

§ 52.2320 Identification of plan.

(c) * * *

(7) On November 5, 1979, the Governor submitted a plan revision to meet the requirements of Air Quality Monitoring, 40 CFR Part 58, Subpart C, Paragraph 58.20.

[FR Doc. 80-27806 Filed 9-9-80; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 32

Hunting; National Wildlife Refuges in Alabama, Arkansas, Georgia, Louisiana, and Mississippi.

AGENCY: Fish and Wildlife Service.

ACTION: Special regulations.

SUMMARY: The Director has determined that the opening to hunting of certain national wildlife refuges in Alabama, Arkansas, Georgia, Louisiana, and Mississippi is compatible with the objectives for which the areas were established, will utilize a renewable natural resource, and will provide additional recreational opportunity to the public. In addition, managed big game hunts are designed to keep populations levels compatible with habitat capabilities. This document establishes special regulations effective for the upcoming hunting seasons for certain migratory birds, upland game, and big game species.

DATES: Period Covered—September 6, 1980 to May 30, 1981. See state regulations for waterfowl seasons.

FOR FURTHER INFORMATION CONTACT: The Area Manager or appropriate refuge manager at the address or telephone number listed below:

Area Manager, U.S. Fish and Wildlife Service, 200 East Pascagoula St., Suite 300, Jackson, Mississippi 39201, Telephone (601) 960-4900.

Refuge Manager, Eufaula National Wildlife Refuge, Route 2, Box 97-B, Eufaula, Alabama 36027, Telephone (205) 687-4065.

Refuge Manager, Wheeler National Wildlife Refuge, Box 1643, Decatur, Alabama 35602, Telephone (205) 353-7243.

Refuge Manager, Big Lake National Wildlife Refuge, Box 67, Manila, Arkansas 72442, Telephone (501) 564-2429.

Refuge Manager, Felsenthal National Wildlife Refuge, P. O. Box 279, Crossett, Arkansas 71635, Telephone (501) 364-8700.

Refuge Manager, Holla Bend National Wildlife Refuge, Box 1043, Russellville, Arkansas 72801, Telephone (501) 968-2800.

Refuge Manager, Wapanocca National Wildlife Refuge, P. O. Box 279, Turrell, Arkansas 72384, Telephone (501) 343-2595.

Refuge Manager, White River National Wildlife Refuge, Box 308, DeWitt, Arkansas 72042, Telephone (501) 946-1468.

Refuge Manager, Catahoula National Wildlife Refuge, P. O. Drawer LL, Jena, Louisiana 71342, Telephone (318) 992-5261.

Refuge Manager, D'Arbonne National Wildlife Refuge, P.O. Box 3065, Monroe, Louisiana 71201, Telephone (318) 325-1735.

Refuge Manager, Lacassine National Wildlife Refuge, Route 1, Box 186, Lake Arthur, Louisiana 70549, Telephone (318) 774-2750.

Refuge Manager, Sabine National Wildlife Refuge, MRH Box 107, Hackberry, Louisiana 70845, Telephone (318) 762-5135.

Refuge Manager, Upper Ouachita National Wildlife Refuge, P. O. Box 3065, Monroe, Louisiana 71201, Telephone (318) 325-1735.

Refuge Manager, Hillside National Wildlife Refuge, P. O. Box 107, Yazoo City, Mississippi 39194, Telephone (601) 746-8511.

Refuge Manager, Noxubee National Wildlife Refuge, Route 1, Box 84, Brooksville, Mississippi 39739, Telephone (601) 323-5548.

Refuge Manager, Panther Swamp National Wildlife Refuge, P. O. Box 107, Yazoo City, Mississippi 39194, Telephone (601) 746-8511.

Refuge Manager, Yazoo National Wildlife Refuge, Route 1, Box 286, Hollandale, Mississippi 38748, Telephone (601) 839-2638.

SUPPLEMENTARY INFORMATION: Alton Dunaway is the primary author of these special regulations.

General Conditions

1. Hunting is permitted on national wildlife refuges indicated below in accordance with 50 CFR Part 32, all applicable state regulations, the general conditions, and the following special regulations:

The Refuge Recreation Act of 1962 (16 U.S.C. 480k) authorizes the Secretary of the Interior to administer such areas for public recreation as an appropriate incidental or secondary use only to the extent that it is practicable and not inconsistent with the primary objectives for which the area was established. In addition, the Refuge Recreation Act requires: (a) that any recreational use

permitted will not interfere with the primary purpose for which the area was established; and (b) that funds are available for the development, operation, and maintenance of the permitted forms of recreation.

The recreational use authorized by these regulations will not interfere with the primary purposes for which these refuges were established. This determination is based upon consideration of, among other things, the Service's Final Environmental Statement on the Operation of the National Wildlife Refuge System published in November, 1976. Funds are available for the administration of the recreational activities permitted by these regulations.

2. A list of special conditions applying to individual refuge hunts and a map of the hunt area(s) are available at each refuge headquarters. Portions of refuges which are closed to hunting are designated by signs and/or delineated on maps.

3. Access points on certain refuges are limited to designated roads or other specified areas. Vehicle use on all refuge areas is restricted to designated roads and lanes.

4. Only steel shot ammunition may be used during refuge migratory waterfowl hunts. Possession of lead or other toxic shot in any gauge is prohibited during such hunts.

5. Persons under 16 must be under the close supervision of an adult. For safety reasons, each adult may not have more than two juveniles under his supervision.

6. Unless otherwise specified, dogs are not permitted on refuge areas during hunts. Exception: retriever dogs are allowed during waterfowl hunts, but they must be under control of the handler at all times.

