Lots 4, 5, 6, and 7, section 1, to the place of beginning; excepting therefrom Lots 3 and 4 and the SW¼NE¼ of section 7.

IOWA: JACKSON COUNTY

Area Number 15. All the lands and waters in T. 85 N., R. 5 E., 5th P. M., which are described as follows: That part of the E½NW¼ of Section 10 and part of the E½ of Section 10 which lie northerly and easterly of the right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad as it is at present maintained and operated; the N½ of Section 11 and the N½SW¼ of Section 11; and the W½NW¼, SE¼NW¼, NW¼SE¼, and Lots 1 and 2 of Section 12.

MINNESOTA: WINONA COUNTY

Area Number 16. All the lands and waters lying and being in Sections 30 and 31, T. 108 N., R. 7 W., and Sections 25, 26, 35, and 36, T. 108 N., R. 8 W., which are enclosed by the following definite boundaries: Beginning at the point where the east-west center line of Section 31, T. 108 N., R. 7 W., intersects the Mississippi River, thence west along the said line through said Section 31 and through Sections 36 and 35, T. 108 N., R. 8 W., to Straight Slough, thence northwesterly along the north and east bank of Straight and Dark Sloughs to the Mississippi River, thence easterly and southeasterly along the south and west bank of the Mississippi River to the place of beginning.

Hunting on private lands within the exterior boundaries of the said refuge is not affected by this section but is subject to such provisions of the State laws and of the Migratory Bird Treaty Act and §§ 6.1 to 6.12 of this chapter as may apply.

[Sept. 19, 1939, as amended Sept. 10, 27, 1940, Sept. 9, 1945, Sept. 29, 1947; 4 F. R. 4264, 5 F. R. 3818, 4065, 10 F. R. 12091, 12 F. R. 6597]

TRAPPING OF MUSKRATS AND MINKS

SOURCE: §§ 33.291 to 33.300 contained in Reg., Sec. Int., Nov. 30, 1940, 5 F. R. 4864.

§ 33.291 *Trapping permitted.* Until further notice muskrats and minks may be taken under permit on and in such lands and waters of the Upper Mississippi River Wildlife and Fish Refuge in Illinois, Iowa, Minnesota, and Wisconsin as the Director of the Fish and Wildlife Service shall determine to open to trapping under the supervision of the superintendent of said refuge during the periods determined by the Director to be commensurate with the best interests of wildlife management on the refuge and with the conservation of fur resources in the respective States when, in manner, by means, and to the extent not prohibited by State laws or regulations and subject to the special provisions, conditions, restrictions, and requirements of §§ 33.292 to 33.300 inclusive.

§ 33.292 *Trapping permits.* Any person exercising the privilege of trapping within the refuge shall be in possession of a valid trapping license issued by the State in which trapping is to be done, if such license is required, and must possess a valid trapping permit issued by the superintendent of the refuge. He shall carry such license and permit on his person while trapping, and when requested to do so, shall exhibit his license and permit to any State warden or to any officer or employee of the Department of the Interior authorized to enforce the game and fish laws of the respective States and of the United States. The superintendent of the refuge may issue the permits for the trapping of muskrats and minks as herein authorized to qualified persons, but no person shall be eligible to receive more than one such permit for any one trapping season.

§ 33.293 *Verified statement of residence; State trapping license.* Each applicant for a trapping permit must have been for the period of 6 months last past a bona fide resident within or in the vicinity of the refuge, as well as of the State in which he proposes to trap, and upon application he shall exhibit to the superintendent or his representative a valid trapping license of such State and shall make a sworn statement concerning his period of residence in the civil township, village, or city in which he claims residence.

§ 33.294 *Provisions of permit; suspension of trapping.* Each permit shall state the period during which trapping thereunder may be performed and the maximum number of traps that may be used, and shall reserve the right of the Director of the Fish and Wildlife Service to suspend trapping thereunder upon 3 days' notice through the superintendent, should the Director determine that continued trapping would be detrimental to refuge or wildlife interests. Thereupon all outstanding permits for trapping muskrats and minks on the area or areas affected shall become null and void.

§ 33.295 *Trap tags and fees; limitations.* Each permittee authorized to trap within the Upper Mississippi River Wildlife and Fish Refuge will be required to obtain from the superintendent of the refuge or his authorized representative an appropriate tag for each trap used on said refuge, which tag shall be securely attached to the trap in a manner that will permit of convenient examination. A fee of 10 cents will be charged for each tag furnished by the superintendent or his representative, and no one permittee shall be issued more than 50 such original tags. No refund will be made for any unused tag. Upon satisfactory proof that an original tag has been lost or stolen through no fault of the permittee, the superintendent may issue a duplicate tag upon payment by the permittee of a fee of 10 cents.

§ 33.296 *Approved traps; trap inspection and removal; plant life protected.* Muskrats and/or minks may be taken on the refuge only with ordinary spring steel traps not larger than No. 1½ or with other traps the use of which is approved by the superintendent or his authorized representative. Each permittee shall visit and inspect each of his traps within the refuge at least once every 24 hours but only between one-half hour before sunrise and sunset, and shall at the close of the trapping season take up and remove all his traps from the refuge. Permittees may not cut on the refuge any growth except willows for use as trap stakes or drags.

§ 33.297 *Prohibited methods and acts.* The possession or use within the boundaries of the refuge of a muskrat spear or any other similar device that does not comply with the requirements of this section or of any untagged trap is prohibited, and any untagged or illegal traps or other illegal devices found on the refuge may be seized by the superintendent or his representative. No person shall hunt muskrats and/or minks with a gun or with the aid of a dog, or disturb or molest any mink den, muskrat house, beaver house, or beaver dam, or set a trap within 3 feet of any muskrat house or feeding house or within 100 feet of any beaver house or beaver dam. No person shall run a trap line between sunset and one-half hour before sunrise.

§ 33.298 *Disposition of unauthorized animals.* Birds and mammals other than muskrats and minks found alive in the traps of the permittee shall be immediately liberated. Birds and mammals other than muskrats and minks found dead or mortally injured in the traps shall immediately be turned over to the superintendent or his representative.

§ 33.299 *Reports required.* Each permittee not later than 30 days after the close of the open trapping season shall submit to the superintendent a report in which are correctly stated the total number of muskrats and/or minks taken in each county on the refuge under permit during the season, the name and address of each person or firm to whom the pelts thereof were disposed of, the number of pelts disposed of to each such person or firm, and the gross amount received therefor.

§ 33.300 *Penalties.* Failure of a permittee to comply with any of the provisions of §§ 33.291 to 33.300, inclusive, or the violation by him of any of the regulations issued under authority of the act of June 7, 1924 (43 Stat. 650; 16 U. S. C. 723) establishing said refuge, or of any State law or regulation applicable to trapping on said refuge, not only shall render him subject to prosecution under said laws and regulations but may be sufficient cause for refusal of future permits to trap on the refuge or for refusal of any other use or privilege on the refuge for which a permit may be required by regulations.

TRAPPING OF BEAVER

SOURCE: §§ 33.301 to 33.306 contained in Reg., Dec. 17, 1948, 13 F. R. 8311.

§ 33.301 *Beaver trapping permitted.* The trapping of beaver is permitted on the Upper Mississippi River Wildlife and Fish Refuge in Illinois, Iowa, Minnesota, and Wisconsin by persons holding permits issued by the officer in charge under the direction of the Director of the Fish and Wildlife Service in manner, by means, and to the extent not prohibited by State laws or regulations and subject to § 33.302 to § 33.306.

§ 33.302 *Entry.* Entry on and use of the refuge are governed by Parts 18 and 21 of this chapter and strict compliance therewith is required.

§ 33.303 *State trapping laws.* Strict compliance with the applicable laws and regulations of the respective States in which the refuge is located is required.

§ 33.304 *Trapping licenses and permits.* Any person trapping beaver on the refuge must have in his possession and exhibit at the request of any authorized Federal or State officer a valid State beaver trapping license and a permit issued by the officer in charge of the refuge or his agent at such fee as may be determined by the Director to be equitable.

§ 33.305 *Identification of traps.* Any person authorized to trap beaver on the refuge shall affix to each trap authorized to be used by him such tag or other device as will identify the trap to be a legal trapping device, which tag or other device shall be furnished by the officer in charge of the refuge at such fee as the Director may determine to be equitable.

§ 33.306 *Suspension of privileges.* The Director of the Fish and Wildlife Service may suspend beaver trapping privileges effective three days after the publication of notice to that effect in not less than three newspapers of general circulation in the vicinity of the refuge, should he determine that continued trapping would be detrimental to the refuge or wildlife interests. Thereupon all outstanding Federal permits for trapping beaver on the area or areas affected shall became null and void.

SUBPART—UPPER SOURIS NATIONAL WILDLIFE REFUGE, NORTH DAKOTA

FISHING

SOURCE: §§ 33.321 to 33.325 contained in Reg., Apr. 10, 1946, 11 F. R. 4164.

§ 33.321 *Fishing permitted.* Noncommercial fishing in accordance with

the State laws of North Dakota is permitted during the daylight hours in the period May 16 to September 15 inclusive, each year in the following described waters within the Upper Souris National Wildlife Refuge, North Dakota:

Area I. The Souris River channel beginning at the north boundary of the refuge and extending south to and including Mouse River Park.

Area II. The waters adjacent to the east bank of the Souris River south of Dam No. 83 within the W½NW¼ of sec. 6, T. 157 N., R. 84 W., 5th PM.

Area III. All waters of Lake Darling north of Dam No. 83 in sec. 6, T. 157 N., R. 84 W., sec. 1, T. 157 N., R. 85 W., secs. 28, 29, 30, 31 and 32, T. 158 N., R. 84 W., and sec. 36, T. 158 N., R. 85 W.; 5th PM; except within 200 feet of the outlet gate on Dam No. 83.

§ 33.322 *Entry.* Entry on and use of the refuge for any purpose is governed by Parts 18 and 21 of this chapter, and strict compliance therewith is required. Persons entering the refuge for the purpose of fishing must follow such routes of travel within the refuge as are designated by posting.

§ 33.323 *State fishing laws.* All fishermen must comply with all State fishing laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations. No Federal permit will be required to exercise the fishing privileges permitted under § 33.321.

§ 33.324 *Use of boats.* The use of boats while fishing within the waters of the refuge is permitted only on fishing Areas I and III. The use of motorboats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes. On fishing Area III the launching or landing of any boat will be permitted only on the shoreline bounded by the SE¼, sec. 29; T. 158 N., R. 84 W.

§ 33.325 *Temporary restrictions.* During the open waterfowl hunting season or during periods of waterfowl concentrations, fishing may be closed or limited by order of the officer in charge when in his judgment such limitations and restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting.

PUBLIC USE

SOURCE: §§ 33.326 to 33.330 contained in Reg., July 14, 1945, 10 F. R. 9130.

§ 33.326 *Public use area.* The following described area in the Upper Souris National Wildlife Refuge, North Dakota, is hereby designated as a recreational area for use of the public under the conditions prescribed in §§ 33.327 to 33.330 inclusive:

SE¼, Sec. 29; T. 158 N., R. 84 W.

§ 33.327 *Entry.* Entry on and use of the refuge for any purpose is governed by Parts 18 and 21 of this chapter, and strict compliance therewith is required. Persons entering the refuge for the purposes covered by §§ 33.326–33.330 must follow such routes of travel within the refuge as are designated by posting.

§ 33.328 *Recreation.* Picnicking, swimming, skating and other recreational uses except fishing may be conducted at any time without permit on the designated recreational area.

§ 33.329 *Boats.* Boats (rowboats, sailboats, and canoes only) may be operated without permit during the daylight hours on Lake Darling between Dam No. 83 and the north line of Secs. 28, and 29, T. 158 N., R. 84 W., except that boating may be prohibited during the open waterfowl hunting season or during periods of waterfowl concentrations as, in the judgment of the officer in charge, such limitations and restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting. The use of motorboats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes. The launching or landing of any boat will be permitted only on the shoreline bounded by the designated recreational area.

§ 33.330 *Prohibited acts.* No person shall engage in any business, erect or maintain a building, or operate a boat for hire, except under permit issued by the Director of the Fish and Wildlife Service.

SUBPART—VALENTINE NATIONAL WILDLIFE REFUGE, NEBRASKA

FISHING

SOURCE: §§ 33.341 to 33.346 contained in Reg., July 31, 1947, 12 F. R. 5396.

§ 33.341 *Fishing permitted.* Noncommercial fishing in accordance with the State laws of Nebraska is permitted during the daylight hours on the waters of Dads, Dewey, Hackberry, and Willow Lakes within the Valentine National Wildlife Refuge, Nebraska, in accordance with the provisions of §§ 33.342 to 33.346 inclusive.

§ 33.342 *Entry upon refuge.* Entry on and use of this refuge for any purpose is governed by the regulations in Parts 18 and 21 of this chapter, and strict compliance therewith is required.

§ 33.343 *State fishing laws.* Each fisherman must comply with the applicable State fishing laws and regulations, and must have on his person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations, which license shall serve as a Federal permit for fishing in the waters of the refuge.

§ 33.344 *Use of boats.* Persons may use boats (other than motorboats) for fishing in the waters of the refuge. Boats (other than motorboats), or floated craft used for fishing purposes may be placed on the waters of the refuge only at such points as may be designated by suitable posting. The use of motorboats, either inboard or outboard, is prohibited on all waters except for official purposes.

§ 33.345 *Temporary restrictions.* During periods of waterfowl concentrations or other wildlife concentrations, fishing may be closed on such areas of the refuge as, in the judgment of the officer in charge, such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting. Fishing is prohibited during the open season for the hunting of migratory waterfowl.

§ 33.346 *State cooperation.* State cooperation may be enlisted in the regulation, management, and operation of the public fishing areas, and the State may promulgate such special regulations as may be necessary for such regulation, management, and operation. In the event such State regulations are issued, compliance therewith shall be a requisite to lawful entry for the purpose of fishing.

PART 34—SOUTHEASTERN REGION

Sec.

34.1 List of States.

SUBPART—BIG LAKE NATIONAL WILDLIFE REFUGE, ARKANSAS

FISHING

34.2 Fishing permitted.
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34.4 Nets and tackle.
34.5 Routes of travel.
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SUBPART—BLACKBEARD ISLAND NATIONAL WILDLIFE REFUGE, GEORGIA

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SUBPART—CAROLINA SANDHILLS NATIONAL WILDLIFE REFUGE, SOUTH CAROLINA

FISHING

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SUBPART—KENTUCKY WOODLANDS NATIONAL WILDLIFE REFUGE, KENTUCKY

FISHING

34.51 Fishing permitted.
34.52 Entry upon refuge.
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HUNTING OF SQUIRRELS

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SUBPART—LACASSINE NATIONAL WILDLIFE REFUGE, LOUISIANA

FISHING

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SUBPART—MATTAMUSKEET NATIONAL WILDLIFE REFUGE, NORTH CAROLINA

FISHING

Sec.
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34.87 Hunting of certain migratory game birds.
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34.93 State cooperation in management of shooting areas.

SUBPART—NOXUBEE NATIONAL WILDLIFE REFUGE, MISSISSIPPI

FISHING

34.101 Fishing permitted.
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SUBPART—OKEFENOKEE NATIONAL WILDLIFE REFUGE, GEORGIA

PUBLIC USE AREAS

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SUBPART—PIEDMONT NATIONAL WILDLIFE REFUGE, GEORGIA

HUNTING OF QUAIL

34.131 Quail hunting permitted.
34.132 Areas open to hunting.
34.133 State game laws.
34.134 Hunting licenses and permits.
34.135 Entry upon refuge; firearms.
34.136 Guides.
34.137 Disorderly conduct; intoxication.
34.138 Penalties.
34.139 State cooperation in management of shooting areas.

FISHING

34.140 Fishing permitted.
34.141 Entry.
34.142 State fishing laws.
34.143 Use of boats.
34.144 State cooperation.

SUBPART—REELFOOT NATIONAL WILDLIFE REFUGE, TENNESSEE

FISHING

34.151 Fishing permitted.
34.152 State fishing laws.
34.153 Fishing licenses and permits.
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SUBPART—SABINE NATIONAL WILDLIFE REFUGE, LOUISIANA

NONCOMMERCIAL FISHING

34.161 Noncommercial fishing permitted.
34.162 Entry.
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COMMERCIAL FISHING

34.166 Commercial fishing permitted.
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SUBPART—ST. MARKS NATIONAL WILDLIFE REFUGE, FLORIDA

FISHING

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34.185 Temporary restrictions.

SUBPART—SANTEE NATIONAL WILDLIFE REFUGE, SOUTH CAROLINA

FISHING

34.191 Fishing permitted.
34.192 Areas open to fishing.
34.193 State fishing laws.
34.194 Fishing licenses and permits.
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SUBPART—SAVANNAH NATIONAL WILDLIFE REFUGE, GEORGIA AND SOUTH CAROLINA

FISHING

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SUBPART—WHEELER NATIONAL WILDLIFE REFUGE, ALABAMA

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COMMERCIAL FISHING

34.258 Commercial fishing permitted.
34.259 Period of fishing.
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AUTHORITY: §§ 34.1 to 34.266 issued under 43 Stat. 98, 45 Stat. 1224; 16 U. S. C. 715i, 18 U. S. C. 41; Reorganization Plan II, 1939, 3 F. R. 2731, 3 CFR, 1943 Cum. Supp., p. 1296. Statute giving special authority is cited to text in parentheses.

§ 34.1 *List of States.* The Southeastern Region is comprised of the States of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

[Dec. 16, 1948, 13 F. R. 8221]

SUBPART—BIG LAKE NATIONAL WILDLIFE REFUGE, ARKANSAS

FISHING

SOURCE: §§ 34.2 to 34.8 contained in Reg. Aug. 23, 1938, 3 F. R. 2075.

§ 34.2 *Fishing permitted.* Until further notice fish may be taken for commercial purposes under permit issued by the resident officer in charge, and with pole and line for sport or for family use without such permit, when and as permitted by the laws and regulations of Arkansas, except during the Federal open season on migratory waterfowl, from waters within Big Lake National Wildlife Refuge, Arkansas, subject to the conditions, restrictions, and requirements of §§ 34.3 to 34.8 inclusive.

§ 34.3 *Licenses.* Prior to the issuance of the above required Federal permit to fish on the refuge, the applicant for the privilege shall be in possession of and exhibit to the resident officer in charge a valid State commercial fishing license, if such license is required, and any person to whom has been issued a Federal permit shall carry such permit on his person when exercising the privileges thereunder and, upon demand, shall exhibit his permit and license to any Federal or State officer authorized to enforce Federal and State fishing laws and regulations: *Provided:* That all fishing within the refuge shall be done in such manner as will not interfere with the objects for which the refuge was established.

§ 34.4 *Nets and tackle.* All nets and other set tackle, except limb lines, used for fishing on Big Lake National Wildlife Refuge in the State of Arkansas, shall be tagged with metal tags in accordance with the fishing laws of Arkansas. All persons are warned that untagged nets and other set tackle except limb lines will be subject to seizure.

§ 34.5 *Routes of travel.* Persons entering the refuge for the purpose of reaching waters thereof for fishing shall follow such routes of travel as shall from time to time be designated by the officer in charge.

§ 34.6 *Suspension of fishing privileges.* Whenever it shall appear, during the open season herein provided, that because of intensive fishing or other causes the supply of fish in any area or areas of the waters open to fishing is becoming excessively reduced, the Director of the Fish and Wildlife Service may, in his discretion, within three days after giving notice to that effect, terminate fishing in such area or areas as may in his judgment be so affected; and all outstanding permits or authority hereunder for fishing in such area or areas shall thereupon become null and void.

