

Form 403 for a simultaneous consideration provided the equipment to be used is of "packaged" design" in paragraph (b) and inserting in lieu thereof "FCC Form 494."

62. Section 21.708 is amended by removing the words "and its Engineer in Charge of the radio district wherein operation is to be conducted," from paragraph (a), by removing the words "and its Engineer in Charge" from paragraph (a)(6), and revising paragraph (a)(7) and paragraph (c) to read as follows:

**§ 21.708 Notification of station operation at temporary fixed locations.**

(a) \* \* \*

(7) A notification shall include compliance with the provisions of § 21.706 (c) when operations are to be conducted in the area of other terrestrial microwave stations and with the provisions of § 21.706(c) and (d) when operations are to be conducted within the coordination distance contours of a fixed earth station.

\* \* \*

(c) A copy of the notification shall be kept with the station license.

63. Section 21.709 is amended by removing paragraphs (b) and (d), by redesignating paragraph (c) as new paragraph (b), and by revising paragraph (a) to read as follows:

**§ 21.709 Renewal of station licenses.**

(a) An application for renewal of a station license in the Point-to-Point Microwave Radio Service primarily used to relay television signals shall contain:

(1) A statement that such use complies with § 21.700(b); and

(2) The demonstration required by § 21.700(c). Applications that do not contain these items as appropriate will be returned as unacceptable for filing.

**§ 21.711 [Amended]**

64. Section 21.711 is amended by removing paragraphs (b) and (c), paragraphs (d), (e) and (f) are redesignated paragraphs (b), (c) and (d), new paragraph (b) is amended by removing the words "and a copy of the notification provided to the Engineer in charge"; and new paragraph (c) is amended by removing the words "and the Engineer in Charge".

**§ 21.713 [Removed and reserved]**

65. Section 21.713 is removed and reserved.

66. Section 21.806 is amended by revising paragraph (a) to read as follows:

**§ 21.806 Remote control operation of mobile telephone pickup stations.**

(a) Mobile television pickup stations (including nonbroadcast) may be operated by remote control from the fixed locations for periods not to exceed 6 months.

\* \* \*

67. Section 21.807 is amended by removing the words "applications (FCC Forms 401 and 403)" in paragraph (a)(2) and inserting in their place "application FCC Form 494" and by revising paragraph (b) to read as follows:

**§ 21.807 Stations at temporary fixed locations.**

\* \* \*

(b) Applications for authorizations to operate stations at temporary locations under the provisions of this section may be made upon FCC Form 494. Blanket applications may be submitted for the required number of transmitters.

\* \* \*

68. Section 21.808 is amended by removing the words "and its Engineer in Charge" from paragraph (a)(6), by revising the introductory text of paragraph (a)(8) as follows:

**§ 21.808 Notification of station operation at temporary locations.**

(a) The licensee of stations authorized pursuant to § 21.807 shall notify the Commission prior to each period of operation. This notification may be oral or written and shall include:

\* \* \*

(8) A notification shall include compliance with the provisions of § 21.807(c).

(b) A copy of the notification shall be kept with the station license.

**§ 21.809 [Amended]**

69. Section 21.809 is amended by removing the designations "(c) and (d)" and inserting in lieu thereof the term "(d) and (e)".

70. Section 21.906 is amended by removing from paragraph (a) the term "directive" and inserting, in lieu thereof, the term "directional"; and by adding a new last sentence at the end of paragraph (a), as follows:

**§ 21.906 Antennas.**

(a) \* \* \* When an applicant proposes to employ a directional antenna, the applicant shall provide the Commission with information regarding the orientation of the directional antenna, expressed in degree of azimuth, with respect to true north.

\* \* \*

**§ 21.909 [Amended]**

71. Section 21.909 is amended by removing paragraphs (b)(2), (b)(3) and (b)(4) and by redesignating paragraph (b)(5) as (b)(2).

Federal Communications Commission.  
William J. Tricarico,  
Secretary.

[FR Doc. 87-23513 Filed 10-8-87; 8:45 am]

BILLING CODE 6712-01-M

**47 CFR Part 73**

[MM Docket No. 86-144; FCC 87-296]

**Broadcast Services; Review of Technical Parameters for FM Broadcast Stations**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The method that the FCC uses to classify FM broadcast stations on the basis of effective antenna height and transmitting power is codified. The required procedures for predicting FM broadcast station coverage and calculating the distance between two points are modified for increased accuracy. Permissible modifications for certain grandfathered short-spaced FM broadcast stations are limited to those which do not increase the risk of interference. These actions are necessary to address certain technical discrepancies resulting from an earlier action that increased the number of FM broadcast station classes, and to update and modernize required procedures.

**EFFECTIVE DATE:** November 9, 1987.

**ADDRESS:** Federal Communications Commission, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** B.C. "Jay" Jackson, Jr., Mass Media Bureau, (202) 632-9660.