§ 32.12 Special regulations; migratory game bird hunting for individual wildlife refuge areas.

Alabama

Eufaula National Wildlife Refuge

Migratory Waterfowl Hunting

(1) Hunting will be permitted on areas comprising approximately 450 acres (Alabama unit) which have been designated as being open to public waterfowl hunting.

(2) Hunts will be held from 30 minutes prior to sunrise until 11:30 A.M., Central Standard Time, on the Alabama unit on alternating Saturday and Wednesday mornings of the State waterfowl season.

(3) Hunters must hunt only from designated blind areas located by refuge personnel. Shooting is not permitted outside designated blind zone.

(4) Hunters are required to check in and out of the hunt area and must present all bagged game for inspection.

(5) Applications for refuge permits must be received by the Refuge Manager, Eufaula Refuge, Eufaula, Alabama, prior to October 26, 1980. Successful applicants will be determined by an impartial drawing on Monday, October 27, 1980. Permits are non-transferable.

Mourning Dove Hunting

(1) Dove hunting will be permitted on areas comprising approximately 800 acres which have been designated as being open to public dove hunting from 12 noon until sunset (Central Standard Time) on dates to be announced by the refuge manager.

(2) Hunters must check in and out of the refuge at the designated checking stations and are not permitted within hunting areas before 11:45 A.M. on hunt days.

(3) Each hunter who successfully takes a limit of mourning doves must leave the hunting area immediately.

Arkansas

Felsenthal National Wildlife Refuge

(1) Ducks and coots only may be hunted one-half hour before sunrise until noon during regular statewide seasons, except the last three days of the season when State shooting hours apply. Teal may also be hunted during the early State teal season between sunrise and noon. Hunting is permitted refugewide, except for the waterfowl sanctuary area.

(2) The waterfowl sanctuary is closed to all public entry during the waterfowl season, except the main channel of the Ouachita River and the barrow pits along U.S. Highway 82 will be open for navigation and fishing. The sanctuary area includes all refuge lands and waters as delineated on hunt area maps available at refuge headquarters.

(3) Only portable blinds are permitted and must be removed each day either to a designated area or from the refuge.

(4) Woodcock may be hunted during State season and hours refugewide, except for waterfowl sanctuary area during the waterfowl season.

(5) All firearms being transported in vehicles or boats must be empty and encased or dismantled. Firearms in camps must be empty. Handguns are prohibited.

(6) Camping is allowed only adjacent to readily identifiable roads and river channels within areas open to hunting.

Holla Bend National Wildlife Refuge

(1) Dove hunting will be permitted only in the approximately 500 acre area

which has been designated as being open to public dove hunting from 12 noon until sunset on September 6, 1980, and September 13, 1980.

(2) A permit is required and is non-transferable.

(3) Persons may enter the refuge when the entrance gate opens each morning (daylight), and must leave the refuge by the time posted at the entrance gate.

(4) Firearms must be cased or unloaded when outside the designated hunt area.

(5) Alcoholic beverages are not permitted in the hunt area.

(6) Use of properly licensed retrievers is permitted and encouraged.

White River National Wildlife Refuge

(1) Ducks and coots only may be hunted on Tuesdays, Thursdays, and Saturdays during the regular State seasons on approximately 11,100 acres. Hunters may begin hunting one-half hour before sunrise and must depart the hunting area before 12 noon. Waterfowl hunting will not be permitted on

November 29, 1980, because deer hunting is scheduled for the same area.

(2) The construction and use of blinds is prohibited.

(3) Camping in refuge campgrounds for the purpose of waterfowl hunting is not permitted.

(4) Decoys may not be left overnight.

(5) The maximum outboard motor size allowed is 10 h.p.

(6) Open fires are prohibited in the hunting area.

(7) Firearms must be unloaded and encased when traveling to and from the hunting area.

(8) Waterfowl may be drawn but not plucked or dressed on the refuge.

Georgia

Eufaula National Wildlife Refuge

Migratory Waterfowl Hunting

(1) Hunting will be permitted on areas comprising approximately 770 acres (Georgia unit) which have been designated as being open to public waterfowl hunting.

(2) Hunts will be held from 30 minutes prior to sunrise until 11:30 A.M., Eastern Standard Time, on the Georgia unit on alternating Saturday and Wednesday mornings of the respective State waterfowl seasons.

(3) Hunters must hunt only from designated blind areas located by refuge personnel. Shooting is not permitted outside designated blind zone.

(4) Hunters are required to check in and out of the hunt area and must present all bagged game for inspection.

(5) Applications for refuge permits must be received by the Refuge

Manager, Eufaula Refuge, Eufaula, Alabama, prior to October 26, 1980.

Successful applicants will be determined by an impartial drawing on Monday, October 27, 1980. Permits are non-transferable.

Louisiana

D'Arbonne National Wildlife Refuge

(1) Ducks and coots only may be hunted from one-half hour before sunrise until 12 noon during regular statewide seasons. Teal may be hunted during the early State teal season between sunrise and noon.

(2) Only portable blinds are permitted. Blinds may not be constructed with wire, nails, or boards.

(3) Boats may not be left unattended overnight.

Lacassine National Wildlife Refuge

(1) Public hunting for ducks, geese, and coots will be permitted on designated areas comprising approximately 6,400 acres. Waterfowl hunting will be allowed from one-half hour before sunrise until 11:00 A.M., Wednesday through Sunday, during the Louisiana western zone season, excluding the special teal season. Hunters may enter the hunting area no earlier than two hours before legal shooting time and must depart the refuge by 12:00 noon.