§ 34.7 *Reports.* Each permittee authorized to take fish on the refuge for commercial purposes shall within 10 days after the expiration or termination of his permit submit to the officer in charge, or his representative, a report correctly stating the kinds of fish and the quantity of each kind taken.

§ 34.8 *Revocation of permits.* Any permit issued under §§ 34.2 to 34.8 may be revoked by the issuing officer for noncompliance with the terms thereof, for nonuse, or for violation of any law or regulation applicable to the refuge or of any State or Federal law or regulation protecting fish or other wildlife, or the nests or eggs of birds; and it is subject at

all times to discretionary revocation by the Secretary of the Interior.

SUBPART—BLACKBEARD ISLAND NATIONAL WILDLIFE REFUGE, GEORGIA

HUNTING

SOURCE: §§ 34.21 to 34.23 contained in Reg., Oct. 14, 1948, 13 F. R. 6124.

§ 34.21 *Hunting permitted.* During the open season for the hunting of deer, as prescribed by the Georgia Game and Fish Commission, deer and raccoon may be taken by means of bow and arrow only on all of the lands of the Blackbeard Island National Wildlife Refuge, Georgia, except for the area in the immediate vicinity of the headquarters of the refuge and in the immediate vicinity of State deer trapping sites as posted by the refuge manager.

§ 34.22 *Entry.* Entry on and use of the refuge for any purpose are covered by the regulations in Parts 18 and 21 of this chapter, and strict compliance therewith is required. Hunters must follow such routes of travel within the refuge as are designated by posting. In addition all hunters must comply with State hunting laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license or licenses may be required by such laws and regulations, which license shall serve as a Federal permit for hunting deer and raccoon on the refuge. The use or possession of firearms on the refuge of any description is prohibited.

§ 34.23 *Dogs.* Each person hunting deer on the refuge may be permitted to take one hunting dog on the refuge for the purpose of trailing wounded deer provided that such dog shall at all times be on a leash and shall not be permitted to range at will on the refuge.

SUBPART—CAROLINA SANDHILLS NATIONAL WILDLIFE REFUGE, SOUTH CAROLINA

FISHING

SOURCE: §§ 34.31 to 34.36 contained in Reg., June 11, 1942, 7 F. R. 4859.

§ 34.31 *Fishing permitted.* Noncommercial fishing is permitted in all waters of the Carolina Sandhills National Wildlife Refuge, South Carolina, during the open season prescribed therefor by the State of South Carolina, in accordance with the provisions of the regulations in Parts 18 and 21 of this chapter and subject to the conditions, restrictions, and requirements of §§ 34.32 to 34.36 inclusive.

§ 34.32 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of South Carolina. Fishing shall be by hook and line only, as defined by State law.

§ 34.33 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the South Carolina State Game and Fish Department, if such license is required. This license shall serve as a Federal permit for fishing in the waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the South Carolina State Game and Fish Department or of the Fish and Wildlife Service.

§ 34.34 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

§ 34.35 *Use of motorboats.* The use of motorboats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes.

§ 34.36 *State corporation in the management of fishing.* State cooperation may be enlisted in the regulation, management, and operation of public fishing as herein or hereafter authorized, in which event the provisions of §§ 34.31 to 34.36 shall be incorporated in any cooperative agreement entered into by the Director of the Fish and Wildlife Service and the appropriate State official for such purposes. Such an agreement may provide for further restricting the period of fishing, the lakes that may be fished, and the number of persons that may fish on any lake during a given period.

HUNTING OF QUAIL

SOURCE: §§ 34.37 to 34.45 contained in Reg., Dec. 19, 1941, 7 F. R. 129.

§ 34.37 *Hunting permitted.* Until further notice the controlled public hunting of quail is permitted during the period December 1 of any year to February 15, inclusive, of the following year in such maximum numbers and at such times and under such conditions as the Director of the Fish and Wildlife Service may determine will effect the harvesting of surplus quail on those areas of the Carolina Sandhills National Wildlife Refuge herein or hereafter designated as open to public hunting, in accordance with State law and the provisions of Parts 18 and 21 of this chapter, and subject to the special provisions, conditions, restrictions, and requirements of §§ 34.38 to 34.45 inclusive.

§ 34.38 *Area open to hunting.* All the lands of the United States within the following described area of the Carolina Sandhills National Wildlife Refuge shall be open to the controlled hunting of quail:

That part of the refuge that is bounded on the northwest and west by South Carolina State Highway No. 85, on the south and southeast by U. S. Highway No. 1, on the southeast by Scott's Road, and on the east and northeast by the Ruby-Hartsville Road.

§ 34.39 *State game laws.* Any person while hunting within any areas of the refuge open to hunting must comply with the applicable State laws and regulations.

§ 34.40 *Hunting licenses and permits.* Any person who hunts within the refuge shall be in possession of a valid State hunting license and a permit, if such license and permit are required, and when requested to do so shall exhibit them to any State or Federal officer authorized to enforce the game laws of South Carolina or of the United States. Upon request of any such officer, the licensee must also exhibit for inspection all birds killed by him or in his possession.

§ 34.41 *Entry upon refuge; firearms.* No permit from the officer in charge of the refuge shall be necessary for entry thereupon for the purpose of hunting in compliance with §§ 34.37 to 34.45, but the having or carrying of firearms on the refuge without permit from the officer in charge, except on highways, thoroughfares, and hunting areas, or on routes of travel to and from such areas designated by such officer, or when appropriate to the object for which any special permit may have been issued, will not be permitted. Persons entering or crossing the refuge for the purpose of hunting, as permitted by this order, shall use only such routes of travel as shall be designated by suitable posting by the officer in charge.

§ 34.42 *Guides.* Each person, or party of persons, hunting on an open area of the refuge under appropriate State license and permit shall be accompanied by a guide who has been previously designated as such and shall be subject to the supervision and direction of such guide while so hunting on the refuge. The designation of qualified guides for service on the refuge shall be made by the officer in charge of the refuge or, in the event of a cooperative agreement covering the regulation, management, and operation of such public shooting, by the appropriate officer of the cooperator, subject to the approval of the officer in charge of the refuge. No person shall be designated as a guide unless he is a citizen of the United States, has had experience in hunting and in handling guns and bird dogs, is familiar with the territory comprised within the refuge, is able to identify and distinguish the various species of wildlife that resort to said refuge, is familiar with the State and Federal laws governing hunting, is in possession of such guide license as may be required by the laws of South Carolina, and is equipped as required for service as a guide. No guide shall charge for his services as a guide a fee or other compensation in excess of amounts approved as reasonable by the officer in charge of the refuge, or in accordance with the terms of the cooperative agreement. No guide shall hunt any quail or other wildlife on the refuge or be in possession of a gun thereon while employed as a guide. The designation of any person as a guide shall be suspended or canceled upon failure of such guide promptly to report any violation of Federal or State laws or regulations of which he has knowledge.

§ 34.43 *Disorderly conduct; intoxication.* No person who is visibly intoxicated will be permitted to enter upon the refuge for the purpose of hunting, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

§ 34.44 *Penalties.* Failure of any person hunting on the refuge to comply with any of the provisions, conditions, restrictions, or requirements of §§ 34.38 to 34.45 or the violation by him of any of the provisions of State or Federal laws or

regulations applicable to hunting on the refuge will be sufficient cause for removing such person from the refuge and for refusing him further hunting privileges on the refuge.

§ 34.45 *State cooperation in management of shooting areas.* State cooperation may be enlisted in the regulation, management, and operation of the public shooting area or areas designated in § 34.38, in which event the provisions of §§ 34.38 to 34.45 shall be incorporated in any cooperative agreement entered into by the Director of the Fish and Wildlife Service and the appropriate State officials for such purposes.

SUBPART—KENTUCKY WOODLANDS NATIONAL WILDLIFE REFUGE, KENTUCKY

FISHING

SOURCE: §§ 34.51 to 34.55 contained in Reg., Feb. 19, 1947, 12 F. R. 1420.

§ 34.51 *Fishing permitted.* Fishing in accordance with the State laws of Kentucky is permitted in all waters within the Kentucky Woodlands National Wildlife Refuge, in accordance with the provisions of §§ 34.52 to 34.55 inclusive.

§ 34.52 *Entry upon refuge.* Entry on and use of the refuge for any purpose is governed by the regulations in Parts 18 and 21 of this chapter and strict compliance therewith is required.

§ 34.53 *State fishing laws.* All fishermen must comply with all State fishing laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations, which license shall serve as a Federal permit for noncommercial or sport fishing in any refuge waters and for commercial fishing in Kentucky Lake only. A permit issued by the officer in charge is required for commercial fishing in all waters of the refuge except Kentucky Lake.

§ 34.54 *Use of motorboats.* The use of motorboats, except those powered by electric motors, is prohibited in all refuge waters except Kentucky Lake.

§ 34.55 *Temporary restrictions.* During periods of waterfowl concentrations, or other wildlife concentrations fishing may be limited either to bank fishing, to boat fishing, or may be closed on such areas of the refuge as, in the judgment of the officer in charge of such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting and shall be available at the refuge headquarters.

HUNTING OF SQUIRRELS

SOURCE: §§ 34.56 to 34.59 contained in Reg., Oct. 18, 1946, 11 F. R. 12308.

§ 34.56 *Hunting permitted.* Until further notice squirrels may be taken on the lands hereinafter described of the Kentucky Woodlands National Wildlife Refuge, Kentucky, in accordance with the State laws and regulations, and under such special regulations and conditions as may be prescribed by the officer in charge of the refuge, copies of which shall be posted on the refuge and available at refuge headquarters.

§ 34.57 *Hunting areas*—(a) *Hunting Area No. 1.* All that portion of the refuge lying east of State Highway Number 289 (The Cumberland River Road) and north of the following described line:

Beginning at a point at the intersection of State Highway Number 289 with the line between corners numbered 652 and 653, thence northeasterly with the refuge boundary to the Cumberland River.

(b) *Hunting Area No. 2.* All that portion of the refuge lying within the following described boundaries:

Beginning at the intersection of State Highway Number 289 with the refuge boundary between corners numbered 576 and 577, thence northwesterly with said Highway 289 to the Hematite Church, thence continuing easterly with the said Highway 289 to the refuge boundary at corner numbered 589, thence southerly and westerly with the said refuge boundary to the point of beginning.

(c) *Hunting Area No. 3.* All that portion of the refuge lying south of United States Highway Number 68.

§ 34.58 *Entry upon refuge.* Entry on and use of the refuge for any purpose is covered by Parts 18 and 21 of this chapter, and strict compliance therewith is required.

§ 34.59 *State hunting laws.* All hunters must comply with State hunting laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license or licenses as may be required by such laws and regulations, which license shall serve as a Federal permit.

SUBPART—LACASSINE NATIONAL WILDLIFE REFUGE, LOUISIANA

FISHING

SOURCE: §§ 34.71 to 34.74 contained in Reg., Feb. 13, 1947, 12 F. R. 1059.

§ 34.71 *Fishing permitted.* Commercial and noncommercial fishing in accordance with the State laws of Louisiana is permitted during the daylight hours in all waters of the Lacassine National Wildlife Refuge, in accordance with the provisions of §§ 34.72 to 34.74 inclusive.

§ 34.72 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Louisiana.

§ 34.73 *Entry.* Entry on or use of the refuge for any purpose is covered by the regulations in Parts 18 and 21 of this chapter and strict compliance therewith is required.

§ 34.74 *Temporary, restrictions.* During periods of waterfowl concentrations, or other wildlife concentrations, fishing may be closed on such areas of the refuge, as, in the judgment of the officer in charge, such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting.

SUBPART—MATTAMUSKEET NATIONAL WILDLIFE REFUGE, NORTH CAROLINA

FISHING

SOURCE: §§ 34.81 to 34.86 contained in Reg., July 7, 1936, 1 F. R. 737.

§ 34.81 *Fishing permitted.* Pursuant to regulations in Parts 18 and 21 of this chapter it is hereby ordered that until further notice, under permit issued by the officer in charge or his duly authorized representative, fish may be taken when and as permitted by the laws and regulations of the State of North Carolina from waters within the Mattamuskeet National Wildlife Refuge, established by Executive Order 6924, December 18, 1934, subject to the conditions and restrictions in §§ 34.82 to 34.86 inclusive.

§ 34.82 *Licenses.* Prior to the issuance of a permit to take fish in the waters of the refuge, the applicant for the privilege of fishing shall be in possession of and exhibit to the resident officer in charge a valid State fishing license, if such license is required, and any person to whom has been issued a Federal fishing permit shall carry such permit on his person when exercising the privileges thereunder: *Provided,* That such fishing shall be done in such manner as will not interfere with the objects for which the refuge was established, and only upon such area or areas as the Director may from time to time designate.

§ 34.83 *Routes of travel.* Persons entering the refuge for the purpose of reaching waters thereof for fishing shall follow such routes of travel as shall from time to time be designated by the officer in charge of the refuge.

§ 34.84 *Firearms and fires.* The carrying or being in possession of firearms of any description or lighting of fires for any purpose while on such refuge is not permitted. Special care must be observed to prevent lighted matches, cigars, cigarettes, or pipe ashes from being dropped in grass or other inflammable material.

§ 34.85 *Suspension of fishing privileges.* Whenever it shall appear that, because of intensive fishing or other causes, the supply of fish in any portion or portions of the waters open to fishing is becoming excessively reduced, the Director may, in his discretion, within three days after giving notice to that effect, terminate fishing in such area or areas as may in his judgment have become so affected; and all outstanding permits shall thereupon become null and void for fishing in such area or areas.

§ 34.86 *Revocation of permits.* Any permit issued under § 34.82 may be revoked by the issuing officer for noncompliance with the terms thereof, for nonuse, or for violation of any law or regulation applicable to the refuge or of any State or Federal law or regulation protecting fish or other wildlife, or the nests or eggs of birds; and it is subject at all times to discretionary revocation by the Secretary.

HUNTING

SOURCE: §§ 34.87 to 34.93 contained in Reg., Nov. 2, 1939, 4 F. R. 4571, except as noted following section affected.

§ 34.87 *Hunting of certain migratory game birds.* Until further notice, migratory waterfowl (except those species for which no open season is prescribed)

and coots may be taken within the areas of Mattamuskeet National Wildlife Refuge, North Carolina, described in § 34.88 and hereby designated "shooting areas," when, in manner, by means, and to the extent not prohibited by either Federal or State law or regulation, and under the special provisions, conditions, restrictions, and requirements of §§ 34.88 to 34.93, inclusive.

§ 34.88 *Shooting areas.* Those areas within the refuge described as follows:

Area No. 1. Starting at the point where Canal No. 5 East intersects East Main Canal; thence south 3°30' east to the refuge boundary; thence westward and southwestward along said boundary to a point approximately 20 chains westward from Station 109; thence north 4° west to Canal No. 1 East; thence north along said canal to a point approximately 145 chains from East Main Canal; thence north 86° east to the place of beginning.

Area No. 2. Starting at the point where Canal No. 1 West intersects West Main Canal; thence south 3°30' east to the refuge boundary; thence westward and northwestward along said boundary to Canal No. 6 West; thence north along said canal to West Main Canal; thence north 86° east to the place of beginning.

§ 34.89 *Entry upon refuge; firearms.* No permit from the officer in charge of the refuge shall be necessary for entry thereupon for the purpose of hunting in compliance with §§ 34.87 to 34.93, but the having or carrying of firearms on the refuge without permit from the officer in charge, except on highways, thoroughfares, and shooting areas, or routes of travel to and from such areas designated by such officer, or when appropriate to the object for which any special permit may have been issued, will not be permitted. Persons entering or crossing the refuge for the purpose of hunting, as permitted by this section, shall use the established routes of travel and shall not otherwise enter upon the refuge.

§ 34.90 *Shooting from blinds only.* There shall be no shooting on Sunday. On other days during the open season hunters may shoot within either shooting area from a blind only. No blind shall be located within 500 yards of any other blind, or within 200 yards of the inside limits of the shooting area and then only subject to the approval of the refuge manager. The number of blinds, the number of guides, and the number of persons shooting from any blind shall be determined and fixed by the State officer in charge of the shooting areas, and blinds shall be located in the shooting areas as directed by him, subject to the approval of the refuge manager, to the end that the shooting shall be restricted within limits compatible with the preservation of waterfowl and other species of migratory game birds.

§ 34.91 *Guides.* Each person, or party of persons, shooting from a blind in a shooting area of the refuge shall be accompanied by a guide who has been previously designated as such. The designation of qualified guides for service on the refuge shall be made without favor or discrimination, and no person shall be so designated unless he is a citizen of the United States, has had experience in hunting and in handling guns and pushboats, is familiar with the territory comprised within Mattamuskeet National Wildlife Refuge, is able to identify and distinguish the various species of migratory waterfowl that resort to said refuge, is familiar with the State and Federal laws governing the hunting of migratory game birds, is in possession of such guide license as may be required by the laws of North Carolina, and is equipped for service as a guide with the essential hunting paraphernalia, including artificial decoys, and he shall comply with the requirements in respect to such equipment as may be prescribed by the State officer in charge, subject to the approval of the refuge manager. No guide shall charge for his services as a guide a fee or other compensation in excess of amounts approved as reasonable by the said officers. A guide shall not hunt any migratory waterfowl or coots on the refuge or be in possession of a gun thereon while employed as a guide, except that he may use the gun of a hunter in his party in an effort to recover any crippled legal game bird without getting into the range of another blind and without leaving the prescribed shooting area. Guides in adjacent blinds must cooperate in recovering cripples, and every reasonable effort must be made by all guides to recover crippled birds. The designation of any person as a guide shall be suspended or canceled by the State officer upon the approval or at the request of the refuge manager upon failure of such guide promptly to report to said State officer any violation of Federal or State laws or regulations of which he has knowledge, committed on said refuge. The State officer shall report promptly all such violations to the refuge manager.

§ 34.92 *Limitation on hunting methods.* No hunter shall use or be in possession of ammunition loaded with slugs or single balls, or with shot larger than Standard BB shot while hunting on the refuge.

[Nov. 2, 1939, as amended Dec. 2, 1943; 4 F. R. 4571, 8 F. R. 16799]

§ 34.93 *State cooperation in management of shooting areas.* The provisions of §§ 34.87 to 34.93, inclusive, shall be incorporated in and be deemed to be a part of any cooperative agreement between the Director of the Fish and Wildlife Service and the Commissioner of Game and Inland Fisheries of North Carolina for the regulation, management, and operation of shooting areas established thereunder, the details of which shall be mutually agreed upon between said Director and Commissioner.

SUBPART—NOXUBEE NATIONAL WILDLIFE REFUGE, MISSISSIPPI

FISHING

SOURCE: §§ 34.101 to 34.106 contained in Reg., May 29, 1947, 12 F. R. 3769.

§ 34.101 *Fishing permitted.* Fishing is permitted within the Noxubee National Wildlife Refuge, Mississippi in accordance with the State laws of Mississippi during the daylight hours in Bluff Lake, Patterson Lake, and on such portions of Noxubee River and Oktoc Creek as are designated by suitable posting by the officer in charge.

§ 34.102 *Entry.* Entry on and use of the refuge for any purpose is governed by the regulations in Parts 18 and 21 of this chapter and strict compliance therewith is required.

§ 34.103 *State fishing laws.* All fishermen must comply with all State fishing laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license and/or permit is required by such law and regulations. Such State license and/or permit will serve as a Federal permit for entry on the refuge for the purpose of fishing. Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by posting.

§ 34.104 *Use of boats.* Persons may use boats for fishing on Bluff Lake but motors of greater than 5 horsepower capacity may not be used on or in any such boat. Boats with motors are prohibited in any other refuge waters except for official purposes.

§ 34.105 *Temporary restrictions.* During periods of waterfowl concentration, wild turkeys nesting, or other wildlife concentrations, fishing may be closed on such areas of the refuge as, in the judgment of the officer in charge, such limitations and restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting.