(2) Only steel shot ammunition may be used, except that hunters participating in the steel shot study may be given lead loaded ammunition to shoot as part of the study.

(3) A permit will be needed to hunt the area between the Pipeline Canal and the Intracostal Canal and all of the hunting area east of the Lacassine Bayou. These areas are reserved for the special shooting study. The hunting area south of the Pipeline Canal and west of Misere Bayou is open to hunting without a permit.

(4) Hunters must hunt from prepared blinds. They may not utilize material to build blinds other than native vegetation; no boards, wire, lumber, netting, burlap, poles, brush, trees, or cane (bamboo) larger than 1 inch in diameter at the large end. Portable blinds made of any material may be used; however, they must be removed from the refuge by 12 noon each day. Hunters may place blinds only in the area open to first come-first serve hunting.

(5) Hunting parties may hunt closer than 150 yards to each other. The first hunter(s) at a pond or blind site outside the reserved area holds that site until the hunt is completed; other parties must move away at least 150 yards.

(6) No hunting closer than 50 yards to any ditch, canal, or waterway.

(7) No decoys may be left in the hunting area overnight.

(8) No boats may be left on the refuge earlier than one week prior to the opening of the hunting season. No air-thrust boats or ATVs may be used on the refuge. Mud boats are permitted.

Sabine National Wildlife Refuge

(1) Public hunting for ducks, geese, and coots will be permitted on designated areas comprising approximately 10,000 acres. Waterfowl hunting will be allowed from one-half hour before sunrise until 11:00 A.M., Wednesday through Sunday, during the regular Louisiana western zone duck season. Hunters may enter the hunting area no earlier than two hours before legal shooting time and must depart the refuge by 12 noon. The refuge is closed to hunting on Christmas Day.

(2) Upon request hunters are required to exhibit a valid State hunting license, duck stamp, and all shells in possession to a designated refuge official prior to hunting and permit authorized Service personnel to inspect his person, equipment, and/or vehicle.

(3) Hunting parties may not hunt closer than 100 yards apart and must station themselves a minimum of 50 yards inland from refuge canals. The first hunter(s) at a pond or blind site are the holders of that site until they complete their hunt.

(4) Temporary blinds made of native vegetation may be constructed or portable blinds may be carried in for each hunt.

(5) Firearms must be encased or dismantled when carried in transit through refuge canals.

(6) Furbearing animals or trapping equipment in the hunting area shall not be molested or disturbed by hunters.

(7) Hunters are required to check in at the hunt check station before entering the hunt area and must check out; this includes hunters who did not bag any game. All waterfowl bagged must be checked through the check station after each hunt.

Upper Ouachita National Wildlife Refuge

(1) Ducks and coots only may be hunted from one-half hour before sunrise until 12 noon during regular statewide seasons. Teal may be hunted during the early State teal season between sunrise and noon.

(2) Only portable and brush blinds are permitted. Blinds may not be constructed with wire, nails, or boards.

(3) Boats, blinds, and decoys may not be left on refuge overnight except at

designated area on the dam on Steep Bank Creek.

Mississippi

Hillside National Wildlife Refuge

Migratory Waterfowl Hunting

(1) Ducks and coots only may be hunted on Monday, Wednesday, and Saturday mornings on approximately 6,000 acres designated as Area II of the refuge from one-half hour before sunrise until 12 noon during the regular State seasons. Daily permits are required.

(2) Woodcock and snipe may be hunted during the State season on the same refuge area as open to duck hunting.

(3) Duck hunters are required to check in and out daily at the designated check station.

Mourning Dove Hunting

(1) Hunting will be permitted on the first three Saturday afternoons of the State season and two days in November (to be announced) only in fields marked open for dove hunting.

(2) Permits are required.

(3) Dove hunters are required to check out after each day's hunt.

(4) Retriever dogs are allowed.

Noxubee National Wildlife Refuge

(1) Public hunting of ducks and coots will be permitted only on the areas designated as green-tree reservoirs numbers 1 and 2.

(2) Hunting will be permitted only on Mondays, Wednesdays, and Saturdays from one-half hour before sunrise until 12 noon during the State waterfowl season.

(3) The use of boats with electric motors is permitted within the hunting area.

(4) The construction of blinds is not permitted.

(5) Hunters will not be permitted to enter the hunting area sooner than 45 minutes before legal shooting hours.

(6) No hunter may take more than 16 shot gun shells into the hunting area.

(7) No shooting will be permitted from the levee or the open water area immediately adjacent to the levee.

(8) All hunters are required to check in and out at the designated check station.

(9) Permit is required.

Panther Swamp National Wildlife Refuge

(1) Ducks and coots only may be hunted on Monday, Wednesday, and Saturday mornings from one-half hour before sunrise to 12 noon during the State duck hunting season in Area II of the refuge.

(2) Duck hunters are required to check out at the designated check station after each day's hunt.

(3) Woodcock and snipe may be hunted during the State season on the same refuge area as open to duck hunting.

Yazoo National Wildlife Refuge

(1) Mourning dove hunting will be permitted on approximately 600 acres (Swan Island) which has been designated as open to public hunting from 12 noon until sunset on September 13, 1980, and September 20, 1980.

§ 32.22 Special regulations; upland game hunting for individual wildlife refuge areas.

Alabama

Wheeler National Wildlife Refuge

(1) Upland game hunting is permitted on approximately 19,000 acres for squirrel, rabbit, fox, raccoon, and opossum.