§ 34.106 *State cooperation.* State cooperation may be enlisted in the regulation, management, and operation of the public fishing areas and the State may issue special licenses at a reasonable rate of charge as may be determined to be necessary. In the event such State regulations are issued, any permit therein required will be a requisite to lawful entry for the purpose of fishing.

[49 Stat. 383, 16 U. S. C. 715s]

SUBPART—OKEFENOKEE NATIONAL WILDLIFE REFUGE, GEORGIA

PUBLIC USE AREAS

SOURCE: §§ 34.111 to 34.113 contained in Reg., Feb. 14, 1947, 12 F. R. 1089.

§ 34.111 *Public use areas.* Persons may, without permit, enter and temporarily use for boating, nature study, photography and other recreational purposes such areas of the refuge as may be designated for said purposes by the Officer in Charge by suitable posting and shall observe such special regulations and conditions as may be prescribed by the Officer in Charge of the refuge, copies of which shall be posted on the refuge and available at refuge headquarters.

§ 34.112 *Entry.* Entry on and use of the refuge for any purpose is covered by the regulations in Parts 18 and 21 of this chapter and strict compliance therewith is required.

§ 34.113 *Entering areas other than public use areas.* Persons desiring to

enter areas of the refuge not designated as public use areas may be issued a permit by the Officer in Charge or his authorized representative, which permit may require the employment of an accredited guide or such other conditions as the Officer in Charge may deem necessary for the safety of the individual and the protection of wildlife on the refuge.

FISHING

SOURCE: §§ 34.114 to 34.117 contained in Reg., Feb. 14, 1947, 12 F. R. 1089.

§ 34.114 *Fishing permitted.* Noncommercial fishing, in accordance with the State laws of Georgia, is permitted during the daylight hours on all waters designated by posting as Public Use Areas within the Okefenokee National Wildlife Refuge, and in other areas when entry is authorized by permit, in accordance with the provisions of §§ 34.115 to 34.117 inclusive.

§ 34.115 *State fishing laws.* Each fisherman must comply with the applicable State fishing laws and regulations and must have on his person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations, which license shall serve as a Federal permit for fishing on the designated waters of the refuge.

§ 34.116 *Temporary restrictions.* During periods of waterfowl or other wildlife concentrations, fishing may be closed on such areas of the refuge as, in the judgment of the Officer in Charge, such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting.

§ 34.117 *Live bait.* Live bait shall not be used for fishing and no minnows shall be taken for bait in any of the waters of the refuge.

SUBPART—PIEDMONT NATIONAL WILDLIFE REFUGE, GEORGIA

HUNTING OF QUAIL

SOURCE: §§ 34.131 to 34.139 contained in Reg., Dec. 19, 1941, 7 F. R. 129, except as noted following section affected.

§ 34.131 *Quail hunting permitted.* Until further notice the controlled public hunting of quail is permitted during the period December 1 of any year to February 15, inclusive, of the following year, in such maximum numbers and at such times and under such conditions as the Director of the Fish and Wildlife Service may determine will effect the harvesting of surplus quail on those areas of the Piedmont National Wildlife Refuge designated in § 34.132 as open to public hunting, in accordance with State law and the provisions of Parts 18 and 21 of this chapter, subject to the special provisions, conditions, restrictions, and requirements of §§ 34.132 to 34.139 inclusive.

§ 34.132 *Areas open to hunting.* All the lands of the United States within the following described areas of the Piedmont National Wildlife Refuge shall be open to the controlled hunting of quail:

That part of the refuge included within tracts 15b, 54d, e, f, 91, 92, 118, 124, a, 131d, 158, 174a, 181a, 211a, 213, 227, a, 233, 238, 246, 253, 266b, 267, 268, 269, 275, 282, 303, 321, 335, a, 338, 340, 342 north of road, 350, a, 354, 382c, 729, 896.

§ 34.133 *State game laws.* Any person while hunting within any areas of the refuge open to hunting must comply with the applicable State laws and regulations.

§ 34.134 *Hunting licenses and permits.* Any person who hunts within the refuge shall be in possession of a valid State hunting license and a permit, if such license and permit are required, and when requested to do so shall exhibit them to any State or Federal officer authorized to enforce the game laws of Georgia or of the United States. Upon request of any such officer, the licensee must also exhibit for inspection all birds killed by him or in his possession.

§ 34.135 *Entry upon refuge; firearms.* No permit from the officer in charge of the refuge shall be necessary for entry thereupon for the purpose of hunting in compliance with §§ 34.131 to 34.139, but the having or carrying of firearms on the refuge without permit from the officer in charge, except on highways, thoroughfares, and hunting areas, or on routes of travel to and from such areas designated by such officer, or when appropriate to the object for which any special permit may have been issued, will not be permitted. Persons entering or crossing the refuge for the purpose of hunting, as permitted by §§ 34.131 to 34.139, shall use only such routes of travel as shall be designated by suitable posting by the officer in charge.

§ 34.136 *Guides.* If and when so required by the Director of the Fish and Wildlife Service, each person or party of persons hunting on an open area of the refuge under appropriate State license and permit shall be accompanied by a guide who has been previously designated as such and shall be subject to the supervision and direction of such guide while so hunting on the refuge. The designation of qualified guides for service on the refuge shall be made by the officer in charge of the refuge or, in the event of a cooperative agreement covering the regulation, management, and operation of such public shooting, by the appropriate officer of the cooperator, subject to the approval of the officer in charge of the refuge. No person shall be designated as a guide unless he is a citizen of the United States, has had experience in hunting and in handling guns and bird dogs, is familiar with the territory comprised within the refuge, is able to identify and distinguish the various species of wildlife that resort to said refuge, is familiar with the State and Federal laws governing hunting, is in possession of such guide license as may be required by the laws of Georgia, and is equipped as required for service as a guide. No guide shall charge for his services as a guide a fee or other compensation in excess of amounts approved as reasonable by the officer in charge of the refuge, or in accordance with the terms of the cooperative agreement. No guide shall hunt any quail or other wildlife on the refuge or be in possession of a gun thereon while employed as a guide. The designation of any person as a guide shall be suspended or canceled upon failure of such guide promptly to report any violation of Federal or State laws or regulations of which he has knowledge.

[Dec. 30, 1942, 8 F. R. 572]

§ 34.137 *Disorderly conduct; intoxication.* No person who is visibly intoxicated will be permitted to enter upon the refuge for the purpose of hunting, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

§ 34.138 *Penalties.* Failure of any person hunting on the refuge to comply with any of the provisions, conditions, restrictions, or requirements of §§ 34.131 to 34.139, inclusive, or the violation by him of any of the provisions of State or Federal laws or regulations applicable to hunting on the refuge will be sufficient cause for removing such person from the refuge and for refusing him further hunting privileges on the refuge.

§ 34.139 *State cooperation in management of shooting areas.* State cooperation may be enlisted in the regulation, management, and operation of the public shooting area or areas designated in § 34.132 in which event the provisions of §§ 34.131 to 34.139 shall be incorporated in any cooperative agreement entered into by the Director of the Fish and Wildlife Service and the appropriate State official for such purposes.

FISHING

SOURCE: §§ 34.140 to 34.144 contained in Reg., Aug. 21, 1947, 12 F. R. 5852.

§ 34.140 *Fishing permitted.* Noncommercial fishing in accordance with the State laws of Georgia is permitted during the daylight hours in the waters of the artificial pond on the Piedmont National Wildlife Refuge, known as the "Five Points Lake" situated west of Five Points on Tract 490, being west of the Dames Ferry—Wayside Road.

§ 34.141 *Entry.* Entry on and use of the refuge for any purpose is governed by the regulations in Parts 18 and 21 of this chapter, and strict compliance therewith is required.

§ 34.142 *State fishing laws.* All fishermen must comply with all State fishing laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations, which license shall serve as a Federal permit for fishing in the refuge. The use of live minnows for bait is not permitted.

§ 34.143 *Use of boats.* Persons may use boats (except motor boats), canoes, or floated devices for fishing on the waters of the refuge, but may place such boats, canoes, or floated devices on the waters of the refuge only at such point or points as may be designated by posting by the officer in charge. The use of motor boats, either inboard or out-

board is prohibited on all waters of the refuge except for official purposes.

§ 34.144 *State cooperation.* State cooperation may be enlisted in the regulation, management, and operation of the public fishing areas, and the State may promulgate such special regulations as may be necessary for such regulation, management, and operation. In the event such State regulations are issued, compliance therewith shall be a requisite to lawful entry for the purpose of fishing.

SUBPART—REELFOOT NATIONAL WILDLIFE REFUGE, TENNESSEE

FISHING

SOURCE: §§ 34.151 to 34.155 contained in Reg., Sept. 26, 1942, 7 F. R. 8067.

§ 34.151 *Fishing permitted.* Noncommercial fishing is permitted in all waters of the Reelfoot National Wildlife Refuge, Tennessee, each year during the open season prescribed therefor by the Tennessee Department of Conservation, except during the open season for hunting migratory waterfowl and the seven days preceding the said season prescribed by the regulations promulgated pursuant to the authority contained in the Migratory Bird Treaty Act of July 3, 1918, as amended, in accordance with the provisions of Parts 18 and 21 of this chapter, and subject to the conditions, restrictions, and requirements of §§ 34.152 to 34.155 inclusive.

§ 34.152 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Tennessee. Fishing shall be by hook and line only, as defined by State law.

§ 34.153 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Tennessee Department of Conservation, if such license is required. This license shall serve as a Federal permit for fishing in the waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Tennessee Department of Conservation or of the Fish and Wildlife Service.

§ 34.154 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

§ 34.155 *Temporary restrictions.* During periods of waterfowl concentration on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

SUBPART—SABINE NATIONAL WILDLIFE REFUGE, LOUISIANA

NONCOMMERCIAL FISHING

SOURCE: §§ 34.161 to 34.165 contained in Reg., Aug. 17, 1948, 13 F. R. 4875.

§ 34.161 *Noncommercial fishing permitted.* Noncommercial fishing in accordance with the State Laws of Louisiana is permitted during the daylight hours on all waters within the Sabine National Wildlife Refuge in accordance with the provisions of §§ 34.162 to 34.165, inclusive.

§ 34.162 *Entry.* Entry on and use of this refuge for any purpose is governed by the regulations in Parts 18 and 21 of this chapter, and strict compliance therewith is required.

§ 34.163 *State fishing laws.* All fishermen must comply with all State fishing laws and regulations, and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations, which license shall serve as a Federal permit for fishing in the waters of the refuge.

§ 34.164 *Use of boats.* Persons fishing in lakes or impoundments of the refuge are prohibited from using on or in boats motors of greater than six horsepower capacity, except for official purposes. No restriction is placed on motorboats in canals and rivers.

§ 34.165 *Temporary restrictions.* During periods of waterfowl concentrations or other wildlife concentrations and to protect wildlife plantings, fishing may be closed on such areas of the refuge as, in the judgment of the officer in charge, such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting.

COMMERCIAL FISHING

SOURCE: §§ 34.166 to 34.170 contained in Reg., Dec. 8, 1942, 7 F. R. 10819.

§ 34.166 *Commercial fishing permitted.* Commercial fishing is permitted in all waters of the Sabine National Wildlife Refuge, Louisiana, except during the migratory-waterfowl hunting season, in accordance with the provisions of Parts 18 and 21 of this chapter, and subject to the conditions, restrictions, and requirements of §§ 34.167 to 34.170 inclusive.

§ 34.167 *State fishing laws.* Any person who fishes commercially within the refuge must comply with the applicable fishing laws and regulations of the State of Louisiana.

§ 34.168 *Fishing licenses and permits.* Any person who fishes commercially within the refuge shall be in possession of a valid commercial fishing license issued by the Louisiana Department of Conservation, if such license is required, and a permit issued by the officer in charge of the refuge. The permit shall specify the water or waters in which the permittee may fish and the period or periods during which such fishing may be performed. The officer in charge may limit the number of permits issued for any particular waters during such periods as, in his discretion, such action is necessary for the protection of the fishery resources of the refuge or to prevent disturbance to concentrations of waterfowl using such waters or areas. The license and permit must be carried on the person of the licensee while so fishing and must be exhibited upon the request of any representative of the Louisiana Department of Conservation or of the Fish and Wildlife Service.

§ 34.169 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated from time to time by suitable posting by the officer in charge of the refuge.

§ 34.170 *Use of motorboats.* Persons fishing in lakes or impoundments of the refuge are prohibited from using in or on boats motors of greater than six horsepower capacity, except for official purposes. No restriction is placed on motorboats in canals and rivers.

SUBPART—ST. MARKS NATIONAL WILDLIFE REFUGE, FLORIDA

FISHING

SOURCE: §§ 34.181 to 34.185 contained in Reg., June 6, 1946, 11 F. R. 6341.

§ 34.181 *Fishing permitted.* Noncommercial fishing in accordance with the State laws of Florida is permitted during the daylight hours on all waters within the St. Marks National Wildlife Refuge, in accordance with the provisions of §§ 34.182 to 34.185 inclusive.

§ 34.182 *Entry.* Entry on and use of this refuge for any purpose is governed by Parts 18 and 21 of this chapter, and strict compliance therewith is required. Persons entering the refuge for the purpose of fishing must follow such routes and use such modes of travel as are designated by posting.

§ 34.183 *State fishing laws.* All fishermen must comply with all State fishing laws and regulations, and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations. No Federal permit will be required to exercise the fishing privilege permitted under § 34.181.

§ 34.184 *Use of boats.* Persons may use boats (other than motorboats) for fishing in the waters of the refuge between May 1 and September 15 inclusive, and shall possess a permit issued by the officer in charge of the refuge for the use of such boats. Boats (other than motorboats), or floated craft used for fishing purposes may be placed on the waters of the refuge only at such points as may be designated by suitable posting. The use of motorboats, either inboard or outboard, is prohibited on all waters except for official purposes.

§ 34.185 *Temporary restrictions.* During periods of waterfowl concentrations, or other wildlife concentrations, fishing may be closed on such areas of the refuge as, in the judgment of the officer in charge, such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting.

SUBPART—SANTEE NATIONAL WILDLIFE REFUGE, SOUTH CAROLINA

FISHING

SOURCE: §§ 34.191 to 34.197 contained in Reg., Sept. 25, 1942, 7 F. R. 8067, except as noted following sections affected.

§ 34.191 *Fishing permitted.* Until further notice fish may be taken, for either commercial or noncommercial purposes, in such maximum numbers and at such times and under such conditions as the Director of the Fish and Wildlife Service may determine will effect the harvesting of surplus fish, on those areas of the Santee National Wildlife Refuge, South Carolina, herein or hereafter designated as open to public fishing, in accordance with State law and the provisions of Parts 18 and 21 of this chapter, and subject to the special provisions, conditions, restrictions, and requirements of §§ 34.192 to 34.197 inclusive.

§ 34.192 *Areas open to fishing.* (a) Jacks Creek Pool (but not including the two rearing ponds), Dingle Pond, Potato Creek, and such part of the Pinopolis Pond as shall be designated by the officer in charge of the refuge shall be open to public sport or noncommercial fishing during the period March 15 to September 30, inclusive. The use of inboard and outboard motorboats is prohibited in these waters except for official purposes. No boat of any description shall be allowed to remain in these waters overnight without permission of the officer in charge. Fishing from dikes, dams, and water-control structures and the parking of automobiles and the building of fires on such dikes or dams are prohibited.

(b) All other waters of the refuge, including the Pinopolis Reservoir and the Santee Reservoir, under the control of the Fish and Wildlife Service, Department of the Interior, shall be open to commercial and noncommercial fishing as permitted by State law or regulation, except during the open season for hunting migratory waterfowl prescribed by the regulations promulgated pursuant to the authority contained in the Migratory Bird Treaty Act of July 3, 1918, as amended.

[Sept. 25, 1942, as amended July 3, 1943, and Apr. 29, 1946; 7 F. R. 8067, 8 F. R. 9850, 11 F. R. 4980]

§ 34.193 *State fishing laws.* Any person who fishes within any areas of the refuge open to fishing must comply with the applicable fishing laws and regulations of the State of South Carolina.

§ 34.194 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license and a permit issued by the State of South Carolina, if such license and permit are required. The license and permit shall serve as a Federal permit for fishing in the waters of the refuge and must be carried on the person of the permittee while so fishing. They must be exhibited upon the request of any State or Federal officer authorized to enforce the game and fish laws of South Carolina or of the United States and upon request of any such officer the permittee must also exhibit for inspection all fishes taken by him or in his possession.

§ 34.195 *Routes of travel.* Persons entering or crossing the refuge for the purpose of fishing as permitted by §§ 34.191 to 34.197 shall use only such routes of travel as shall be designated by suitable posting by the officer in charge of the refuge.

§ 34.196 *Forfeiture of privileges.* Failure of any person fishing on the refuge to comply with any of the provisions, conditions, restrictions, or requirements of §§ 34.191 to 34.197 or the violation by him of any of the provisions of State or Federal laws or regulations applicable to fishing on the refuge not only will render him liable to prosecution under the law but will also be sufficient cause for removing him from the refuge and for refusing him further fishing privileges in the waters of the refuge.

[July 3, 1943, 8 F. R. 9850]

§ 34.197 *State cooperation in the management of fishing.* State cooperation may be enlisted in the regulation, management, and operation of public fishing as herein or hereafter authorized, in which event the provisions of §§ 34.191 to 34.197 shall be incorporated in any cooperative agreement entered into by the Director of the Fish and Wildlife Service and the appropriate State official for such purposes.

SUBPART—SAVANNAH NATIONAL WILDLIFE REFUGE, GEORGIA AND SOUTH CAROLINA

FISHING

SOURCE: §§ 34.211 to 34.215 contained in Reg., Oct. 9, 1946, 11 F. R. 11773.

§ 34.211 *Fishing permitted.* Noncommercial fishing in accordance with the State laws of Georgia and South Carolina is permitted during the daylight hours on all waters within the Savannah National Wildlife Refuge, in accordance with the provisions of §§ 34.212 to 34.215 inclusive.

§ 34.212 *Entry upon refuge.* Entry on and use of this refuge for any purpose is governed by Parts 18 and 21 of this chapter, and strict compliance therewith is required.

§ 34.213 *State fishing laws.* Each fisherman must comply with the applicable State fishing laws and regulations, and must have on his person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations, which license shall serve as a Federal permit for fishing in the waters of the refuge.

§ 34.214 *Use of boats.* Persons may use boats (other than motorboats) for fishing in the waters of the refuge between April 1 and October 15 inclusive, and shall possess a permit issued by the officer in charge of the refuge for the use of such boats. Boats (other than motorboats), or floated craft used for fishing purposes may be placed on the waters of the refuge only at such points as may be designated by suitable posting. The use of motorboats, either inboard or outboard, is prohibited on all waters except for official purposes.

§ 34.215 *Temporary restrictions.* During periods of waterfowl concentrations, or other wildlife concentrations, fishing may be closed on such areas of the refuge as, in the judgment of the officer in charge, such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting.

SUBPART—WHEELER NATIONAL WILDLIFE REFUGE, ALABAMA

HUNTING

SOURCE: §§ 34.231 to 34.234 contained in Reg., Sept. 27, 1948, 13 F. R. 5813.

§ 34.231 *Hunting permitted.* Until further notice, squirrels, rabbits, quail, opossum, foxes, and raccoon may be taken on the lands of the Wheeler National Wildlife Refuge, Alabama, in accordance with the State laws and regulations and in accordance with the provisions of §§ 34.232 to 34.234, inclusive.

§ 34.232 *Entry.* Entry on and use of the refuge for any purpose is covered by the regulations in Parts 18 and 21 of this chapter, and strict compliance therewith is required. All hunters must comply with State hunting laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license or licenses may be required by such laws and regulations, which license shall serve as a Federal permit.

§ 34.233 *Dogs.* Each person hunting for quail on the public hunting ground will be permitted to take his dogs, not to exceed two in number, upon the refuge, but such dogs will not be permitted to run at large on the public shooting ground or elsewhere on the refuge. Each person hunting raccoons, opossum and/or foxes on the public hunting ground will be permitted to take his hunting dogs upon such areas, provided he shall first have secured a permit from the Refuge Manager specifying the number of dogs that will be used, the area in which hunting may be conducted, and the period during which such dogs shall be allowed on the refuge. Dogs used for raccoon, opossum and/or fox hunting on the refuge shall at all times be under the general control of their owner or handler and shall not be permitted to run at large on the public hunting ground or elsewhere on the refuge.

§ 34.234 *Cooperative administration.* The cooperation of the Alabama Conservation Department and of the Tennessee Valley Authority may be enlisted in the regulation, management, and operation of the public hunting areas, and each agency may promulgate such special regulations as may be necessary for such regulation, management, and operation. In the event such regulations are issued, compliance therewith shall be a requisite to lawful entry for the purpose of hunting.

SUBPART — WHITE RIVER NATIONAL WILDLIFE REFUGE, ARKANSAS

NONCOMMERCIAL FISHING

SOURCE: §§ 34.251 to 34.257 contained in Reg., Aug. 17, 1943, 8 F. R. 11757.

§ 34.251 *Noncommercial fishing permitted.* Noncommercial fishing is permitted in all the waters of the White

River National Wildlife Refuge, Arkansas, from May 16 to October 31, inclusive, of each year, in accordance with the provisions of Parts 18 and 21 of this chapter, and subject to the conditions, restrictions, and requirements of §§ 34.252 to 34.257, inclusive.

§ 34.252 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Arkansas. Fishing under this subpart shall be as defined by State law, except that the use of snag lines, picnic seines, and other similar contrivances is prohibited. Trot or set lines, under the direct supervision of the operator, may be used to take fish for individual, family, or picnic use but not for commercial purposes.

§ 34.253 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Arkansas Game and Fish Commission, if such license is required. This license shall serve as a Federal permit for fishing in the waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Arkansas Game and Fish Commission or of the Fish and Wildlife Service.

§ 34.254 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated from time to time by suitable posting by the officer in charge of the refuge.

§ 34.255 *Use of boats.* The use of boats, including motorboats, for the purpose of fishing in accordance with this subpart is permitted.

§ 34.256 *Camp sites and fires.* Camping on the refuge will be permitted at camp sites designated by the officer in charge, and the lighting of fires on any area of the refuge other than on such designated camp sites is prohibited.

§ 34.257 *Temporary restrictions.* During periods of waterfowl concentrations on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

COMMERCIAL FISHING

SOURCE: §§ 34.258 to 34.266 contained in Reg., Aug. 17, 1943, except as noted following section affected.

§ 34.258 *Commercial fishing permitted.* Commercial fishing is permitted in all the waters of the White River National Wildlife Refuge, Arkansas, in accordance with the provisions of Parts 18 and 21 of this chapter and subject to the conditions, restrictions, and requirements of §§ 34.259 to 34.266, inclusive.

§ 34.259 *Period of fishing.* Commercial fishing during the migratory-waterfowl hunting season is prohibited, except that the refuge manager may issue permits allowing commercial fishing during the migratory-waterfowl hunting season in sections of the refuge of 5,000 acres or more in area whenever such sections are inundated by flood waters to a depth of 5 feet or more; provided such fishing shall not interfere with or cause disturbance to waterfowl and wildlife concentrations in such sections.

§ 34.260 *State fishing laws.* Any person who fishes commercially within the refuge must comply with the applicable fishing laws and regulations of the State of Arkansas. Picnic seining is not permitted at any time, and the Director of the Fish and Wildlife Service may further restrict the type of gear that may be used for commercial fishing.

[Jan. 31, 1944, 9 F. R. 1538]

§ 34.261 *Fishing licenses and permits.* Any person who fishes commercially within the refuge shall be in possession of a valid commercial fishing license issued by the Arkansas Game and Fish Commission, if such license is required, and a permit issued by the officer in charge of the refuge. The permit shall specify the water or waters in which the permittee may fish and the period or periods during which such fishing may be performed. The officer in charge may limit the number of permits issued for any particular waters during such periods as, in his discretion, such action is necessary for the protection of the fishery resources of the refuge or to prevent disturbance to concentrations of waterfowl using such waters or areas. The license and permit must be carried on the person of the licensee while so fishing and must be exhibited upon the request of any representative of the Arkansas Game and Fish Commission or of the Fish and Wildlife Service.

§ 34.262 *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated from time to time by suitable posting by the officer in charge of the refuge.

§ 34.263 *Use of boats.* The use of boats, including motorboats, for the purpose of fishing in accordance with this subpart is permitted.

§ 34.264 *Reports.* Each person authorized to fish commercially within the refuge shall submit semiannual reports to the officer in charge thereof correctly stating the kinds of fish and the quantity of each taken.

§ 34.265 *Camp sites and fires.* Camping on the refuge will be permitted at camp sites designated by the officer in charge, and the lighting of fires on any area of the refuge other than on such designated camp sites is prohibited.

§ 34.266 *Temporary restrictions.* During periods of waterfowl concentrations on the refuge, commercial or other types of fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

PART 35—NORTHEASTERN REGION

Sec.

35.1 List of States.

SUBPART—BLACKWATER NATIONAL WILDLIFE REFUGE, MARYLAND

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SUBPART—MOOSEHORN NATIONAL WILDLIFE REFUGE, MAINE

FISHING

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AUTHORITY: §§ 35.1 to 35.36 issued under 43 Stat. 98, 45 Stat. 1224; 16 U. S. C. 715i, 18 U. S. C. 41. Reorganization Plan II, 1939, 3 F. R. 2731, 3 CFR, 1943 Cum. Supp., p. 1296.

§ 35.1 *List of States.* The Northeastern Region is comprised of the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia.

[Dec. 16, 1948, 13 F. R. 8221]

SUBPART—BLACKWATER NATIONAL WILDLIFE REFUGE, MARYLAND

TRAPPING

SOURCE: §§ 35.2 to 35.10 contained in Reg., Jan. 11, 1945, 10 F. R. 749.

§ 35.2 *Trapping permitted.* Until further notice muskrats and other fur animals may be taken on and in the lands and waters of the Blackwater National Wildlife Refuge, Maryland, under the general direction of the officer in charge of the refuge when, in manner, by means, and to the extent not prohibited by State law or regulations, and subject to the provisions, conditions, restrictions, and requirements of §§ 35.3 to 35.10, inclusive.

§ 35.3 *Disposition of fur animals.* All muskrats and other fur animals taken on the Blackwater National Wildlife Refuge in accordance with §§ 35.2 to 35.10 may be used by the Service for research purposes, or may be disposed of upon such terms and conditions as the Secretary of the Interior may determine to be for the best interests of the Government, or they may be sold by the Fish and Wildlife Service in the open market at the best prices obtainable; and any neces-

sary expenses incurred in the taking and disposition of said animals including the compensation to be paid all trappers, inspectors, assistant inspectors, fur handlers, and laborers, shall be paid from funds received from the sale or other disposition of said animal skins and carcasses.

§ 35.4 *Hiring of employees.* There shall be employed by the Fish and Wildlife Service for the purpose of taking muskrats and other fur animals within the limits of the Blackwater National Wildlife Refuge, (a) trappers who shall be paid on a fee basis for the pelt of each muskrat or other fur animal trapped, and (b) such inspectors, assistant inspectors, fur handlers, and laborers as may be necessary in the discretion of the Director of the Fish and Wildlife Service to supervise and inspect all trapping operations, and to skin, dry, stretch, pack, ship, and sell or otherwise dispose of all muskrat and other fur animal skins and carcasses. The amount of the fee to be paid trappers for each classification of pelt shall be determined by the Director; however, trappers shall furnish at their own expense traps and other equipment which in the determination of the Director are necessary for the proper performance of their duties. The compensation of inspectors, assistant inspectors, fur handlers, and laborers shall be fixed on an hourly, daily, monthly, or yearly basis at such rates as are determined under usual departmental procedure to be consistent with the duties and responsibilities of the respective positions. Such inspectors and assistant inspectors shall be deputized by departmental appointments to enforce the laws and regulations applicable to the refuge.

§ 35.5 *Designation of trapping areas.* The Director shall subdivide the refuge into such trapping units as he shall determine to open to muskrat and other fur animal trapping, and shall determine the maximum number of muskrats or other fur animals that may be taken within each unit and the period during which such trapping operations may be conducted as provided in §§ 35.2 to 35.10. The Director may in his discretion, if local conditions warrant, reduce the maximum number of animals that may be taken in any unit, or he may suspend trapping in any or all units of the refuge.

§ 35.6 *Assignment of trapping units.* Assignment of not more than one trapper to each approved trapping unit shall be made by the officer in charge, and if the trapper's work is satisfactory, he may be reemployed in the same unit from year to year, or assigned to a different unit.

§ 35.7 *Duties of trappers and other employees.* Upon the assignment of a unit to a trapper, it shall be his duty to trap muskrats and/or other fur animals only within his unit in accordance with instructions of the officer in charge covering the number of muskrats or other fur animals to be taken and the time and conditions under which such trapping shall be carried on. Each trapper must register with the assistant inspector in charge of his trapping unit each day before entering the refugee for the purpose of trapping, and on leaving the refuge, the trapper shall deliver to the assistant inspector all animals trapped by him and shall receive a receipt signed by both individuals that shall specify the number and classification of the muskrats or other fur animals so delivered. This receipt, after verification by the inspector or the officer in charge of the number and classification of animals delivered, shall be the basis of the preparation and certification of the pay rolls of the trappers. Assistant inspectors, under the supervision of the inspectors, shall be responsible for all trapping activities within the trapping units assigned to them for supervision. Under the direct supervision of the officer in charge, the inspectors shall be responsible for the coordination and general supervision of all trapping activities and for the supervision of the skinning, cleaning, stretching, drying, and preparing for market of all muskrat and other fur animal skins and carcasses.

§ 35.8 *Research.* The Fish and Wildlife Service shall gather and keep all necessary records and information concerning the number, sex, and other classifications and grades of pelts and carcasses of the muskrats and other fur animals taken within the refuge, the preparation of the hides and carcasses for marketing, and the sale prices, and shall compile such other information as may be required for the advancement of knowledge and the dissemination of information with respect to the management of fur resources.

§ 35.9 *State trapping laws.* Each person employed hereunder to trap muskrats or other fur animals on the refuge shall obtain at his own expense and be in possession of a valid trapping license issued by the State of Maryland, if such license is required. This license shall be carried on the person of the licensee while trapping within the refuge and must be exhibited upon the request of any representative of the State Game and Inland Fish Commission authorized to enforce the State game laws or of any representative of the Department of the Interior, engaged in the administration or enforcement of laws or regulations applicable to the refuge.

§ 35.10 *Entry to refuge.* Ingress to and egress from the refuge shall be at the points designated by suitable posting by the officer in charge.

COMMERCIAL FISHING

SOURCE: §§ 35.11 to 35.14 contained in Reg., Oct. 4, 1946, 11 F. R. 11509.

§ 35.11 *Commercial fishing permitted.* Commercial fishing in accordance with the State Laws of Maryland is permitted on all waters within the Blackwater National Wildlife Refuge in accordance with the provisions of §§ 35.12 to 35.14, inclusive.

§ 35.12 *Entry upon refuge.* Entry on and use of this refuge for any purpose is governed by Parts 18 and 21 of this chapter, and strict compliance therewith is required.

§ 35.13 *State fishing laws.* All fishermen must comply with all State fishing laws and regulations, and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations. In addition thereto each person fishing commercially on the refuge must possess a permit issued by the officer in charge prior to exercising the commercial fishing privileges permitted.

§ 35.14 *Temporary restrictions.* During periods of waterfowl concentrations or other wildlife concentrations, fishing may be closed on such areas of the refuge as, in the judgment of the officer in charge, such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting.

NONCOMMERCIAL FISHING

SOURCE: §§ 35.15 to 35.18 contained in Reg., Oct. 4, 1946, 11 F. R. 11509.

§ 35.15 *Noncommercial fishing permitted.* Noncommercial fishing in accordance with the State laws of Maryland is permitted during the daylight hours on all waters within the Blackwater National Wildlife Refuge in accordance with the provisions of §§ 35.16 to 35.18 inclusive.

§ 35.16 *Entry upon refuge.* Entry on and use of this refuge for any purpose is governed by Parts 18 and 21 of this chapter, and strict compliance therewith is required.

§ 35.17 *State fishing laws.* All fishermen must comply with all State fishing laws and regulations, and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations, which license shall serve as a Federal permit for fishing in the waters of the Refuge.

§ 35.18 *Temporary restrictions.* During periods of waterfowl concentrations or other wildlife concentrations, fishing may be closed on such areas of the refuge as, in the judgment of the officer in charge, such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting.

SUBPART—MOOSEHORN NATIONAL WILDLIFE REFUGE, MAINE

FISHING

SOURCE: §§ 35.31 to 35.36 contained in Reg., June 11, 1938, 3 F. R. 1401.

§ 35.31 *Fishing permitted.* In accordance with the provisions of Parts 18 and 21 of this chapter, until further notice fish may be taken for noncommercial purposes when and as permitted by the laws and regulations of the State of Maine from the waters of the Moosehorn National Wildlife Refuge as established by Executive Order 7650, dated July 1, 1937, subject to the conditions and restrictions of §§ 35.32 to 35.36 inclusive.

§ 35.32 *Waters open to fishing.* The following waters of the refuge are hereby designated as areas open to fishing and fishing will not be permitted in any other waters unless and until further ordered: Moosehorn Stream from Pennamaquan Crossing on the Charlotte

Road southerly to the south boundary of the refuge; Cranberry Brook from the dam southeasterly to Moosehorn Stream; Mahar Brook; Maguerrewock Stream; Little (Bearce's) Lake; James Pond; and Ledge Pond.

§ 35.33 *State fishing laws.* Every person who fishes in any of the aforesaid waters under the aforesaid conditions must comply with the applicable fishing laws and regulations of the State of Maine and in the absence of any State law or regulation in respect to fishing seasons and number and size of fish that may be taken, the Director of the Fish and Wildlife Service of the United States Department of the Interior, may fix such seasons and limits; and in the event he shall find that fishing in any of the aforesaid waters is unduly depleting any species of fishes therein, he may suspend the privilege of fishing in such waters pending final determination by the Secretary of the Interior.

§ 35.34 *Fishing permits.* No person is permitted to fish in the aforesaid waters until he has obtained a permit from the officer in charge, which permit shall be limited to the period specified therein, and such officer will not issue a permit until the applicant therefor exhibits to him a valid State fishing license issued to such applicant if such license is required by State law or regulation. The permit must be carried on the person of the permittee when exercising the privileges thereunder and must be exhibited upon request to any Federal or State officer authorized to enforce Federal and/or State fishing laws and regulations or laws and regulations applicable to the refuge; *Provided,* That fishing shall be done in such manner as will not interfere with the objects for which the refuge was established.

§ 35.35 *Firearms and fires.* The carrying or being in possession of firearms of any description or the lighting of fires for any purpose by permittees hereunder while on such refuge is not permitted. Special care must be observed by such permittees to prevent lighted matches, cigars, cigarettes or pipe ashes from being dropped in grass or other inflammable material.

§ 35.36 *Routes of travel.* Persons entering the refuge for the purpose of reaching waters thereof open to fishing shall follow such routes of travel as shall from time to time be designated by the officer in charge of the refuge and shall not enter upon any other portion of the refuge other than said open waters and areas immediately adjacent thereto.

PART 36—ALASKA REGION

Sec.
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AUTHORITY: §§ 36.1 to 36.27 issued under 43 Stat. 98, 45 Stat. 1224; 16 U. S. C. 715i, 18 U. S. C. 41; Reorg. Plan II, 1939, 3 F. R. 2731, 3 CFR, 1943 Cum. Supp., p. 1296.

§ 36.1 *Territory included.* The Alaska Region is comprised of the Territory of Alaska.

[Dec. 16, 1948, 13 F. R. 8221]

SUBPART—ALEUTIAN ISLANDS NATIONAL WILDLIFE REFUGE, ALASKA

SPECIAL PROVISIONS

SOURCE: §§ 36.2 to 36.10 contained in Reg., Oct. 5, 1948, 13 F. R. 5950.

§ 36.2 *Temporary use.* Any person may, without a permit, go upon any of the islands of the refuge (a) for temporary use for camp site purposes and for shelter in cases of emergency; (b) for recreational purposes including the taking of photographs, nature study, scientific study, and fishing; (c) and for any other temporary or transient uses not inconsistent with the purposes for which the refuge was established and not in conflict with the provisions of §§ 36.2 to 36.10, inclusive, or other applicable laws and regulations.

§ 36.3 *Economic uses.* The Regional Director may grant permits authorizing the use of lands or other special privileges within the refuge, when in his opinion the operations thereunder will not endanger the object for which the refuge was established, for such duration and under such conditions as he may determine to be commensurate with the value of the privilege granted, having due regard to prevailing market prices: *Provided,* That no permit issued by the Regional Director shall be considered as a waiver of any of the requirements of the Alaska Game Laws: *And provided further,* That any permit which authorizes grazing shall require that no sheep or other livestock shall be introduced within the refuge under such permit unless such stock is free of external parasites, including lice, scab mites, true ticks, and sheep ticks: *And provided further,* That no permit to engage in stock raising or fur farming will be granted to an alien individual or to a corporation or company more than 50 percent of which is owned directly or beneficially by an alien or aliens, and the acquisition by any alien or group of aliens of more than 50 percent of the beneficial interest in any permit, or the transfer of any stock or other evidence of ownership in a corporation or company holding a permit which results in the direct or beneficial ownership by an alien or aliens of more than 50 percent of the interest in such corporation or company, shall automatically cancel such permit subject to the right of the Federal Government to recover all fees due and to have all other outstanding obligations of the permittee performed, and subject to the right of the permittee to remove its property pursuant to the provisions of § 36.10.

§ 36.4 *Protection of animals and birds.* It shall be unlawful, without a duly issued permit, to (a) hunt, take, capture, kill, or wilfully disturb, at any time or in any manner, any wild animal or bird within the refuge; (b) utilize lands within the refuge for fur farming or stock grazing; (c) erect a building or permanent structure on Unimak Island; (d) own, possess, maintain, or harbor a dog on Unimak Island, or allow any dog owned, possessed, maintained, or harbored, to run loose within the refuge at a distance of more than one mile from the center of any village therein: *Provided, however,* That land fur-bearing animals may be trapped on Unimak Island, in accordance with the Alaska Game Law, without other permit.

§ 36.5 *Exemption.* No permit will be required of native residents within the refuge to take or capture game animals, game birds, or land fur-bearing animals in the refuge in accordance with the Alaska Game Law, except that such natives other than a permittee may not take such animals or birds on islands held by any person under valid permit for fur farming; and nothing herein shall be deemed to prevent a permittee who is raising sheep within the refuge from using dogs for herding, or a person who is legally on the refuge from using dogs as pack animals or for pulling sleds; but no person shall own, possess, maintain, or harbor a dog for any purpose on Unimak Island except under permit as provided in §§ 36.2 to 36.10, inclusive.