(2) Seasons: squirrel October 1, 1980, through October 14, 1980; raccoon and opossum—February 2, 1981, through February 14, 1981, night hours only. Special rabbit hunt—February 14, 1981, through February 28, 1981, with shotguns and bows and arrows except in southwest portion of refuge where bows and arrows only are allowed; the use of dogs is permitted.

(3) Permits are required.

(4) Sunday hunting is prohibited.

Arkansas

Big Lake National Wildlife Refuge

(1) Species permitted: squirrel, rabbit, and beaver—State fall season through October 31, 1980; raccoon—November 1, 1980, through November 9, 1980, 4 P.M. until 7 A.M.

(2) Dogs are required for raccoon hunt; no more than two dogs per hunter allowed. No dogs permitted during other species hunts.

(3) Firearms must be unloaded during transportation to hunting sites.

(4) A permit is required for raccoon hunting.

(5) No boats are allowed within the refuge after October 31.

(6) Hunts may be closed without advance notice under flood conditions.

Felsenthal National Wildlife Refuge

(1) Squirrel may be hunted from October 1, 1980, through January 31, 1981; refugewide, except closed in the waterfowl sanctuary area during waterfowl season. Hunting from boats is not permitted.

(2) Rabbits may be hunted October 1, 1980 through February 5, 1981; refugewide, except closed in the

waterfowl sanctuary area during the waterfowl season.

(3) Quail may be hunted November 22, 1980 through February 15, 1981; refugewise, except closed in the waterfowl sanctuary area during waterfowl season.

(4) Beaver may be hunted October 1, 1980, through February 15, 1981; refugewise, except closed in the waterfowl sanctuary area during waterfowl season.

(5) Raccoon may be hunted the first three nights of the State season and four consecutive nights starting on the night following closure of the State waterfowl season. Hunting hours are 4:00 P.M. to 7:00 A.M. Open refugewise, except closed in the waterfowl sanctuary area during the waterfowl season.

(6) Dogs are permitted only for quail and raccoon hunts. No more than two dogs per hunter and four dogs per party are permitted for raccoon hunts.

(7) All firearms being transported in vehicles or boats must be empty and encased or dismantled. Firearms in camps must be empty. Handguns are prohibited.

(8) Camping is allowed only adjacent to readily identifiable roads and river channels within areas open to hunting.

Wapanocca National Wildlife Refuge

(1) Species permitted: squirrel and rabbit—October 1, 1980 through October 31, 1980; beaver may be taken as an incidental species. Raccoon—October 15, 1980 through October 31, 1980, from 4 P.M. to 7 A.M.

(2) One dog per hunter is required (2 per hunter maximum) for raccoon hunts; no dogs allowed during other species hunts.

(3) Permit is required for raccoon hunting.

White River National Wildlife Refuge

(1) Species permitted: squirrel, rabbit, beaver—October 1, 1980 through October 20, 1980; north of Highway 1 season—October 1, 1980 through November 6, 1980; in duck hunting area—every Tuesday, Thursday and Saturday only during duck season. Raccoon—December 4, 1980, through December 6, 1980, and December 11, 1980 through December 13, 1980, 4:30 P.M. until 12 midnight. Raccoon hunters must depart refuge by 1 A.M.

(2) A permit is required for raccoon hunts.

(3) Horses are allowed for raccoon hunts only.

(4) Weapons: shotguns and .22 caliber rimfire fires are permitted. Rifles are not allowed in duck hunting area.

(5) Boats and off-road vehicles are not allowed during the raccoon hunts.

(6) Dogs are required for raccoon hunts; one dog per hunter maximum.

Louisiana

Catahoula National Wildlife Refuge

(1) Species permitted: squirrel and rabbit—October 4, 1980 through October 31, 1980, on approximately 3,800 acres.

(2) No dogs permitted.

D'Arbonne National Wildlife Refuge

(1) Species permitted: squirrel and rabbit—October 4, 1980 through January 4, 1981; rabbits with beagles—January 5, 1981 through January 31, 1981; raccoon—January 5, 1981 through January 31, 1981; quail—November 27, 1980 through January 4, 1981; quail with dogs—January 6, 1981 through January 31, 1981.

(2) Dogs are permitted during the January raccoon, rabbit, and quail hunts only.

Upper Ouachita National Wildlife Refuge

(1) Squirrel—State season; rabbit—State season to January 31, 1981, dogs allowed after State gun deer season; quail—State season after January 31, 1981, dogs allowed after State gun deer season; raccoon—day after State deer season ends to January 31, 1981.

Mississippi

Hillside National Wildlife Refuge

(1) Upland game hunting is permitted on approximately 15,400 acres for quail, rabbit, squirrel, raccoon, and opossum. Beaver may be taken as an incidental species.

(2) Seasons: quail—State season; rabbit—State season except dogs allowed only from February 1, 1981 through February 28, 1981; squirrel—State season; raccoon and opossum—November 1, 1980 through November 20, 1980 and January 16, 1981 through February 8, 1981.

(3) Hours for raccoon and opossum hunting are 6 P.M. until 4 A.M.

(4) Sunday hunting is prohibited.

(5) Dogs are permitted during the quail, raccoon, and opossum hunts. Only beagles are permitted during the February 1, 1981 through February 28, 1981 rabbit hunt.

(6) Sunday hunting is prohibited.

Noxubee National Wildlife Refuge

(1) Species permitted: squirrel and rabbit—October 18, 1980 through December 12, 1980; beaver may be hunted as an incidental species during the squirrel and rabbit hunts. Quail—November 27, 1980 through December 12, 1980, and January 12, 1981 through end of State season; rabbit, snipe, and woodcock may be hunted as incidental

species during the quail hunt. Weapons restricted to shotguns only. Raccoon and opossum—November 1, 1980 through November 30, 1980, and January 16, 1981 through February 8, 1981, only with .22 caliber rimfire weapons from 4 P.M. to 7 A.M.