§ 36.6 *Applications for permits; fees.* Application for permits should be addressed to the Regional Director, Fish and Wildlife Service, Juneau, Alaska, and should contain the name (legibly written or printed), the post-office address, and the citizenship of the applicant, together with references as to his character, reliability, and resources; and if applicant is a corporation or company, the home address and the place and date of incorporation or organization, together with the names and addresses of its principal officers, and a sworn statement by a responsible officer of the percentage of alien ownership; and

If wild animals or birds are to be taken, the number of each species desired and whether for scientific, propagation, exhibition, or other purposes; or,

If it is desired to possess or maintain a dog or dogs, on Unimak Island, the number, sex, name, and distinguishing characters or marks, if any, of each and the use to be made of such animal or animals; or

If it is desired to construct a building, shed, or other structure, on Unimak Island, information regarding the nature of the operations to be conducted; or,

If it is desired to use or occupy any island or part thereof within the refuge for fur farming or livestock grazing, the

name of the island, its location by approximate latitude and longitude, a description of its character, whether there are any native or aboriginal improvements on the island or part thereof applied for and, if so, to whom they belong and when last used; and the applicant should include also any information he has concerning the suitability of the island, or part thereof, for the purpose intended, stating his source of information and whether he has personally examined it, and should state the number of animals he proposes to place thereon and the date he expects or is prepared to begin operations; and,

Any other details or information necessary to give a clear understanding of the privileges the applicant desires to obtain.

For each permit to use an island in the refuge for fur-farming purposes, a fee of $25 per annum is prescribed, and within the discretion of the regional director, fees commensurate with the value of the concession will be charged for stock grazing on any island in the refuge, or for trapping, use, or occupancy of areas on Unimak Island.

§ 36.7 *Remittance of fees.* Any fees accruing to the Department by virtue of uses under §§ 36.2 to 36.10, inclusive, or from outstanding permits under previous regulations affecting the refuge shall be remitted to the Regional Director, Juneau, Alaska, by postal money order or bank draft made payable to the Treasurer of the United States. Remittance hereunder in form other than by postal money order or bank draft may be accepted by the said regional director at his discretion and upon his own responsibility, except that remittance in cash must not be accepted unless no other form of remittance is practicable.

§ 36.8 *Transfer of permits.* No permit issued under the authority of the Department of the Interior or of §§ 36.2 to 36.10, inclusive, for any area, use, purpose, or privilege in or concerning the refuge, or any island, or part thereof, shall be sold, bartered, or exchanged, or transferred by the permittee to another, and no agreement to do so shall be entered into by the permittee, without first furnishing the said Regional Director with the full details of any such proposed transaction and obtaining his consent thereto, and no such arrangement shall become effective until the old permit has been surrendered for cancellation and a new permit subject to such conditions as he shall prescribe has been issued.

Nothing in §§ 36.2 to 36.10, inclusive, and no permit issued thereunder shall be construed to forbid or interfere with official operations within the refuge or on any island covered by a permit hereunder by employees or agents of the Fish and Wildlife Service, the Department of the Interior, or any other department, bureau, or agency of the Federal Government, or of the Territory of Alaska, and no charge, rental, fee, or compensation for such governmental activities or claim for damages shall lie or be made, or allowed any permittee thereunder, for or on account of such governmental use or activity.

§ 36.9 *Cancellation of permits.* Any permit issued or reissued under §§ 36.2 to 36.10, inclusive, is subject at all times to discretionary revocation and termination by the Director of the Fish and Wildlife Service. The Regional Director may, by written notice to the permittee, mailed to the address as shown on his application, cancel any outstanding permit issued by or under authority of the Department of the Interior for any use or privilege concerning the refuge, (a) upon the request of or under mutual agreement with, the permittee; (b) for failure of the permittee to report as required by the permit, failure to stock an island under fur-farming permit with the number of foxes or other animals as required by or within the terms of the permit, or for violation of any other term or condition of the permit; (c) for abandonment of the area, purpose, use, or privilege covered by such permit; (d) for the molesting of native burial grounds or improvements, or for interfering with natives cultivating accustomed lands; (e) for violating any law or regulation applicable to the refuge including the Alaska Game Laws; or (f) for any other good and sufficient reason in the public interest. Immediately upon cancellation, all rights of the permittee shall cease, and upon appeal shall remain in suspension pending final determination upon the appeal.

Any person aggrieved at any administrative action taken on the above authority may file with the Regional Director a written request for reconsideration thereof, and may file an appeal to an adverse decision thereon with the Director, Fish and Wildlife Service, Washington, D. C., whose decision in the matter may be reviewed by the Secretary of the Interior. However, the decision on reconsideration by the Regional Director shall be final unless an appeal therefrom is taken within 60 days of the date of such decision. In cases where delay would be prejudicial and upon a proper showing of such fact a direct appeal from any such administrative action may be made to the Director, Fish and Wildlife Service, but in such event a copy of the appeal and accompanying documents must be concurrently furnished the Regional Director.

Unless the appeal contains an acceptable reason for allowing a longer time for the preparation of the case, the appellant shall file immediately a statement or brief setting forth in detail the particulars in which the action or decision from which appeal is taken is contrary to, or in conflict with, the law or the regulations of the Secretary of the Interior, or the Director, Fish and Wildlife Service. Upon receipt of a copy of such statement or brief from the complainant, the Regional Director shall prepare a statement or brief reviewing the case and presenting the findings of fact and conclusions upon which his action or decision was based. This statement or brief shall then be transmitted to the Director, Fish and Wildlife Service, Washington, D. C., who will thereupon review the case and advise both the appellant and the subordinate officer of the decision.

§ 36.10 *Removal of property.* Upon the termination of any permit affecting the refuge by expiration or by forfeiture or cancellation thereof, pursuant to § 36.9, in the absence of an agreement to the contrary, if all fees due the Federal Government have been paid, the permittee may, within 90 days, following such termination, remove all property, including foxes or fur-bearing animals, belonging to him, together with any buildings or improvements of any kind that may have been erected by him: *Provided,* That the Regional Director may, in his discretion, allow additional time necessary to complete any removal operation, but if not removed within 90 days or within the additional period specified by the Regional Director, such animals, buildings, and/or improvements shall become the property of the United States.

SUBPART—NUNIVAK NATIONAL WILDLIFE REFUGE, ALASKA

SPECIAL PROVISIONS

SOURCE: §§ 36.21 to 36.27 contained in Biological Survey Publication 1285, Department of Agriculture, May 12, 1933.

§ 36.21 *Entry upon and occupancy of the refuge.* (a) *General.* Entry upon, or occupancy or use of, any part of the refuge for any purpose, except in accordance with §§ 36.21 to 36.27 is prohibited.

Pursuant to the exception contained in the Executive order establishing the refuge, nothing in §§ 36.21 to 36.27 is intended to restrict entry upon or occupancy of the refuge by official representatives of the Department of the Army, Navy, or Commerce for military, naval, or lighthouse purposes, respectively, or the Department of the Interior for educational purposes.

(b) *Residents (5 years).* (1) Permanent residents who have resided within the limits of the refuge continuously for 5 years immediately preceding the effective date of §§ 36.21 to 36.27, for the purpose of making their permanent homes therein, may, without permit,

(i) Take game animals, game birds, and fur-bearing animals, so far as permitted by, and in conformity with the Alaska Game Law of January 13, 1925 (43 Stat. 739; 48 U. S. C. 192–211), as amended, and the regulations prescribed thereunder;

(ii) Own, erect additions to, and maintain residences or other lawful structures erected and occupied or used prior to the effective date of §§ 36.21 to 36.27.

(2) And such residents may, with a permit issued as hereinafter provided for, occupy land within the refuge (i) for raising fur-bearing animals in pens; (ii) for grazing stock that was on the refuge on the effective date of §§ 36.21 to 36.27, or the natural increase of such stock; and (iii) for raising not to exceed 5 head of any kind of stock brought into the refuge for breeding purposes; but shall not introduce sheep or other livestock into the refuge unless it is free of external parasites, including lice, scab mites, true ticks, and sheep ticks (Melophagus ovinus) and then only under appropriate permit; *Provided, however,* That nothing in §§ 36.21 to 36.27 shall be construed to interfere with experiments of the Service with reindeer and caribou

or with such other animals as it may hereafter introduce for experimental purposes.

(c) *Residents (less than 5 years).* Permanent residents who have resided within the limits of the refuge for less than 5 years immediately preceding the effective date of this section, may, under permit issued as hereinafter provided for,

(1) Take game animals, game birds, and fur-bearing animals, so far as permitted by, and in conformity with, the Alaska Game Law of January 13, 1925, as amended, and the regulations prescribed thereunder;

(2) Own, erect additions to, and maintain residences and other lawful structures erected and occupied or used prior to the effective date of §§ 36.21 to 36.27;

(3) Own, erect, and maintain residences or other lawful structures after the effective date of §§ 36.21 to 36.27;

(4) Own, possess, or harbor dogs.

(d) *Nonresidents.* A person who has not resided within the limits of the refuge prior to the effective date of §§ 36.21 to 36.27 may, under permit issued as hereinafter provided for, take game animals, game birds and furbearing animals, so far as permitted by, and in conformity with the Alaska Game Law of January 13, 1925, as amended, and the regulations prescribed thereunder; but no such permit will be issued if such taking will interfere with the interests and welfare of the native residents. And such nonresidents may, with like permit own, posses, or harbor dogs.

(1) Own, erect or maintain residences or other lawful structures after the effective date of §§ 36.21 to 36.27.

(2) Own, possess, or harbor dogs.

(e) *Aliens.* No permit will be granted to an alien, or to a corporation or company more than 50 percent of whose stock or capital is owned by an alien or aliens, to engage in stock raising or the keeping or breeding of fur-bearing animals.

CROSS REFERENCE: For regulations prescribed under the Alaska Game Law of January 13, 1925, as amended, see Parts 46 and 161–163 of this title.

§ 36.22 *Permits.* Revocable permits, required by §§ 36.21 to 36.27, will be granted by the Administrative Officer, Fish and Wildlife Service, Juneau, Alaska, when he shall find that the enjoyment of the privileges sought will not interfere with the objects for which the refuge was established, or with the safety and welfare of the native residents on the refuge; and such privileges shall be exercised for such length of time and under such limitations and conditions as may be expressed in the permits.

§ 36.23 *Application for permits.* Application for permits should be addressed to the Administrative Officer, Fish and Wildlife Service, Juneau, Alaska, and must give the name (legibly written or printed), the post-office address, the citizenship of the applicant, and the length and dates of residence within the refuge or elsewhere, and must contain references as to applicant's character, reliability, and resources; and if applicant is a corporation or company, the application must give the home address and the place and date of incorporation or organization, together with the names and addresses of the principal officers of the corporation or company, and a sworn statement by a responsible officer showing the percentage of alien ownership; and

If wild animals or birds are to be taken, a statement of the number of each species desired and whether for scientific, propagation, exhibition, or other purposes; or,

If it is desired to possess or maintain a dog or dogs within the refuge, the number, and the sex, name, and distinguishing characters or marks, if any, of each, and the purposes for which possession within the refuge is desired; or,

If it is desired to construct a building, or other structure, information regarding the nature of the operations to be conducted therein or in conjunction therewith; or,

If it is desired to use or occupy any portion of the refuge for the keeping of fur-bearing animals in pens, or the grazing of livestock, the location of such area by approximate latitude and longitude, a description of the character thereof, whether there are any native or aboriginal improvements thereon, and if so, to whom they belong and when last used, and any information the applicant has concerning its suitability for the purpose intended, stating his source of information regarding it and whether he has personally examined it, together with the number of animals he proposes to maintain in pens or place thereon, and the date he expects, or is prepared, to begin operations; and

If it is desired to bring into the refuge animals for breeding purposes, the number, and the kind, and sex of each; whether registered or pure bred; source from which obtained; whether and when inspected for disease, lice, mites, and other parasites; and, if males, whether they will be available for breeding service to stock owners on the refuge; and

Any other details or information necessary to give a clear understanding of the privileges the applicant desires to obtain.

§ 36.24 *Fees.* Such fees as may be commensurate with the value of the privilege may be fixed and exacted by the Administrative Officer, Fish and Wildlife Service, Juneau, Alaska, for permits to occupy and use land within the refuge, such fees, when collected to be accounted for and deposited by such officer in accordance with the fiscal laws and regulations applicable to the accounting for and deposit of public moneys.

§ 36.25 *Transfer of permits.* No permit issued under authority of §§ 36.21 to 36.27 shall be sold, bartered, exchanged, or transferred by the permittee to any other person, and no agreement for such shall be made by such permittee, without the previous approval of the Administrative Officer, Fish and Wildlife Service, Juneau, Alaska, granted after the permittee shall have submitted to him full details of any proposed sale, barter, exchange or transfer of such permit. In the event of such approval of such transfer of permit, the permittee shall surrender the former permit for cancellation and the issuance of a new permit in accordance with §§ 36.21 to 36.27 to the person to whom it is being sold, exchanged, or transferred.

§ 36.26 *Cancellation of permits.* All permits issued under authority of §§ 36.21 to 36.27 are subject at any time to discretionary revocation or termination by the Secretary.

The Administrative Officer, Fish and Wildlife Service, Juneau, Alaska, may revoke or cancel any outstanding permit issued under the authority of §§ 36.21 to 36.27 for any use or privilege concerning the reservation upon the request of, or under mutual agreement with, the permittee; for failure of the permittee to report as required by the permit; for failure of the permittee to place a specified number of foxes in pens or to stock the area under permit with the number of other animals as required by, and within the terms of, the permit; for abandonment of the area, purpose, use, or privilege covered by such permit; or for the molesting by the permittee of native burying grounds or improvements or interfering with natives cultivating accustomed lands; and the ex officio Commissioner for Alaska designated by the Secretary pursuant to the provisions of the act of February 27, 1927 (44 Stat. 1068; 5 U. S. C. 119), may cancel any outstanding permit relating to said refuge for any other good and sufficient reason.

An appeal may be taken from any administrative action or decision of said administrative officer or said ex-officio commissioner upon filing with the officer who rendered the decision a written request for reconsideration thereof, or a notice of appeal. Decisions of said administrative officer, or ex officio commissioner, shall be final unless appeal is taken therefrom within a reasonable time. Decisions of said administrative officer appealed from shall be reviewed by the Director, and decisions of ex officio commissioner by the Secretary. In cases where delay would be prejudicial, the Secretary will consider a direct appeal from any action of the administrative officer.

Unless the written notice of appeal contains an acceptable reason for allowing a longer time for the preparation of the case, the appellant shall file immediately a statement or brief setting forth in detail the respects in which the action or decision from which appeal in taken is contrary to or in conflict with the law, the regulations of the Secretary, or the determined facts. Upon receipt of such statement or brief the officer from whose action or decision the appeal is made shall prepare a statement or brief reviewing the case and presenting the facts and considerations upon which his action or decision is based. The two statements or briefs, together with all papers comprising the record in the case, shall then be transmitted to the officer to whom the appeal is made, who will thereupon review the case and advise both the appellant and the subordinate officer of his decision.

§ 36.27 *Removal of property.* Upon the termination of any permit affecting the refuge by expiration, by forfeiture, or by cancellation pursuant to regulation thereof, in the absence of an agreement

to the contrary, if all fees due the Government have been paid, the permittee may, within a reasonable period, to be determined by the Administrative Officer, Fish and Wildlife Service, Juneau, Alaska, remove all property or make such disposition thereof as is satisfactory to said officer, including fur-bearing animals belonging to him, together with any buildings or improvements of any kind that may have been erected by; but if not removed or satisfactorily disposed of within the period of time specified by said administrative officer, such animals, buildings, or improvements shall become the property of the United States.

Subchapter D—Federal Aid to States in Wildlife Restoration

PART 41—RESTORATION OF GAME BIRDS AND MAMMALS

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AUTHORITY §§ 41.1 to 41.61 issued under 50 Stat. 917; 16 U. S. C. 669–669j and Reorg. Plan II, 53 Stat. 1433; 5 U. S. C. 133t, note.

SOURCE: §§ 41.1 to 41.61 contained in Reg., Nov. 7, 1940, 5 F. R. 4612, except as noted following section affected.

DEFINITIONS

§ 41.1 *Meaning of terms.* For the purposes of the regulations in this part, the terms shall be construed, respectively, to have the meanings specified in §§ 41.2 to 41.6 inclusive.

§ 41.2 *Act.* The Act of Congress approved September 2, 1937, entitled, "An Act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes" (50 Stat. 917; 16 U. S. C. 669–669j), commonly referred to as the Pittman-Robertson Act.

§ 41.3 *Authorized representatives of the Secretary.* The Director of the Fish and Wildlife Service of the Department of the Interior, or such other officials and employees of said Service as may be designated by the Director from time to time.

§ 41.4 *State fish and game department.* Any department or division of department of another name, or commission, or official or officials, of a State empowered under its laws to exercise the functions ordinarily exercised by a State fish and game department.

§ 41.5 *Wildlife restoration project, hereinafter referred to as "project."* Acquisition of areas of land or water or estates or interests therein, for feeding, resting, or breeding places for wildlife; restoration, rehabilitation, and improvement by construction of necessary works or otherwise of land and water areas for the benefit of wildlife; conduct of research into problems of wildlife management, maintenance of completed projects, and the coordination of projects necessary to efficient administration affecting wildlife resources.

[Aug. 23, 1946, 11 F. R. 9639]

§ 41.6 *Ten-percent fund.* Items for engineering, inspection, and unforeseen contingencies not exceeding 10 percent of the total estimated cost of any works to be constructed under this act.

INFORMATION REQUIRED

§ 41.11 *General information for the Secretary.* Before any agreement is made covering any project to be undertaken in a State, there shall be furnished to the Secretary upon his request, by or on behalf of the State, information regarding the laws affecting wildlife conservation and the authority of the State and of local officials in reference to the establishment and maintenance of wildlife projects; the existing provisions of the State constitution or laws relative to revenues for the protection and restoration of wildlife; the funds that will be available to meet the State's share of the cost of work to be performed and the general source of such funds; and provisions made or to be made for maintaining wildlife-restoration projects upon which Federal aid funds will be expended.

§ 41.12 *Hunting license information.* Certified information as to the number of paid hunting license holders of the State in the preceding fiscal year ending June 30 shall be furnished the Secretary or his authorized representatives by the fish and game department of each State on or before December 31 of each year.

§ 41.13 *Notice of desire to participate.* Any State fish and game department desiring to avail itself of the benefits of the act shall notify the Secretary to this effect within 60 days after it has received from the Secretary certificate of apportionment of funds available under the act to the States.

§ 41.14 *Information from State fish and game departments.* The Secretary or his authorized representatives may from time to time request and the State fish and game department shall furnish information relative to the administration and maintenance of the wildlife restoration projects established under the act.

PROJECT INITIATION DOCUMENTS

§ 41.21 *Project statement.* A project statement shall be submitted for each project to be undertaken, which shall contain such fundamental information as the Secretary may require and which will be specified in form furnished by him, in order that he may determine project suitability for wildlife restoration purposes.

§ 41.22 *Surveys, plans, specifications, and estimates; form and arrangement.* The surveys, plans, specifications, and estimates shall show in convenient form and detail the work to be performed and its probable cost, in conformity with the standards governing form and arrangement prescribed by the Secretary and furnished to the States.

§ 41.23 *Project agreements.* A project agreement between the State fish and game department and the Secretary shall be executed for each project approved by the Secretary.

PARTICIPATION BY OTHER STATE AGENCIES

§ 41.31 *Participation by State subdivisions.* When any part of the cost of a project is to be furnished by a county or any other subdivision of a State, the surveys, plans, specifications, and estimates shall be accompanied by a certified copy of each resolution or order, if any, of the appropriate local officials, or by such other showing as the Secretary may require respecting the funds that are made available, indicating the control of the money provided for paying such costs, and clearly defining whether the State, county, or other local subdivision will own the lands and/or improvements; and stating which agency will be responsible for administration and maintenance after completion of the project.

REQUIREMENTS FOR PAYMENTS

§ 41.36 *Secretary's approval.* No payment of any money apportioned under the act, including such preliminary or incidental costs and expenses as may be incurred in and about such projects, shall be made on any project unless the statement of the project and the plans, specifications, and estimates thereof have been submitted to and approved by the Secretary.

§ 41.37 *Economy and efficiency.* No part of the Federal funds set aside on account of any project shall be paid until it has been shown to the satisfaction of the Secretary or his authorized representatives that appropriate and adequate means, either by advertisement or otherwise, were employed to insure economy and efficiency in the expenditure of such money.

§ 41.38 *Lowest responsible bid.* If a contract be awarded to any other than the lowest responsible bidder, the Federal Government shall not pay more than its pro rata share of the lowest responsible bid, unless it is satisfactorily shown that it was advantageous to the work to accept the higher bid.

§ 41.39 *Contracts; competitive bids.* All contracts, except for the purchase and leasing of lands, shall be based upon free and open competitive bids.

§ 41.40 *Copy of contract; alteration or modification.* Upon request, a copy of each contract as executed shall be promptly certified by the State fish and game department and furnished to the Secretary, and no alteration or modification that changes the character or extent of the work from that indicated in the plans, specifications, and estimates as approved by the Secretary, or that increases the amounts to be paid from the lowest competitive bid, shall be subsequently made without the approval of the Secretary or his authorized representatives.

§ 41.41 *Form of voucher.* Vouchers in the form provided by the Secretary and certified as therein prescribed, showing amounts expended on any project and the amount claimed to be due from the Federal Government on account thereof, shall be submitted by the State fish and game department to the Fish and Wildlife Service, either after completion of the project, or, if the Secretary has determined to make payments as the work progresses, at intervals of not less than 1 month.

STATES' RESPONSIBILITIES

§ 41.46 *Prosecution; promptness.* The State fish and game department shall carry all approved projects through with reasonable promptness.

§ 41.47 *Inspection.* The supervision of each project by the State fish and game department shall include adequate and continuous inspection throughout.

§ 41.48 *Notice of commencement and completion.* Written notice of commencement and completion of work on any project shall be given promptly by the State fish and game department to the Fish and Wildlife Service.

§ 41.49 *Progress reports.* Progress reports, showing force employed and work done, shall be furnished as requested by the Secretary or his authorized representatives.

§ 41.50 *Samples of materials to be submitted.* Suitable samples of materials to be used in construction work shall be submitted by or on behalf of the State fish and game department to the Fish and Wildlife Service whenever requested, to be tested for suitability and conformity with standard specifications.

§ 41.51 *Records and cost accounting.* Such records of the cost of lands acquired, improvements made thereon, construction work, overhead costs, and of maintenance done by or on behalf of the State shall be kept separately for each project by or under the direction of the State fish and game department, which shall report the amount and nature of the expenditure for these purposes, upon the request of the Secretary of his authorized representatives.

§ 41.52 *Inspection of accounts and records.* The accounts and records, together with all supporting documents, shall be open at all times to the inspection of the Secretary or his authorized representatives, and copies thereof shall be furnished when requested.

§ 41.53 *Submission.* Papers and documents required by the act or by the regulations in this part to be submitted to the Secretary may be delivered to the Director of the Fish and Wildlife Service or his authorized representatives, and from the date of such delivery shall be deemed submitted.

§ 41.54 *Personnel; maintenance.* The State fish and game department shall maintain an adequate and competent force of employees to initiate and carry projects through to satisfactory completion.

§ 41.55 *Personnel selection.* Personnel employed by the States from funds apportioned under the act shall be selected on the basis of competency for services to be performed and shall conduct their duties in a manner acceptable to the Secretary.

DELEGATION OF AUTHORITY

§ 41.61 *Delegation of authority.* The Director of the Fish and Wildlife Service and such responsible subordinates as he may designate with the approval of the Secretary are hereby directed to act for the Secretary and to execute, approve, and/or accept in his behalf, preliminary project statements; plans, specifications, and estimates; project agreements; certificates of approval of plans, specifications, and estimates; and all other documents that may be necessary or required in the administration of the regulations in this part, when the projects meet the standards which the Secretary may from time to time establish.

Subchapter E—Alaska Wildlife Protection

PART 46—TAKING OF ANIMALS, BIRDS, AND GAME FISHES

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AUTHORITY: §§ 46.1 to 46.208 issued under 57 Stat. 306; 48 U. S. C., Sup., 198.

DEFINITIONS

SOURCE: §§ 46.1 to 46.18 contained in Reg., May 15, 1944, effective July 1, 1944, 9 F. R. 5270, except as noted following sections affected.

§ 46.1 *Meaning of terms.* For the purpose of the regulations in this subchapter the following shall be construed, respectively, to mean:

§ 46.2 *Commission.* The Alaska Game Commission.

§ 46.3 *Territory.* Territory of Alaska.

§ 46.4 *Indians.* Natives of one-half or more Indian blood.

§ 46.5 *Eskimos.* Natives of one-half or more Eskimo blood.

§ 46.6 *Take.* Taking, pursuing, disturbing, hunting, capturing, trapping, or killing game animals, fur animals, game or nongame birds, or game fishes; attempting to take, pursue, disturb, hunt, capture, trap, or kill such animals, birds, or game fishes, or setting or using a net, trap, or other device for taking them, or collecting the nests or eggs of such birds, unless the context otherwise requires. Whenever the taking of animals, birds, or nests or eggs of birds, or game fishes is permitted, reference is had to taking by lawful means and in lawful manner.

§ 46.7 *Open season.* The time during which animals, birds, or game fishes may lawfully be taken. Each period of time prescribed as an open season shall include the first and last days thereof. Whenever the word year is used in the regulations in this part it shall mean the year from July 1 to June 30 of the following year.

[May 10, 1947, effective July 1, 1947, 12 F. R. 3629]

§ 46.8 *Closed season.* The time during which animals, birds, or game fishes may not be taken.

§ 46.9 *Transport.* Shipping, transporting, carrying, importing, exporting, or receiving or delivering for shipment, transportation, carriage, or export, unless the context otherwise requires.

§ 46.10 *Game animals.* Deer, moose, caribou, elk, mountain sheep, mountain goat, bison, muskox, and the large brown, grizzly, and black bears, and hare or rabbit.

[May 15, 1944, as amended May 3, 1945, effective July 1, 1945; 9 F. R. 5270, 10 F. R. 5119]

§ 46.11 *Fur animals.* Beaver, muskrat, marmot, racoon, pika, squirrel, fisher, fox, lynx, marten or sable, mink, weasel or ermine, sea otter, land otter, wolverine, coyote, wolf, and polar bear.

[May 15, 1944, as amended May 3, 1945, effective July 1, 1945; 9 F. R. 5270, 10 F. R. 5119]

§ 46.12 *Game birds.* Anatidae, commonly know as waterfowl, including ducks, geese, brant, and swans; Haematopodidae, Charadriidae, Scolopacidae and Phalaropodidae, commonly known as shorebirds, including oyster-catchers, plover, sandpipers, snipe, curlew, and phalaropes; Gruidae, commonly known as cranes; and the several species of grouse and ptarmigan, and such other birds as have been or may hereafter be transplanted, introduced, or reintroduced into the Territory, or any part thereof, and found and declared by the Secretary to be game birds.

§ 46.13 *Nongame birds.* All wild birds except game birds.

§ 46.14 *Game fishes.* Rainbow, steelhead, cutthroat, Mackinaw or lake trout, eastern brook, and Dolly Varden trout, and grayling, and such other fishes as the Secretary may declare, from time to time, to be game fishes.

[May 20, 1946, effective July 1, 1946, 11 F. R. 5787]

§ 46.15 *Resident.* A citizen or national of the United States who has resided in the Territory for a continuous period of twelve months immediately preceding his claim for resident hunting, trapping, fishing or other privileges under this part, or a person not a citizen or a national of the United States who has in good faith declared his intention to become a citizen of the United States, whose declaration of intention is in good standing, and who has resided in the Territory for a like period.

NOTE: Period of residence as prerequisite to obtaining trapping license has been fixed at three years in accordance with provisions of section 3 of the Alaska Game Law.

§ 46.16 *Nonresident.* A citizen or national of the United States who has not resided in the Territory for a continuous period of twelve months, or for the extended period of three years in the case of resident trapping licenses, immediately preceding his claim for hunting, trapping or other privileges under the Alaska Game Law.

NOTE: Period of residence as prerequisite to obtaining trapping license has been fixed at three years in accordance with provisions of section 3 of the Alaska Game Law.

§ 46.17 *Alien.* Any person not a citizen or a national of the United States and who is not a resident or a nonresident of the Territory, as defined herein.

§ 46.18 *Fur districts.* The eight geographical divisions of Alaska described as follows:

Fur District 1. All of the southeastern Alaska from Dixon Entrance to Cape Fairweather and along longitude 138° to the international boundary.

Fur District 2. That part of southern Alaska draining to the Gulf of Alaska and Cook Inlet, beginning with the western boundary line of Fur District 1 and following longitude 138° from Cape Fairweather to the international boundary and along this boundary to Mount St. Elias; thence following the summit of the Chugach Range to the head of Miles Glacier; thence down the center line of said glacier to the center of the C. R. & N. W. Railway bridge across the Copper River at mile 49; thence up the center line of Childs Glacier to its summit; thence along the divide through Marshall Pass and Thompson Pass; thence along the divide to Tahneta Pass; thence along the divide separating the water of the Matanuska River from the Melchina River and the Talkeetna River from the Oshetna River; thence along the divide separating the waters of the Oshetna River from Kosina Creek to and across the Susitna River at a point 4 miles northwest of the mouth of Goose Creek; thence along the divide separating the waters flowing northwest into the Susitna River from those flowing southerly into the Susitna River; thence following said divide separating the waters flowing north into the Nenana River from those flowing southerly into the Susitna and Chulitna Rivers and across Broad Pass and the Alaska Railroad at mile 308; thence along the divide separating the waters flowing south into the Chulitna River from those flowing north into Cantwell Creek and the Nenana River to the summit of the Alaska Range; thence along said summit through Rainy Pass to Merrill Pass; thence along the summit of the Chigmit Mountains, separating the waters flowing easterly into Cook Inlet from those flowing westerly into the Kuskokwim River and Bristol Bay, to its intersection with the old portage from Kamishak Bay to Kakhonak Bay on Iliamna Lake; thence along said portage to Kamishak Bay.

Fur District 3. Consisting of the Aleutian Islands, Unimak Island, Amak Island, all the islands lying south of the Alaska Peninsula, the Kodiak-Afognak Islands group, the Barren Islands, Augustine Island, and the Alaska Peninsula from False Pass to the mouth of Reindeer Creek, thence following said creek and a line to the center of Aniakchak Crater, and including that part of said peninsula consisting of the drainage to the Pacific Ocean south of a line following the divide from the center of Aniakchak Crater to the old portage from Kamishak Bay to Kakhonak Bay; thence along said portage on the boundary of Fur District 2 to Kamishak Bay.

Fur District 4. All the drainage to Bristol Bay, bounded on the south by the northern boundary of Fur District 3, on the east by the western boundary of Fur District 2, and on the north by a line beginning at Cape Newenham and extending along the summit of the divide separating the waters flowing northerly into Kuskokwim Bay and Kuskokwim River from those flowing southerly into Bristol Bay, to its intersection with the west-

ern boundary of Fur District 2 at a point approximately 22 miles south of Merrill Pass.

Fur District 5. That part of western Alaska draining to Kuskokwim Bay, Bering Sea, Norton Sound, and Kotzebue Sound, bounded on the east by a line beginning at Cape Newenham and extending along the divide separating the waters flowing into Kuskokwim Bay and Kuskokwim River from those flowing into Bristol Bay and the Tikchik Lakes; thence along the divide separating the waters flowing into Tulasak River and Whitefish Lake from those flowing into the Aniak River and Swift Creek; thence to a point on the Kuskokwim River opposite the mouth of the first stream on the north bank above Ohagamut; thence across the Kuskokwim River and following the center of said first north-bank stream above Ohagamut to its head; thence along the divide separating the waters of Paimute Portage flowing into Big Lake from those flowing into the Yukon River; thence to a point on the Yukon River 15 miles below Paimut Village; thence following down the south bank of the Yukon River to a point 5 miles below Dogfish Village; thence across the Yukon River to Mount Chiniklik; thence along the divide separating the waters flowing into the Stuyahok River from those flowing into the Kuyukutuk River; thence continuing along said divide separating the waters flowing easterly into the Yukon River from those flowing westerly into Norton Sound; thence continuing along said divide separating the waters flowing into the Koyukuk River from those flowing into Kotzebue Sound to the summit of the divide separating those flowing into the Colville River from those flowing into the Noatak River; thence westerly along the divide separating the waters flowing north into the Arctic Ocean from those flowing south into the Noatak and Kukpuk Rivers to the Coast of Cape Lisburne.

Fur District 6. All the watershed of the Tanana River, the upper Copper River, part of the lower Yukon River, and the upper Kuskokwim River, bounded on the east by the international boundary, on the south by the northern boundaries of Fur Districts 2 and 4, on the west by the eastern boundary of Fur District 5, and on the north by a line beginning at international Boundary Monument No. 146 and following the divide separating the waters of the north fork of the Ladue River from those of the Ladue River; thence along the divide separating the waters flowing northerly into the Yukon River from those flowing southerly into the Tanana River, through Far Mountain, Twelve Mile Summit, and Wickersham Dome; thence along the divide separating the waters flowing easterly into Beaver Creek from those flowing westerly into Hess Creek; thence along the divide separating the waters flowing southwesterly into Hess Creek from those flowing northerly into the Yukon River; thence along the divide separating the waters flowing southerly into Waldron Creek from those flowing northerly into the Yukon River, to the site of old Fort Hamlin; thence across the Yukon River to the divide separating the waters flowing northerly into the Dall River from those flowing southerly into the Ray River; thence along the divide separating the waters flowing northerly into the Kanuti River from those flowing southerly into the Yukon River; thence along the divide separating the waters flowing westerly into the Koyukuk River from those flowing southerly into the Melozitna River; thence along the divide separating those waters flowing into the Koyukuk River above the upper end of Treat Island from those entering below said point, to the Koyukuk River; thence across the Koyukuk River at the upper end of Treat Island and northwesterly along the divide separating the waters flowing easterly into the Hogatza River and Koyukuk River from those flowing southerly into the Koyukuk River, to the Cone Mountain; thence along the divide separating the waters flowing easterly into the Hogatza River from those flowing westerly into the Dakli River, to the intersection with the eastern boundary of Fur District 5.

Fur District 7. All the drainage to the upper Koyukuk and upper Yukon Rivers bounded on the east by the international boundary, on the north by the summit of the Brooks Range, on the west by the eastern boundary of Fur District 5, and on the south by the northern boundary of Fur District 6.

Fur District 8. The Arctic coast of Alaska, consisting of all the drainage to the Arctic Ocean north of the northern boundaries of Fur Districts 5 and 7.

LICENSES

SOURCE: §§ 46.21 to 46.23 contained in Reg., May 15, 1944, effective July 1, 1944, 9 F. R. 5270, except as noted following section affected.

§ 46.21 *General provisions.* No person shall take, possess, or transport game animals, fur animals, birds, or game fishes, or purchase or sell fur animals or parts thereof except as provided in §§ 46.81 to 46.88, inclusive, or act as a guide in the Territory unless he is in possession of a valid license bearing his signature written in ink on the face thereof (if he is required by the Alaska Game Law or regulations of the Commission thereunder to have such a license), and he shall have his license on his person when taking such animals, birds, or game fishes, or when acting as a guide and shall produce it for inspection by any wildlife agent or other person requesting to see it.

[May 15, 1944, as amended May 3, 1945, effective July 1, 1945; 9 F. R. 5270, 10 F. R. 5119]

§ 46.22 *Application.* Each application for a license shall be made on the form prescribed by the Commission and if the application is made by mail it shall be accompanied by a bank draft or an express or postal money order payable to the Treasurer of the United States for the amount of the license fee.

§ 46.23 *Exemptions.* No license shall be required of native Indians and Eskimos, or of residents under the age of sixteen.

EMERGENCIES

§ 46.31 *Taking by Indians and others.* An Indian or Eskimo, or an explorer, prospector, or traveler, may take animals, birds except migratory birds, or game fishes in any part of the Territory at any time for food when in need thereof and other sufficient food is not available, but he shall not transport or sell any animal, bird, game fish, or part thereof so taken, and an Indian or Eskimo also may take, possess, and transport, at any time, auks, auklets, guillemots, murres, and puffins and their eggs for food, and their skins for clothing for his own use and that of his immediate family.

[May 15, 1944, effective July 1, 1944, 9 F. R. 5270]

FOOD FOR ANIMALS

§ 46.41 *Using game as food for dogs or fur animals or as bait.* No person is permitted to feed any game animal, protected game bird, game fish, or part thereof, to a dog or to a fur animal held in captivity, except the waste parts, such as hides, viscera, and bones, or permitted to use any part of any game animal or game bird for bait.

[May 10, 1947, effective July 1, 1947, 12 F. R. 3629]

ESCAPED ANIMALS

§ 46.51 *Fur animals; return to wild state.* Operators of licensed fur farms from which fur animals escape from captivity may conduct operations for the recapture of such escaped animals through the use of legal trapping devices within a period of 30 days after the discovery of the escape. If such operations are conducted during the closed season on wild animals of the same species, such operator shall immediately notify the nearest wildlife agent in writing of the numbers and kinds of escaped animals, the kinds of devices being used in recapturing operations, and the locality where such operations are being conducted.

[May 15, 1944, effective July 1, 1944, 9 F. R. 5270]

INSPECTIONS AND REPORTS

SOURCE: §§ 46.56 to 46.58 contained in Reg., May 20, 1946, effective July 1, 1946, 11 F. R. 5787.

§ 46.56 *General provisions.* Each fur farmer or fur dealer, including Indians, Eskimos, cooperative stores operated exclusively by and for native Indians and Eskimos, and stores operated by missions exclusively for native Indians or Eskimos, at all reasonable hours shall allow any member of the Commission, any wildlife agent, or any authorized employee of the United States Department of the Interior to enter and inspect the premises where operations are being carried on under the Alaska Game Law and the regulations thereunder, and to inspect the books and records relating thereto. Each fur farmer shall submit annually a written report on a form furnished by the Commission stating the numbers and kinds of fur animals farmed, the numbers and kinds of live fur animals or skins or pelts thereof bought or sold, and the methods of fur farming employed.

§ 46.57 *Fur dealers.* Each fur dealer shall keep records showing the number of each kind of furs purchased or procured, the persons from whom purchased and to whom they were sold, date of purchase or sale, name of trapper and his license number, and shall on or before 30 days after the expiration of his license make a written report to the Commission on a form prepared and furnished by it setting forth in full such data. The aforesaid stores shall also keep records of transactions and render reports similar to those required of fur dealers.

§ 46.58 *Hunters and trappers.* Each person taking animals or birds shall keep records to show the kind and number of each species of animals or birds so taken, and on or before July 31 of each year shall make a written report to the Commission on a form provided for the purpose.

TRANSPORTATION AND POSSESSION

SOURCE: §§ 46.61 to 46.71 contained in Reg., May 10, 1947, effective July 1, 1947, 12 F. R. 3629, except as noted following sections affected.

§ 46.61 *General provisions.* Animals, birds (but not including migratory birds), and game fishes, parts thereof, and articles manufactured therefrom, and the nests and eggs of such birds taken in accordance with the regulations in this part may be possessed within the Territory at any time, by any person, and in any number and kind not limited by §§ 46.100 to 46.111, inclusive, and may be transported within and exported out of the Territory by any person at any time, except as provided in §§ 46.62 through 46.72.