(2) No refuge permit will be required for squirrel, rabbit, quail, raccoon, and opossum hunts.

(3) Sunday hunting is prohibited.

(4) Dogs are permitted during the quail, raccoon, and opossum hunts only.

Panther Swamp National Wildlife Refuge

(1) Upland game hunting is permitted on approximately 16,300 acres for rabbit, squirrel, raccoon, and opossum. Beaver may be taken as an incidental species.

(2) Seasons: rabbit—State season except dogs allowed only from February 1, 1981 through February 28, 1981. Squirrel—State season. Raccoon and opossum—November 1, 1980 through November 20, 1980, and January 16, 1981 through February 8, 1981.

(3) Hours for raccoon and opossum hunting are 6 P.M. until 4 A.M.

(4) Sunday hunting is prohibited.

(5) Dogs are permitted during the raccoon and opossum hunts. Only beagles are permitted during the February 1, 1981 through February 28, 1981 rabbit hunt.

Yazoo National Wildlife Refuge

(1) Species permitted: squirrel and rabbit—October 4, 1980 through October 31, 1980; raccoon and opossum—December 15, 1980 through December 20, 1980 from 5 P.M. until midnight.

(2) Permits are required.

(3) No Sunday hunting is permitted.

(4) Upland game hunting of designated species is permitted on approximately 7,800 acres.

§ 32.22 Special regulations; big game hunting for individual wildlife refuges.

Alabama

Wheeler National Wildlife Refuge

(1) Archery deer hunt: October 15, 1980 through November 20, 1980; either sex.

(2) Primitive weapons deer hunt (archery and flintlock only): November 21, 1980 through November 29, 1980; either sex.

(3) Redstone Arsenal deer hunt: Contact Post Warden's Office for dates and regulations.

(4) Permits are required.

(5) Hunting is permitted on approximately 19,000 acres.

(6) Sunday hunting is prohibited.

Arkansas*Felsenthal National Wildlife Refuge*

(1) Deer (archery, muzzle-loader, and regular gun) hunting is permitted during regular State seasons. Open refuge-wide, except closed in the waterfowl sanctuary area during waterfowl season. Only portable stands may be used.

(2) Coyote may be hunted during all other refuge hunts in areas and with firearms applicable to those hunts.

(3) Feral hogs may be hunted during deer gun seasons only in areas open and with weapons legal for deer. There is no bag limit.

(4) The use of dogs for coyote, feral hog, and deer hunting is prohibited.

(5) All firearms being transported in vehicles or boats must be empty and encased or dismantled. Firearms in camps must be empty. Pistols legal for taking deer are authorized during deer gun hunts. All pistols prohibited at other times. Possession of rifles larger than .22 rimfire caliber, slugs, and buckshot is prohibited outside of refuge deer gun seasons. Firearms are not permitted outside of refuge hunting seasons.

(6) Horses are prohibited during refuge gun hunts. At other times they may be used on refuge roads.

(7) Camping is allowed only adjacent to readily identifiable roads and river channels within areas open to hunting.

(8) It is unlawful to drive a nail, spike, or other metal object into a tree or to hunt from any tree in which a nail, spike or metal object has been driven.

Holla Bend National Wildlife Refuge

(1) Archery deer hunt: October 15, 1980 through December 15, 1980 on approximately 6,367 acres.

(2) Persons may enter the refuge when the entrance gate opens each morning (daylight) and must leave the refuge by the time posted at the entrance gate.

(3) All hunters must register upon entering the refuge each day.

(4) All deer bagged must be checked at the refuge check station before leaving the refuge.

(5) No hunting is permitted from any vehicle.

(6) Only portable tree stands which do not permanently attach to or damage trees may be used. Stands may be placed after September 15, 1980, and must be removed January 1, 1981.

(7) Alcoholic beverages are not permitted in hunting areas.

White River National Wildlife Refuge

(1) Archery hunt (deer and turkey): October 11, 1980 through October 30, 1980, and January 16, 1981 through January 31, 1981. Season north of Highway 1—October 1, 1980 through

November 6, 1980. Limit and sex: State regulations. Squirrel, rabbit, and beaver may be taken as incidental species.

(2) Primitive weapons deer hunt: October 23, 1980 through October 25, 1980. Limit: one deer of either sex (bonus deer).

(3) Gun deer hunt: November 10, 1980 through November 12, 1980. Limit: one legal buck (not a bonus deer).

(4) Youth gun deer hunt: November 7, 1980 through November 8, 1980, and November 28, 1980 through November 29, 1980. Limit: one deer of either sex (not a bonus deer).

(5) Turkey hunt: Spring hunt dates to be announced.

(6) Permits are required for primitive weapons hunt, gun deer hunt, youth deer hunt, and turkey hunt.

(7) No loaded firearms allowed in boats, vehicles, on campgrounds, or in roadways used by vehicles.

(8) All deer taken in the gun deer hunt and in the youth deer hunt must be checked at a designated check station.

(9) Horses are prohibited.

Louisiana*Catahoula National Wildlife Refuge*

(1) Archery deer hunt: October 1, 1980 through October 31, 1980, and December 6, 1980 through January 3, 1981, on approximately 2,500 acres; either sex. Rabbit and squirrel may be taken as incidental species.

(2) Muzzle-loader hunt: November 8, 1980 through November 16, 1980; bucks only.