§ 46.62 *Marking of packages.* No package containing such animals, birds, game fishes, parts thereof, articles manufactured therefrom, eggs, or nests, shall be possessed or transported unless it has clearly and conspicuously marked on the outside thereof the names and addresses of the consignor and consignee and an accurate and detailed statement of its contents.

§ 46.63 *By fur dealers.* No person who is a fur farmer or fur dealer shall possess or transport the skin of any fur animal, or part thereof, unless at the time of such possession or transportation he is licensed to carry on such business.

§ 46.64 *Tagged beaver skins.* No skins of beavers, whether taken within or without the Territory, shall be possessed or transported by any person until the same have been sealed with a seal prescribed by the Commission, except that persons taking beavers within the Territory may possess the unsealed skins thereof, during the open season therefor and for 30 days thereafter, and within the same period may transport the same unsealed for the purpose of having them sealed or tagged by a wildlife agent or other officer authorized by the Commission.

§ 46.65 *Export by resident.* No resident shall export from the Territory any game animal or game bird or part thereof, except in accordance with the terms of a resident Export Permit, or Resident Export and Return License issued under the direction of the Executive Officer of the Commission. Such permit or license shall be obtained on payment of the required fee, from any Wildlife Agent or Collector of Customs, and the shipping tag furnished therewith, on which tag the license or permit number of the shipper must be shown, shall be securely attached on the outside of the package by the shipper at point of origin and accompany it to final destination. All persons issuing such licenses or permits shall immediately, after furnishing the shipping tag, forward such license or permit to the Alaska Game Commission, Juneau, Alaska.

§ 46.66 *Export by nonresident.* No nonresident of the Territory, or alien, except one holding a valid hunting or trapping license shall transport out of the Territory any game animal or game bird, or part thereof, and such licensed nonresident or alien shall be permitted to export during the respective open season not exceeding one deer; one moose; one caribou; one mountain goat; one mountain sheep; two in the aggregate of large brown and grizzly bears, not more than one of which shall have been taken either on the Kodiak-Afognak Island group or east of longitude 138° W. (not on both of said areas); three black bears, not more than two of which shall have been taken east of longitude 138° W.; or not to exceed singly or in the aggregate one day's limit of grouse or ptarmigan; *Provided,* That before a nonresident or alien may transport any big game animals or game birds or parts thereof from the Territory, he shall obtain from any Wildlife Agent or Collector of Customs a shipping tag (for which no additional fee will be charged) authorizing such shipment and such tag, on which the license number of the shipper must be shown, shall be securely attached on the outside of the package by the shipper at point of origin and accompany it to final destination.

§ 46.67 *Bald eagles.* No bald eagle, part, nest, or egg thereof may be exported to the United States or any of its territories except under permit authorized by the act of June 8, 1940.

§ 46.68 *Evidence of sex.* No person shall remove all evidence of sex from the carcass of any deer, moose, or mountain sheep before it has been delivered to a place of ultimate consumption.

§ 46.69 *Fur animals and black bear.* Where skins of fur animals or black bear or parts thereof are shipped out of the Territory, the shipper shall, if shipment is by express or freight, first deliver to the transportation agent at the point of shipment, or if by parcel post, to the postmaster at the point of mailing, a statement correctly showing the number and kinds of skins in each shipment and declaring that no illegal skin or unsealed beaver skin is contained therein. Such statement shall accompany the express or freight shipment to the port of clearance, there to be taken up by the Collector of Customs, or, in the case of parcel post shipments, by the postmaster at the office where mailed. Where such skins are transported out of the Territory by means other than express, freight, or parcel post, the person transporting them shall make and deliver a like statement to the Collector of Customs at the port of clearance. Such statement will be forwarded to the Commission by collectors and postmasters.

§ 46.70 *Game animals.* No person may possess any game animal, or part thereof, without a valid hunting or trapping license unless he furnishes upon request of any official authorized to enforce the Alaska Game Law a written statement as to the name, address and license number of the person from whom such animal or part thereof was obtained; *Provided, however,* That within the limits of the applicable portions of §§ 46.81 to 46.88, inclusive, the license requirement shall not apply to the possession, by persons other than fur farmers and fur dealers, of manufactured articles, shed antlers, grizzly bear strips, the meat of hares, rabbits, skins of black bear, hares and rabbits.

[May 10, 1947, as amended Apr. 20, 1948, effective July 1, 1948; 12 F. R. 3629, 13 F. R. 2430]

§ 46.71 *Live game animals.* No live game animals may be taken or possessed except as provided in §§ 46.205 to 46.208, inclusive.

[Apr. 20, 1948, effective July 1, 1948, 13 F. R. 2430]

SALE

SOURCE: §§ 46.81 to 46.88 contained in Reg., May 20, 1946, effective July 1, 1946, 11 F. R. 5787, except as noted following sections affected.

§ 46.81 *General provisions.* Sales or purchases of the following designated products of animals and birds (but not including migratory birds), and game fishes, but none other, may be made by any person (except fur farmers and fur dealers) without a permit or license, and by fur farmers and fur dealers holding valid fur farm or fur dealers' licenses, whichever the case may be:

[May 10, 1947, effective July 1, 1947, 12 F. R. 3629]

§ 46.82 *Tagged beaver, other fur animals and black bear skins, meat, and skins of hares and rabbits.* Tagged or sealed skins of beavers, skins of other fur animals and black bears, and meat and skins of hares and rabbits.

[Apr. 20, 1948, effective July 1, 1948, 13 F. R. 2430]

§ 46.83 *Manufactured articles.* Articles manufactured from the hides and hoofs of moose, caribou, deer, and mountain goats, and from the skins of black bears.

§ 46.84 *Shed antlers.* Shed antlers of deer, moose, and caribou.

§ 46.85 *Strips of grizzly bear hides.* In Fur Districts 5 and 8, parka hood trimmings cut from hides of grizzly bears in strips not to exceed 4 inches in width.

§ 46.86 *Meat, certain animals and birds.* Meat from caribou, moose, grouse, and ptarmigan, legally taken north of the Alaska Rrange and the Kuskokwim-Bristol Bay divide, may be sold to the owner or operator of a restaurant, roadhouse or public or other eating house north of the Alaska Range and the Kuskokwim-Bristol Bay divide, but may not be resold, except in cooked form under such permit as may be issued by and in the discretion of the Commission, and then not within 5 miles of the Alaska Railroad or of the Richardson Highway, or of Alaska Highway or of Steese Highway including Circle Hot Springs spur, or of the Elliott Highway (sometimes known as the Livengood Highway).

§ 46.87 *Dolly Varden trout.* Dolly Varden trout taken in salt water and in the lakes and streams west of Cook Inlet, but not including Nome and Snake Rivers on Seward Peninsula.

§ 46.88 *Steelhead trout taken in salt water, incidental to commercial salmon operations.* Steelhead trout taken in salt water incidental to commercial salmon operations.

METHODS, SEASONS AND LIMITS

§ 46.100 *General provisions.* The animals, birds, and game fishes listed in §§ 46.101 to 46.112, inclusive, but none other, may be taken in the open seasons, by the methods and means, in the areas, and in numbers not exceeding the respective daily, seasonal bag, or possession limits prescribed in §§ 46.101 to 46.112, inclusive, but not at any other time, by any other method, aid, or means, nor in any other areas or numbers: *Provided,* That no birds or animals may be taken

by shooting from, on, or across or within 33 feet of the center line of any highway.

[Apr. 20, 1948, effective July 1, 1948, 13 F. R. 2430]

GAME ANIMALS

SOURCE: §§ 46.101 to 46.112 contained in Reg., Apr. 20, 1948, effective July 1, 1948, 13 F. R. 2430.

§ 46.101 *Methods and means.* May be taken only with a shotgun (not larger than No. 10 gauge and not capable of holding more than 3 shells), rifle or pistol using center-fire cartridges only, but not with aid or use of a dog, machine or submachine gun, set gun of any description, bow and arrow or spear, pit, deadfall, fire, jacklight, searchlight, or other artificial light, or from or by means of a motor vehicle, aircraft, steam or power launch, or any boat except one propelled by paddle, oars or pole, or while such animals are swimming; except that hares and rabbits may be taken by aid of a dog and by rifles or pistols using rimfire cartridges; and providing further that no aircraft shall be used for the purpose of driving, circling, molesting, spotting, or in aiding in the taking of big game except as a means of transportation from a settlement or point of outfitting to a previously established camp.

§ 46.102 *Closed areas.* None of the game animals named below may be taken at any time in any national park, monument, or posted national forest area, nor in the Shoemaker Bay, Haines, Harding Lake, and Birch Lake, Curry Game Refuge, Eyak, Mitkof Island, Mount Hayes-Blair Lakes Refuge, Eklutna, Anan Creek and Loring, and highway and railroad areas, described in §§ 46.165 to 46.201, inclusive, nor in any other areas specifically closed by this section.

§ 46.103 *Deer.* Bucks (with horns not less than 3 inches above the top of the skull).

East of longitude 138° W., September 1 to November 15. Limit, by a resident, 2 a season; by a nonresident, 1 a season. In the drainage to Prince William Sound north of the center of the C. R. & N. W. Railway and west of Mountain Slough, including the islands of Prince William Sound, September 1 to September 30. Limit, 1 a season.

§ 46.104 *Moose.* Bulls (except yearlings and calves).

East of longitude 138° W., September 15 to October 15. Kenai Peninsula except Kenai Peninsula area No. 1, September 1 to 15 and December 1 to 5; West of longitude 141° W., except in Colville River drainage, and the entire drainage to Turnagain Arm from Mile 52 Alaska Railroad to Mile 72 Alaska Railroad, September 1 to 20 and December 1 to 10, except that there shall be no open season between December 1 and 10 in that area known as the Palmer area and described as follows:

Beginning at Knik River bridge, the entire Knik River and Matanuska River drainages to Chickaloon River; thence upstream along the Chickaloon River to the divide and across the divide and downstream along the Kashwitna River to Susitna River to its confluence with Cook Inlet; thence along the westerly bank of Cook Inlet and Knik Arm to the place of beginning.

§ 46.105 *Caribou.* Caribou (except calves).

In the territory, but not in the area lying 5 miles on each side of the Steese Highway on Twelve Mile Summit between mileposts 84 and 89, and on Eagle Summit between mileposts 102 and 112, August 20 to September 30, and December 1 to 15; nor within 5 miles of the east side of the Steese Highway between Faith Creek and milepost 112. Limit, 1 a year.

§ 46.106 *Mountain goat.* Mountain goat (except kids).

In the Territory, but not in the Cooper Landing area, Sheep Mountain area, Eklutna Lake area, Kenai Peninsula area No. 2, nor in the Girdwood area described in §§ 46.177, 46.184, 46.186, 46.192, and 46.193, nor on the Baranof and Chichagof Islands, nor in the watersheds of Tracy Arm, Endicott Arm, or Ford's Terror, where there shall be a continuous closed season, August 20 to November 15. Limit, by resident, 2 a season; by a nonresident, 1 a season.

§ 46.107 *Mountain sheep.* Rams only (except lambs).

In the Territory, but not on the Kenai Peninsula, nor in the Girdwood, Sheep Mountain, and Eklutna areas described in §§ 46.177, 46.184, 46.185, 46.186, 46.192, and 46.193, August 20 to 31. Limit, 1 ram a season.

§ 46.108 *Bear, large brown and grizzly.* Bear (large brown and grizzly).

In the Kodiak-Afognak Island group, September 1 to June 20. Limit, 1 a year. In the rest of the Territory, but not in the Thayer Mountain and Pack Creek areas on Admiralty Island as described in §§ 46.187 and 46.188, September 1 to June 20. Limit, 2 a year.

§ 46.109 *Black bear.* Bear (black, including its brown and blue, or glacier bear, color variations).

East of longitude 138° W., including the Mount Hayes-Blair Lakes area described in § 46.180, but excepting the Anan Creek and Loring areas described in § 46.189, September 1 to June 20. Limit, 2 a season. In the rest of the Territory, no closed season. Limit, by a resident, no limit; by a nonresident, 3 a year.

§ 46.110 *Killing bear attacking humans.* Any bear may be killed at any time or any place in the Territory when about to attack or molest persons or their property. Persons so killing such animals shall make a written report to the Commission, setting forth the reason for such killing and the time and place.

§ 46.111 *Hare and rabbit.* Hare and rabbit.

On the Kodiak-Afognak Island group, September 1 to March 31. No closed season in the rest of the Territory. No limit.

NOTE: See also §§ 46.61 to 46.88, inclusive, covering transportation, possession and sale.

§ 46.112 *Identification of sex.* No person shall have in his possession the carcass of any moose, deer, or mountain sheep from which all evidence sufficient to indicate conclusively the sex of the animal has been removed, unless the carcass has been transported to the place of ultimate consumption. When head is removed from carcass, some other evidence of sex must be visible.

FUR ANIMALS

SOURCE: §§ 46.126 to 46.133 contained in Reg., Apr. 20, 1948, effective July 1, 1948, 13 F. R. 2430.

§ 46.126 *Methods and means.* May be taken by any means, except by means, aid, or use of a set gun, a shotgun, artificial light of any kind, a steel bear trap or other trap with jaws having a spread exceeding 9 inches, poison, a dog (except polar bears in fur district 8, and wolves and coyotes in fur districts 5, 6, 7, and 8), a fish trap or net, or by setting any trap or snare within 25 feet of a beaver home or den or within 100 feet of a fox den, or by destroying or disturbing homes, houses, dens, dams, or runways of such animals; *Provided*, That beaver may be taken only by means of a steel trap or snare and by persons over the age of eleven years, and wolves and coyotes may be killed by means of a rifle, shotgun, or pistol at any time, by any person permitted to carry firearms.

§ 46.127 *Seasons and limits.* No fur animals, except wolves and coyotes, may be taken in any posted national forest area, nor in the Haines, Harding Lake, Curry Game Refuge, Eyak Lake and Eklutna areas, nor in the following fur breeding areas: Coleen River, Charley River, Chestochina River, Talkeetna River, Hoholitna River and Sulukna River, described in §§ 46.165 to 46.200, inclusive, nor may any fur animals be taken on any national park or monument area, which are closed under other laws and regulations.

§ 46.128 *Permits to take wolves and coyotes during closed season for other fur animals.* During the closed season on fur-bearing animals in the respective fur districts no person shall set, maintain, or attend traps for wolves and coyotes without first procuring a permit, issuable at the discretion of the Commission, authorizing him to do so. Application for such permit shall be addressed to the Alaska Game Commission, Juneau, Alaska, and shall contain a statement of the nature and extent and locality of the proposed operations and the species of animals to be taken.

§ 46.129 *Seasons for mink, land otter, weasel (ermine), fox, and lynx.*

Fur District 1. No open season.

Fur Districts 2 to 7. November 16 to January 31. No limit. White fox, December 1 to March 15. No limit.

Fur District 8. December 1 to March 15. No limit.

§ 46.130 *Seasons for muskrat.*

Fur Districts 1 and 2. April 1 to May 31. No limit.

Fur Districts 3 and 4. March 10 to May 10. No limit.

Fur District 5. April 1 to May 31. No limit.

Fur Districts 6 and 7. March 1 to May 31. No limit.

§ 46.131 *Seasons for beaver.*

Fur District 1. April 1 to 30. Limit, 10.

Fur District 2. February 1 to March 31, except there shall be no open season on a strip one-half mile wide on each side of the Copper River road from Eyak bridge to Mile 27. Limit, 10 a season.

Fur District 3. February 1 to March 31, except on the Kodiak-Afognak Island group. Limit, 10 a season.

Fur Districts 4 and 5. February 1 to March 31. Limit, 10 a season.

Fur District 6. February 1 to March 31, except there shall be no open season within the Clearwater Creek drainage, lying south of the Tanana River and between the Richardson Highway and the Big Gerstle River, or

within the drainage of the Salcha River from the mouth upstream including the drainage of 98 Mile Creek.

Fur District 7. February 1 to March 31. Limit, 10 a season.

§ 46.132 *Seasons for wolf, coyote, wolverine, marmot, squirrel, and polar bear.*

Fur Districts 1, 2, 3, 4, 5, 6, 7 and 8. No closed season. No limit.

§ 46.133 *Seasons for marten.*

Fur District 1, except Chichagof and Baranof Islands, November 1 to 20. No limit.

Fur Districts 2 (except Kenai Peninsula), 3, 4, 5, 6, and 7. November 16 to January 31. No limit.

NOTE: See also §§ 46.61 to 46.88, inclusive, covering transportation, possession and sale.

GAME BIRDS

SOURCE: §§ 46.140 to 46.143 contained in Reg., Apr. 20, 1948, effective July 1, 1948, 13 F. R. 2430.

§ 46.140 *Methods and means.* Grouse and ptarmigan only may be taken with a shotgun (not larger than No. 10 gauge and not capable of holding more than 3 shells), rifle, pistol, bow and arrow, or spear, or with the aid of a dog, but not from or by means of a motor vehicle, aircraft, or any boat propelled by any means other than paddles, oars, or poles. Any other game bird protected also under the provisions of the Migratory Bird Treaty Act of July 3, 1918, as amended, may be taken only in the manner, by the means, and at the times or places permitted by the regulations of the Secretary of the Interior adopted pursuant to the terms of that act.

§ 46.141 *Season, limits and closed area.* No game bird may be taken at any time in any national park, monument, or posted national forest area, nor in the Shoemaker Bay, Haines, Harding Lake, Curry Game Refuge, Eyak Lake, and Mitkof Island areas described in §§ 46.165 to 46.171, inclusive, and in the Anan Creek and Loring, and Eklutna Lake areas described in §§ 46.189 and 46.193.

§ 46.142 *Grouse and ptarmigan.* There shall be no open season within the closed areas mentioned above.

Fur Districts 1, 2, 3, 4, 5, 6, 7 and 8. August 20 to February 28.

Daily limit. Grouse 10, ptarmigan 10; but not to exceed 10 in the aggregate of all kinds of grouse and ptarmigan a day. Limit for each person shall include all such birds taken by any other person who for hire accompanies or assists in the taking.

§ 46.143 *Migratory game birds.* Seasons and limits in accordance with Migratory Bird Treaty Act regulations.

NOTE: See also §§ 46.61 to 46.88, inclusive, covering transportation, possession, and sale.

NONGAME BIRDS

SOURCE: §§ 46.150 and 46.151 contained in Reg., Apr. 20, 1948, effective July 1, 1948, 13 F. R. 2430.

§ 46.150 *Methods and means.* May be taken by any means, except by the use of poison, provided any nongame bird protected under the provisions of the Migratory Bird Treaty Act of July 3, 1918, as amended, may be taken only in the manner, by the means, and at the times or places permitted by the regulations of the Secretary of the Interior adopted pursuant to the terms of that act.

§ 46.151 *Open seasons and limits.* No nongame bird may be taken at any time in any national park, monument, or posted national forest area, nor in the Shoemaker Bay, Haines, Harding Lake, Curry Game Refuge, Eyak Lake, or Mitkof Island areas described in §§ 46.165 to 46.171, inclusive, and in the Anan Creek and Loring, and Eklutna areas described in §§ 46.189 and 46.193.

Crows, hawks, owls, eagles, ravens, magpies, and cormorants, and their nests and eggs. No closed seasons except in the areas mentioned above. No limit.

NOTE: See also §§ 46.61 to 46.88, inclusive, covering transportation, possession and sale.

GAME FISHES

SOURCE: §§ 46.155 and 46.166 contained in Reg., Apr. 20, 1948, effective July 1, 1948, 13 F. R. 2430.

§ 46.155 *Methods and means.* May be taken by angling with a line held in the hand or attached to a rod and reel so held, but each line shall at no time have attached to it more than two flies or hooks, nor more than one plug, spoon, or spinner. Lake trout and Dolly Varden trout may be taken by the use of net, trap, or seine in the glacial waters of Trail, Kenai, Skilak, and Tustumena Lakes on Kenai Peninsula, and in any area where the taking without limit as to numbers and the sale, purchase, and shipment from the Territory of Dolly Varden trout are permitted.

§ 46.156 *Seasons and limits.* Rainbow, steelhead, cutthroat, eastern brook, and Dolly Varden trout, Mackinaw, or lake trout, and grayling.

Dewey Lake near Skagway and Salmon Creek Reservoir near Juneau, June 1 to September 30.

The drainages of Cottonwood, Fish, Fire and Wolverine Creeks in the Matanuska Valley, June 1 to March 15.

Upper Kenai River and all lakes and tributaries thereof, June 5 to September 30, *Provided,* That Dolly Varden and lake trout may be taken at any time.

Outlet of Skilak Lake and in lower Kenai River to Moose River, July 15 to August 15.

Clearwater Creek drainage, lying south of Tanana River and between the Richardson Highway and the Big Gerstle River, no open season. In the rest of the Territory, no closed season.

Limits. The Kenai River and all lakes and tributaries thereof, Lake Creek, Willow Creek, and all lakes and tributaries thereof, and in all waters draining into Bristol Bay: 10 fishes singly or in the aggregate, but not to exceed 10 pounds and 1 fish daily, 2 daily bag limits in possession.

Rest of Territory. 20 fishes singly or in the aggregate, but not to exceed 15 pounds and 1 fish daily, 2 daily bag limits in possession.

In salt water throughout the Territory and in lakes and streams west of Cook Inlet, including such as are designated above but excepting the Nome and Snake Rivers on Seward Peninsula, there shall be no limit on Dolly Varden trout.

NOTE: See also §§ 46.61 to 46.88, inclusive, covering transportation, possession, and sale.

CLOSED AREAS

§ 46.165 *Continuous on all animals and birds, except wolves and coyotes.* Areas in which there is a continuous closed season, except for scientific or propagating purposes and except as to wolves and coyotes, on all species of animals and birds.

[May 3, 1945, effective July 1, 1945, 10 F. R. 5119]

§ 46.166 *National park and monument.* Any national park or national monument area, which is closed to the taking of all species of animals and birds under other laws and regulations.

[May 3, 1945, effective July 1, 1945, 10 F. R. 5119]

§ 46.167 *Posted natural forests.* Ward and Mendenhall Lake areas and Tongass National Forest: as posted and described by the United States Forest Service.

[May 15, 1944, effective July 1, 1944, 9 F. R. 5270]

§ 46.168 *Haines.* Embracing the drainage of Klehini River from the British Columbia line to the confluence of said river with the Chilket River.

[May 15, 1944, effective July 1, 1944, 9 F. R. 5270]

§ 46.169 *Harding Lake; Birch Lake Area.* No shooting allowed from, on, or within one-half mile of Harding or Salchaket Lake and Birch Lake.

[May 10, 1947, effective July 1, 1947, 12 F. R. 3629]

§ 46.170 *Curry Game Refuge.* A strip 2 miles wide, beginning at a point on the railroad 6 miles north of the Curry Hotel, thence east 1 mile, thence south 7 miles, thence west 2 miles, thence north 7 miles, thence east 1 mile, to the place of beginning.

[May 15, 1944, effective July 1, 1944, 9 F. R. 5270]

§ 46.171 *Eyak Lake.* Embracing the drainage area of Eyak Lake and Power Creek, north and east of Cordova, more particularly described as follows: Beginning on the north boundary line of the town of Cordova at a point where said boundary line is crossed by the divide between Eyak Lake and Power Creek and Orca Inlet and Orca Bay; thence in a general northeasterly direction along said divide to the intersection and parallel 60°40′ north; thence east along said parallel to the intersection with the divide between the watershed of Power Creek and Eyak Lake and the watershed of Ibek Creek; thence in a general southwesterly direction along said divide to the headwaters of Allen Creek; thence southwesterly along the course of Allen Creek to its confluence with Eyak Lake; thence southerly along the shore of Eyak Lake to the northerly sideline of the C. R. & N. W. Railway right-of-way; thence in a general westerly direction along the northerly side line of said railway right-of-way to the intersection with the east boundary line of the town of Cordova; thence north along said east boundary line to the northeast corner of said town; thence west along the northern boundary line of said town to the point of beginning (containing approximately 22,000 acres).

[May 15, 1944, effective July 1, 1944, 9 F. R. 5270]

§ 46.176 *Continuous on certain game and fur animals.* Areas in which there are continuous closed seasons as specified in §§ 46.100 to 46.156, inclusive, on certain game and fur animals, except for scientific or propagating purposes.

[May 20, 1946, effective July 1, 1946, 11 F. R. 5787]

§ 46.177 *Cooper Lake.* In fur district 2: Beginning at the Forest Service trail from Kenai Lake and running to Cooper Lake and following this trail to its confluence with upper Russian Lake; thence downstream along upper and lower Russian Lakes and Russian River to its confluence with Kenai River, thence north along the National Forest Boundary line to Chickaloon River; thence easterly to Summit Lake on Hope Highway; thence southerly and westerly along the Hope Highway and Quartz Creek Road to Kenai Lake, thence southerly along the west side of Kenai Lake to place of beginning. (Closed to sheep and goats.)

[May 10, 1947, effective July 1, 1947, 12 F. R. 3629]

§ 46.178 *Clearwater.* In fur district 6: The Clearwater Creek drainage, lying south of the Tanana River and between the Richardson Highway and the Big Gerstle River. (Closed to beavers.)

[May 20, 1946, effective July 1, 1946, 11 F. R. 5787]

§ 46.179 *Highway.* A strip one-quarter mile wide on each side of all public highways in Alaska except on the Kenai Peninsula where such strips shall be one-half mile wide on each side of all public highways. (Closed on all game animals except black bears.)

[Apr. 20, 1948, effective July 1, 1948, 13 F. R. 2430]

§ 46.180 *Mount Hayes-Blair Lakes Refuge.* In fur district 6: Beginning on the Bonnifield Trail on the south bank of the Tanana River about 4 miles south of Fairbanks, thence southerly along said trail to Wood River, thence southeasterly up Wood River to Snow Gulch, thence southerly to the summit of Mount Deborah, thence easterly along the summit of the Alaska Range to the summits of Hess Mountain and Mount Hayes and to a point on the Delta River, sometimes known as Big Delta River, due west of Rapids Roadhouse, thence northerly along the west bank of Delta River to a point due west of Beals Cache, thence easterly past Beals Cache to a point 5 miles east of the Richardson Highway, thence northerly paralleling Richardson Highway at a distance of 5 miles to the south bank of the Tanana River, thence northwesterly along the south bank of the Tanana River to point of beginning on Bonnifield Trail, embracing an area of approximately 3,000 square miles. (Closed to all game animals except back bears.)

[May 20, 1946, effective July 1, 1946, 11 F. R. 5787]

§ 46.181 *Alaska Peninsula No. 1.* In fur districts 3 and 4: South and west of Kvichak River, Iliamna Lake, and the old portage from Kamishak Bay to Kakhonak Bay. (Closed to moose.)

[May 20, 1946, effective July 1, 1946, 11 F. R. 5787]

§ 46.182 *Mitkof Island.* In fur district 1: Embracing the drainage area of Wrangell Narrows from Sandy Beach on the north side of Mitkof Island southward to Blind Point, more particularly described as follows: Beginning at meander corner between secs. 23 and 26 of T. 60 S., R. 79 E., Copper River Meridian, located on Blind Point in Wrangell Narrows; thence easterly 88.13 chains to the southeast corner of sec. 24 of the same township; thence north along the township line 4 miles to the northeast corner of sec. 1 of the same township; thence northerly along the summit of the ridge bounding the drainage area tributary to Wrangell Narrows and Frederick Sound until the shore of Frederick Sound is reached at the Witness Corner Meander Corner between secs. 35 and 36 of T. 58 S., R. 79 E., Copper River Meridian, on the shore thereof; thence northwesterly along the shore of Frederick Sound to the entrance of Wrangell Narrows; then southerly along the center of the steamboat channel of Wrangell Narrows to the place of beginning on Blind Point. (Closed on game animals and beaver.)

[Apr. 20, 1948, effective July 1, 1948, 13 F. R. 2430]

§ 46.183 *Kenai Peninsula No. 1.* In fur district 2: That part of Kenai National Moose Range lying north of the Kenai River and west of the Chugach National Forest, Thurman Creek, and Chickaloon River. (Closed to moose.)

[May 20, 1946, effective July 1, 1946, 11 F. R. 5787]

§ 46.184 *Kenai Peninsula No. 2.* In fur district 2: Eastern part of Kenai Peninsula east of the center line of the Alaska Railroad and north of a line from the Town of Seward due east to the Bainbridge Glacier. (Closed to sheep and goats.)

[May 10, 1947, effective July 1, 1947, 12 F. R. 3629]

§ 46.185 *Kenai Peninsula No 3.* In fur district 2: All of the area south and west of the National Forest Boundary line running from Chickaloon Bay to Resurrection Bay near Seward. (Closed to mountain sheep.)

[May 10, 1947, effective July 1, 1947, 12 F. R. 3629]

§ 46.186 *Girdwood.* In fur district 2: Beginning at the center of the bridge of the Crow Creek road over California Creek, at approximately latitude 60°58′ north and longtitude 149°8′ west of Greenwich, as shown on the preliminary topographic map of the Girdwood District, Alaska, 1931, published by the Geological Survey, Department of the Interior; thence on a course bearing due east continuing in a straight line to the west bank of Glacier Creek; thence northeasterly following the west and north bank of said creek and its largest northern tributary to its head; thence along the west side of the glacier it drains to the summit of the divide between Glacier Creek and the drainage to the north at approximately latitude 61°2′30″ north, longitude 149° west; thence westerly and northerly along said divide around the head of Raven Glacier to a point where said divide intersects the western margin of the most northern glacier in Raven Creek basin; thence following northeasterly and westerly along the western and southern margin of Eagle Glacier to its termination; thence westerly in a straight line to the junction of Camp and Raven Creeks; thence southwesterly along the south bank of Camp Creek to its head, at the divide between Camp Creek and the North Fork Ship Creek; thence northwesterly down the valley of the North Fork Ship Creek to a small lake in this valley; thence westerly along the south shore of said lake and continuing westerly along the south bank of North Fork Ship Creek to the junction of said creek with its first large tributary from the south, entering it about 1 mile east of Bird Creek Pass; thence southerly along the west bank of said tributary and its most westerly branch to the divide between North Fork Ship Creek and Bird Creek; and thence southwesterly in a straight line to the junction of Bird Creek with its first large tributary from the head entering it from the south; thence southeasterly along the northern and eastern side of the stream bed of said tributary to the summit of the divide between the said tributary and the drainage of California Creek; thence southerly along the divide between California Creek and Bird Creek to a summit marked 4322 on the said preliminary topographic map of Girdwood District, Alaska, said point being in approximately latitude 60°59′ north, longitude 149°11′15″ west; thence southeasterly in a straight line to the point of beginning (containing approximately 77 square miles, and closed to mountain goats and mountain sheep).

[May 20, 1946, effective July 1, 1946, 11 F. R. 5787]

§ 46.187 *Thayer Mountain.* On Admiralty Island, fur district 1: Beginning at the foot of the waterfall at the mouth of Hasselborg River on Salt Lake, head of Mitchell Bay; thence along the easterly bank of the Hasselborg River to the outlet of Hasselborg Lake; thence along the west shore of said lake to the outlet of the creek flowing into the head of the lake; thence upstream along the east bank of said creek to the trail crossing; thence in a southwesterly direction along the trail to the head of Thayer Lake; thence along the easterly shore of said lake to the extreme southern end of the lake; thence southeasterly approximately 2 miles in a straight line to the west end of Salt Lake at the head of Mitchell Bay; thence along to the line of mean high tide of Salt Lake to the foot of the waterfall on Hasselborg River, the place of beginning (containing approximately 60 square miles, and closed to large brown and grizzly bears).

[May 20, 1946, effective July 1, 1946, 11 F. R. 5787]

§ 46.188 *Pack Creek.* On Admiralty Island, fur district 1: The entire watershed of Pack Creek, which empties into Seymour Canal near the north side of the entrance to Windfall Harbor (containing approximately 21 square miles, and closed to large brown and grizzly bears).

[May 20, 1946, effective July 1, 1946, 11 F. R. 5787]

§ 46.189 *Anan and Loring.* In fur district 1: The drainage of Anan Creek on the Cleveland Peninsula and a strip one-half mile wide on either side of the blaze trail leading from the outlet of Roosevelt Lagoon in Naha Bay to the Naha River outlet of Heckman Lake on Revillagigedo Island. (Closed to all birds and animals except fur animals.)

[May 20, 1946, effective July 1, 1946, 11 F. R. 5787]

§ 46.190 *Afognak Island.* In fur district 3: Afognak Island group north and east of Kupreanof Straits. (Closed to beavers.)

[May 20, 1946, as amended May 10, 1947, effective July 1, 1947; 11 F. R. 5787, 12 F. R. 3629]

§ 46.191 *Colville River drainage.* In fur district 8: The Colville River drainage including all of its tributaries. (Closed to moose.)

[May 20, 1946, effective July 1, 1946, 11 F. R. 5787]

§ 46.192 *Sheep Mountain.* In fur district 2: Beginning at the Alaska Road Commission bridge on the Glenn Highway across Caribou Creek near mile 60; thence easterly along the highway to the trail going north to Little Nelchina; thence along said trail to its crossing of Squaw Creek; thence westerly along Squaw Creek to where it enters Caribou Creek; thence southerly downstream on Caribou Creek to the Road Commission bridge, the point of beginning, containing approximately 30 square miles. (Closed on sheep and goats.)

[May 20, 1946, effective July 1, 1946, 11 F. R. 5787]

§ 46.193 *Eklutna Lake.* In fur district 2: Beginning at the middle of Eagle River at the line of high tide; thence northeasterly up Knik Arm to Knik River; thence up the middle of the main channel of Knik River to Knik Glacier; thence westerly and southerly along the foot of Knik Glacier to Lake George; thence approximately southwesterly to the head of Eagle River; thence down the middle of Eagle River to Knik Arm, the place of beginning, containing approximately 515 square miles. (Closed on birds, all game and fur animals, except wolves and coyotes.)

[May 20, 1946, effective July 1, 1946, 11 F. R. 5787]

§ 46.194 *Coleen River.* All of the drainage of the Coleen River from the headwaters to its confluence with the Porcupine River in Fur District 7. (Closed on birds, all game and fur animals, except wolves and coyotes.)

[Apr. 20, 1948, effective July 1, 1948, 13 F. R. 2430]

§ 46.195 *Charley River.* All of the drainage of the Charley River upstream from and including Copper Creek in Fur District 7. (Closed on birds, all game and fur animals, except wolves and coyotes.)

[Apr. 20, 1948, effective July 1, 1948, 13 F. R. 2430]

§ 46.196 *Chestochina River.* All of the drainage of the Chestochina River upstream from and including the Middle Fork in Fur District 6. (Closed on birds, all game and fur animals, except wolves and coyotes.)

[Apr. 20, 1948, effective July 1, 1948, 13 F. R. 2430]

§ 46.197 *Talkeetna River.* All of the drainage of the Talkeetna River upstream from and including the drainage of Sheep Creek, except Prairie Creek drainage, in Fur District 2. (Closed on birds, all game and fur animals, except wolves and coyotes.)

[Apr. 20, 1948, effective July 1, 1948, 13 F. R. 2430]

§ 46.198 *Sulukna River.* All of the drainage of the Sulukna River from the headwaters to its confluence with the Novitna River in Fur District 6. (Closed on birds, all game and fur animals, except wolves and coyotes.)

[Apr. 20, 1948, effective July 1, 1948, 13 F. R. 2430]

§ 46.199 *Hoholitna River.* All of the drainage of the Hoholitna River upstream from and including the drainage of the South Fork in Fur District 6. (Closed on birds, all game and fur animals, except wolves and coyotes.)

[Apr. 20, 1948, effective July 1, 1948, 13 F. R. 2430]

§ 46.200 *Shoemaker Bay.* Embracing the entire watershed of Pat Creek and that portion of Wrangell Island draining into Zimovia Strait from Pat Creek to Polk Point. (Closed on game animals and beaver.)

[Apr. 20, 1948, effective July 1, 1948, 13 F. R. 2430]

§ 46.201 *Alaska Railroad.* In fur districts 2 and 6: A strip one-half mile wide on each side of the Alaska Railroad. (Closed on all game animals except black bears.)

[Apr. 20, 1948, effective July 1, 1948, 13 F. R. 2430]

PERMITS

SOURCE: §§ 46.205 to 46.208 contained in Reg., May 15, 1944, effective July 1, 1944, as amended Apr. 20, 1948, effective July 1, 1948; 9 F. R. 5270, 13 F. R. 2430, except as noted following section affected.

§ 46.205 *To collect for scientific and propagating purposes or for protection of property.* The Director, upon recommendation of the Commission, may, for areas other than those administered by the National Park Service, prescribe the terms and conditions of and issue permits authorizing the taking, possession, purchase, sale, exchange, or exportation of such animals, game fishes, birds, and their nests and eggs for scientific, propagating, educational, or exhibition purposes and for the protection of property as he may determine from time to time to be consistent with the proper conservation and development of the species.

§ 46.206 *Carrying and exhibition.* Any such permit shall be carried by the permittee when taking the aforesaid animals, game fishes, or birds, or their nests or eggs, and shall be exhibited to any wildlife agent or other person requesting to see it.

[May 15, 1944, effective July 1, 1944, 9 F. R. 5270]

§ 46.207 *Applications.* Applications for all permits should be addressed to the Director, Fish and Wildlife Service, Washington 25, D. C., or to the Alaska Game Commission, Juneau, Alaska.

§ 46.208 *Reports.* Reports of operations required under the terms of any permit shall be filed on or before the tenth day of January following issuance of the permit with the Alaska Game Commission, Juneau, Alaska, or with the Director, Fish and Wildlife Service, Washington 25, D. C.

Subchapter H—Whaling

PART 151—WHALING PROVISIONS

NOTE: The regulations formerly contained in Part 151 have been superseded by the international regulations relating to whaling which are presently contained in a schedule attached to and made a part of the International Convention for the regulation of whaling signed December 2, 1946, and proclaimed November 19, 1948 (Senate Executive L., 80th Congress, 1st session).

[F. R. Doc. 49-3794; Filed, May 10, 1949; 9:00 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

Subchapter E—Navigation Requirements for the Great Lakes and St. Marys River

[CGFR 49-11]

PART 90—PILOT RULES FOR THE GREAT LAKES

MISCELLANEOUS AMENDMENTS

The purpose of the following miscellaneous amendments is to delete from the Code of Federal Regulations those sections which paraphrase the statute. Since all the requirements in §§ 90.9, 90.11, 90.13, and 90.14 are contained in Rules 25, 19, 14, and 15, respectively, as set forth in the act of February 8, 1895, as amended, the cancellation of §§ 90.9, 90.11, 90.13, and 90.14 does not change the statutory requirements which must be followed.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by R. S. 4405, as amended, sections 1, 3, 28 Stat. 646, 649, as amended, Public Law 448, 80th Congress, and section 101 of Reorganization Plan No. 3 of 1946, 33 U. S. C. 243, 256, 46 U. S. C. 1, 375, the following amendments to the regulations are prescribed:

1. Section 90.9 *Passing in channels less than 500 feet wide* is deleted.

2. Section 90.11 *Meeting of steamer and sailing vessels; right of way* is deleted.

3. Section 90.13 *Fog signals* is deleted.

4. Section 90.14 *Moderate speed in fog* is deleted.

Dated: May 5, 1949.

[SEAL] MERLIN O'NEILL,
Rear Admiral, U. S. Coast Guard,
Acting Commandant.

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