(3) Youth deer hunt: November 1, 1980 through November 2, 1980; either sex.

(4) A refuge permit will be required for all gun hunters.

(5) No permanent tree stand may be constructed.

(6) All bagged deer must be checked out at refuge headquarters.

D'Arbonne National Wildlife Refuge

(1) Archery deer hunt: State season; gun deer hunts—first segment of State season and first 2 days of second segment. Either sex hunting on opening day and on both days of second segment.

(2) Portable stands only. Stands may not be nailed to trees or left on refuge overnight.

(3) Unmarked feral hogs and coyotes may be taken during refuge deer seasons.

Upper Ouachita National Wildlife Refuge

(1) Archery deer hunt: State season; gun deer hunts—first segment of State season and first 2 days of second segment. Either sex hunting on opening

day and on both days of second segment.

(2) Portable stands only. Stands may not be nailed to trees or left on refuge overnight.

(3) Unmarked feral hogs and coyotes may be taken during refuge deer seasons.

Mississippi*Hillside National Wildlife Refuge*

(1) Archery deer hunt—State seasons; primitive weapons deer hunt—State season. Either sex.

(2) Sunday hunting is prohibited.

(3) The use of any drug on arrows is prohibited. Bow hunters may not have arrows employing drugs or drug holding devices in their possession.

Noxubee National Wildlife Refuge

(1) Archery deer hunt: October 4, 1980 through October 30, 1980, and November 1, 1980 through November 19, 1980; either sex.

(2) Primitive weapons deer hunt: December 2, 1980 through December 12, 1980; either sex.

(3) Gun deer hunt: December 13, 1980 through December 26, 1980, and January 3, 1981 through January 10, 1981; bucks only.

(4) Gun deer hunt—Either sex: A limited either sex gun hunt not to exceed three days is planned. Hunt dates and other information will be available at refuge headquarters after November 1, 1980.

(5) Turkey hunt: State seasons; with shotguns only.

(6) All deer and turkey harvested must be checked at the refuge headquarters or designated check station.

(7) Weapons allowed for deer gun hunts are: centerfire rifles and 20 gauge or larger shotguns.

(8) The possession or use of any drugged arrow for bow hunting is prohibited.

(9) Sunday hunting is prohibited.

(10) Horses are prohibited.

(11) Permits are required for all deer and turkey hunts.

(12) Man-drive deer hunting is prohibited.

(13) The use of any citizens band radio device to aid in the pursuit or taking of game animals is prohibited.

Panther Swamp National Wildlife Refuge

(1) Archery deer hunt—State season; primitive weapons deer hunt—State season; gun deer hunt—State season.

(2) The use of any drug on arrows is prohibited. Bowhunters may not have arrows employing or any drug holding devices in their possession.

(3) Sunday hunting is prohibited.

Yazoo National Wildlife Refuge

(1) Archery deer hunt: November 1, 1980 through November 15, 1980, and January 17, 1981 through January 23, 1981, on approximately 7,800 acres; either sex.

(2) Primitive weapons deer hunt: December 2, 1980 through December 12, 1980; either sex. Hunt to be closed when 60 doe deer have been harvested.

(3) Gun deer hunt: December 27, 1980 through January 3, 1981, and January 10, 1981; bucks only.

(4) Permits are required.

(5) Loaded firearms in vehicles are prohibited.

(6) Man-drive deer hunting is prohibited.

(7) All deer must be checked at refuge headquarters.

(8) No Sunday hunting permitted.

(9) A minimum of 500 square inches of fluorescent hunter orange must be visibly worn above the waist during deer gun hunts.

The provisions of these special regulations supplement the regulations which generally govern hunting on wildlife refuge area and which are set forth in Title 50, *Code of Federal Regulations*, Part 32. The public is invited to offer suggestions and comments at any time.

Dated: September 4, 1980.

Dennis F. Holland,
Acting Area Manager.

[FR Doc. 80-27849 Filed 9-9-80; 8:45 am]

BILLING CODE 4310-55-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 285

Atlantic Bluefin Tuna

AGENCY: National Oceanic and Atmospheric Administration (NOAA)/Commerce.

ACTION: Notice of change in catch rate.

SUMMARY: This notice changes the allowable catch rate of giant Atlantic bluefin tuna in the General Category, Northern Area, from two (2) per day per vessel to four (4) per day per vessel.

EFFECTIVE DATE: 0001 hours e.d.t. September 13, 1980.

FOR FURTHER INFORMATION CONTACT: Allen E. Peterson, Jr., Regional Director, Northeast Region, National Marine Fisheries Service, 14 Elm Street, Gloucester, MA 01930—Telephone (617) 281-3600.

SUPPLEMENTARY INFORMATION: On June 13, 1980, final regulations promulgated under the authority of the Atlantic Tunas Convention Act (16 U.S.C. Sections 971-971h), and implementing the provisions thereof, were filed with the Office of the Federal Register. Section 285.32(b)(1) of those final regulations provides that in the Northern Area, as defined in § 285.30(b)(2), "On or about September 7, the Assistant Administrator shall review dealer and buy boat reports to determine the total catch of giant bluefin tuna. If the Assistant Administrator determines that 85 percent or more of the quota of giant bluefin has been caught, an allowable catch of one giant bluefin tuna per day per vessel shall be continued or reestablished. If the Assistant Administrator determines that 70 or more percent and less than 85 percent of the quota has been caught, the allowable catch shall be set at two giant bluefin tuna per day per vessel. If more than 60 and less than 70 percent of the quota has been caught, the allowable catch shall be set at three giant tuna per day per vessel. If the Assistant Administrator determines that 60 percent or less of the quota has been caught, the allowable catch shall be increased to four giant tuna per day per vessel."

The Assistant Administrator for Fisheries, NOAA, has determined, based upon dealer and buy boat landing reports, that the catch of giant Atlantic bluefin tuna in the General Category, Northern Area, is approximately 800 fish. As this number is less than 60 percent of the total quota, the daily catch rate of giant Atlantic bluefin tuna shall be increased from two (2) to four (4) fish per day per vessel at 0001 e.d.t. on September 13, 1980. This catch rate will remain in effect for the remainder of the 1980 season or until the quota of 2400 giant bluefin tuna is reached. This change in the daily catch for giant Atlantic bluefin tuna does not apply to those vessels registered in the Charter or Harpoon Boat Categories in the Northern Area, or those vessels permitted to take giant Atlantic bluefin tuna in the Southern Area with gear other than purse seines.

Notice of this change in catch rate has been mailed to all vessel owners holding a valid vessel permit for this fishery.

Signed at Washington, D.C., this 5th day of September, 1980.

(16 U.S.C. 971-971h)

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

[FR Doc. 80-27788 Filed 9-5-80; 11:30 am]

BILLING CODE 3510-22-M

Proposed Rules

Federal Register

Vol. 45, No. 177

Wednesday, September 10, 1980

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

SMALL BUSINESS ADMINISTRATION

13 CFR Part 121

Small Business Size Standards; Revision to Method of Establishing Size Standards and Definitions of Small Business

AGENCY: Small Business Administration.
ACTION: Public notice.

SUMMARY: SBA published an Advance Notice of Proposed Rulemaking concerning its size standards in the Federal Register of March 10, 1980 (45 FR 15442). Subsequently public hearings were held in each SBA region. The purpose of this notice is to solicit additional comments on several critical size standards issues.

DATE: Written comments must be submitted by October 27, 1980, and should especially be directed at the specific issues identified in this notice.

ADDRESS: Send all comments to: Kaleel C. Skeirik, Chief, Size Standards Division, Small Business Administration, 1441 L Street, N.W., Room 500, Washington, D.C. 20416.

FOR FURTHER INFORMATION CONTACT: Kaleel C. Skeirik, Size Standards Division, (202) 653-6373.

SUPPLEMENTARY INFORMATION: On March 10, 1980, SBA published in the Federal Register an Advance Notice of Proposed Rulemaking to amend the small business size regulations. This advance notice set forth, on an industry-by-industry basis, which businesses are eligible for SBA assistance.

The advance notice was the result of an intensive review of the entire size standards program, and constituted the first general review of SBA's size standards since they were established in the 1950's.

Contained within the March 10 document were SBA's philosophy and policy for establishing size standards. The philosophy is to base the size standards on the competitive structure of each industry, and to use the size standards as a policy tool to allocate

SBA resources in order to enhance the level of competition of the U.S. economy.

Because of the high level of interest in the advance notice, SBA extended the comment period and held public hearings in each SBA region. These hearings were well-attended, with participants ably presenting their views. SBA received in excess of 1500 comment from the public hearings and form individual written correspondence. The comments involve about 200 of 726 different industries. There are about 25 industry areas (75 SIC industries) that are considered to be particularly impacted by the proposed size standards. While all industries will be reviewed, these particular industries will be given special attention.

In addition, SBA is asking small businesses, and others, to provide any additional information on the issues listed below. These issues need to be clarified and resolved, as they have a major influence in determining the direction of, and levels at which, the proposed size standards will be established.

Issues

1. Is SBA's policy of using size standards to promote economic competition a valid goal?

In its March 10 advance notice, SBA articulated a policy by which the degree of economic competition in an industry would be the major criterion for establishing the industry's size standard. In concentrated industries, size standards were to be set relatively high; in competitive industries, relatively low. In so doing, the degree of small business eligibility varied from industry to industry to reflect the differing competitive conditions in each industry. The size standard, thus, would expand eligibility in some industries (those with high size standards) and deemphasize eligibility in others (those with low size standards).

Some comments criticized SBA for using the intensity of economic competition in each industry as a major criterion to establish size standards. Critics argued that SBA's role should be to assist all small businesses in general, regardless of their industry or their effect on competition. The inference was also made that the absolute size of a firm is more important than the relative

size of firm within an industry in establishing size standards.

2. Is SBA's method of defining an industry's competitiveness correct?

SBA used the Standard Industrial Classification system to define industries, and all size standards were established on a 4-digit industry basis. Also, while other indicators were used, SBA primarily relied on concentration ratios to determine the degree of competitiveness within an industry.

SBA used the SIC system because it is widely accepted, uniform, and statistical information is tabulated on an SIC basis. Moreover, the Small Business Act requires that size standards be established on an industry basis rather than by item, product, service, or market.

Commenters stated that the 4-digit industry is either too broad or too narrow. For example, some commenters from the apparel manufacturing industries indicated that the 4-digit SIC is too narrow, while others such as in engineering or boat building said it is too broad. Others stated that since the SIC system hadn't been revised since 1972, it doesn't reflect the changes in industry, especially in electronics, communications, optics, computers, and so on.

The basic data used in defining an industry's competitiveness are the "Census of Economics" in which the industries are classified on a 4-digit SIC basis. The most recent Census data available by size distribution of firms on a corporate entity basis are for the year 1972. The 1977 data on this basis will not be available until early in 1981. However, the SBA also used other data sources ("Dun & Bradstreet" and "Economic Information Systems") to a great extent to update information on the various industries.

Comments were received that the 1972 data are outdated, and that other basic sources and more recent years should be used.

The use of concentration ratios to determine competition was questioned, as was the wisdom of categorizing industries by degree of competitiveness—either concentrated, mixed, or competitive.

3. How should firm size be measured?

All size standards in the advance notice, except farming, are expressed in terms of number of employees. This number includes full as well as part-time

employees. In addition, no size standard is less than 15 employees, nor is any above 2,500 employees.

Firm size was expressed by number of employees, rather than by annual sales, to avoid periodic increases for inflation. SBA counts all employees because the statistical sources upon which size standards are based (e.g., Census Bureau and others) include both full-time and part-time employees. It is also administratively simple to count all employees rather than calculate full-time equivalents of part-timers.

The floor of 15 employees was used because SBA believed that any firm with 15 or fewer employees could be considered small regardless of industry. The proposal of this floor, rather than another, was in part due to the limitations of the data.

SBA also felt that firms with more than 2500 employees would not be justified in securing SBA assistance, even in highly concentrated industries. SBA believes that currently its programs cannot, with a few exceptions, handle firms above 2500 employees.

Commenters, especially in the construction industries, stated that the use of an employee rather than an annual sales measure of size would encourage companies to subcontract work and thus avoid accounting for the actual number of employees involved. For this as well as other reasons, some suggested one or a combination of alternative firm size measures such as sales, assets, profits, net worth, a demonstration of absence of industry dominance, ability to obtain regular commercial financing, and others.

Concerning part-time employees, industries that often use part-timers stated that the definition of "employee" is too restrictive. They suggested use of a full-time equivalent; or higher size standards.

Comments indicated that the floor was too low, limiting eligibility and discouraging expansion beyond the size standard. Others indicated that the ceiling was too high and that a firm with as many as 2500 employees should not be classified as small, regardless of industry.

4. *Should there be one size standard for each industry for all SBA programs or different size standards for each program?*

The advance notice presented one size standard for each industry for all SBA programs. This is a change from the present SBA convention of having size standards vary by program as well as by industry.

A single size standard reflects the application of a consistent policy by making firms eligible for all SBA

programs simultaneously. So, the reason for this proposed change is to simplify the size standards by eliminating conflicting definitions. It avoids the problem of having to develop two, three, or more definitions of small business for the various SBA Programs for every industry. Commenters stated that the size standards should reflect the objective of each SBA program. This was particularly raised by firms which currently participate in the procurement set-aside and SBIC programs. They argued that the various SBA programs have different objectives and needs. Others indicated that the government requirements for procurement were so different as to preclude their firms from normal commercial markets.

A number of comments indicated that the proposed size standards (for competitive industries), which are lower than the current size standards, would have an adverse impact on the goals of the Pub. L. 95-507 program, particularly for minority firms interested in subcontracting for federal procurement. By reducing a size standard, there would be fewer qualified or capable small firms to handle the subcontracting, they say.

5. *Are SBA size standards applicable to other government programs? SBA size standards are designed for SBA programs. They are not a generic or all-purpose definition of small business, nor are they necessarily applicable for use in other government programs. Definitions for other federal programs should be tailored to meet the objectives of those purposes.*

There appears to be some confusion in the applicability to the proposed SBA size standards of the small business definition recommended by the White House Conference on Small Business described in their Resolution No. 8. The definition in Resolution No. 8 has four different size categories on an employment basis, with an upper limit of 500 employees. This is a broad and general definition that may be more applicable to other federal programs, particularly regulatory agencies. This general definition does not take into account SBA's statutory requirement to vary size standards expressed in number of employees on an industry-by-industry basis.

6. *How should SBA's new size standards be implemented?*

SBA appreciates the fact that in some industries, and for some programs, the proposed size standards constitute a major change in their business environment. To be most responsive to the requirements of the small business sector, SBA has not proposed a schedule for the implementation of the proposed

size standards. In the advance notice, SBA requested comments on an implementation plan. However, very few substantive comments were received. Therefore, we again invite your comments on the merits of alternative implementation schemes. Included among issues under consideration are: should the implementation timetable be the same for all SBA programs; should industries where the size standard has been raised be treated the same as industries where the size standard has been lowered; should implementation be scheduled on an incremental basis or take effect at one time; what should be the total length of time before all new size standards are put into effect; should different industries be given different amounts of time to comply with the new size standards?

Since the role of the private sector is important in development of size standards, SBA believes that the public should have the opportunity to provide comments on the basic issues raised.

SBA requests that comments be restricted to the above issues. Comments previously received on specific industry size standards are being reviewed and will be taken into account prior to publishing the proposed rule.

Dated: September 4, 1980.

A. Vernon Weaver,
Administrator

[FR Doc. 80-27967 Filed 9-9-80; 8:45 am]
BILLING CODE 8025-01-M

FEDERAL TRADE COMMISSION

16 CFR Part 305

Rules for Using Energy Cost and Consumption Information Used in Labeling and Advertising of Consumer Appliances Under the Energy Policy and Conservation Act

AGENCY: Federal Trade Commission.

ACTION: Change in hearing date and filing dates for notifications, proposed testimony and written comments.

SUMMARY: On August 11, 1980, (45 FR 53340) the Commission published its Notice of Rulemaking announcing a hearing date and filing requirements for participation in this proceeding together with proposed amendments to the rule. This Notice is being issued to change the date for commencing Washington, D.C. hearings from September 25, 1980, to November 12, 1980, and to change the filing dates as specified below.

DATES: New public hearing date: November 12, 1980. Notification of