**SUPPLEMENTARY INFORMATION:** This is a summary of Commission's *Second Report and Order*, MM Docket 86-144, adopted September 10, 1987 and released September 25, 1987. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street Northwest, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

**Final Regulatory Flexibility Analysis**

Pursuant to the Regulatory Act of 1980, 5 U.S.C. 604, a final regulatory

flexibility analysis has been prepared. It is available for public viewing as a part of the full text of this decision, which may be obtained from the Commission or its copy contractor.

#### Summary of the Second Report and Order

1. The Commission initiated this proceeding in April 1986 by adopting a *Notice of Proposed Rule Making (Notice)* proposing to amend rules that were affected by BC Docket No. 80-90, but were not given detailed consideration in that proceeding. The Commission also proposed a new method for classifying stations that would allow a continuous range of permissible FM facilities. More than 400 parties filed comments or reply comments in response to the *Notice*. Earlier this year the Commission adopted a *First Report and Order* resolving two of the matters proposed in the *Notice*.

2. The *Notice* illustrated how some reasonable combinations of antenna height above average terrain (HAAT) and effective radiated power (ERP) do not conform to the maximum and minimum requirements of the Commission's rules for any of the six classes of FM broadcast stations. To rectify this problem, a new "index" method for classifying FM broadcast stations was proposed. The index method would also replace the "equivalence method" currently mandated for overheight power reduction and serve as an alternative to the minimum power requirements for each class.

3. In order to license FM stations efficiently, the Commission must be able to classify them rapidly and accurately. The principal goal of the index method proposal was to provide a clear-cut means of classifying FM stations according to their antenna HAAT and ERP. However, it was determined that the power reduction formulas derived from the proposed method do not track the propagation curves in the rules with sufficient accuracy. Furthermore, it now appears that the index method could easily be misunderstood or incorrectly applied.

4. Therefore, the Commission is not adopting the index method. Instead, the Commission is amending its rules to provide a detailed explanation of the method used to classify FM broadcast stations since the effective date of Docket 80-90. This method first looks to the maximum and minimum ERP and HAAT limits in the rules, and then, for only those stations that fall outside of those limits, uses the distance to the 1 mV/m field strength contour, rounded to

the nearest kilometer (the "reference distance") to determine the station class. Exceptions to the minimum power requirements are provided for stations with large effective antenna heights and stations whose reference distance exceeds the class contour distance for the next lower class.

5. To bring its rules up-to-date with changing technology and current engineering practices, the Commission is amending the rules to require that prediction of coverage be determined using the maximum ERP of the main radiated lobe of the FM station's antenna, regardless of the orientation of that lobe. This will result in an improvement in accuracy and will allow the effects of beam-tilt antennas to be reflected in coverage predictions.

6. The Commission's rules specify, by station class, the minimum distance that each FM station must be separated from other FM stations that operate on frequencies separated by 10.6 or 10.8 MHz in order to reduce the probability of intermodulation interference in FM receivers. In Docket 80-90, the Commission applied the existing IF separation distances for the large Class B and C stations to the new intermediate size classes B1, C2, and C1. Consequently, stations in these new classes must meet the same separations as the largest stations, limiting their flexibility in choice of antenna sites. Thus, in the *Notice*, the Commission proposed reductions in the required spacing for the new classes.

7. Based on the record before it, the Commission finds that adoption now of the reduced separation distances proposed for the new classes would be premature. Although not changing the IF separations for the new classes at this time, the Commission continues to believe that reduction of these separations is appropriate. Accordingly, after reviewing and analyzing the IF interference susceptibility test data obtained in its laboratory, the Commission plans to issue a Further Notice of Proposed Rule Making in this proceeding looking toward such a relaxation.

8. The Commission's rules provide a table of routinely permissible modifications that apply only to FM stations authorized prior to November 16, 1964 at locations that did not then and still do not meet the minimum separation distances. Some of these grandfathered short-spaced stations were reclassified to Class C1, C2 or B1, as a result of Docket 80-90. However, the table does not contain provisions for the new classes. In the *Notice*, it was proposed to replace the table and the current rule text with a single paragraph

that would permit grandfathered short-spaced stations to be modified or relocated, provided that the 1 mV/m field strength contours are not extended toward the 1 mV/m contours of any short-spaced station.

9. Grandfathered short-spaced stations have had 22 years to take advantage of § 73.213 of the rules to optimize their facilities. The Commission believes that continuing to allow these stations to routinely modify their facilities in ways that increase the risk of interference is not in the public interest. Therefore, the Commission is adopting its proposal. The Commission will continue, however, to consider mutual agreements between these grandfathered short-spaced stations for facilities increases when it is shown that the public interest would be served.

10. The *Notice* proposed to revise coefficients in the distance calculation equations in § 73.208 of the rules. Some precision in these coefficients was inadvertently lost when the equations were converted to metric and truncated. The Commission is adopting the more precise coefficients for distance calculation.

11. Finally, the Commission is adopting editorial amendments that (1) specify more clearly the area constituting a quiet zone in Boulder County, Colorado as a box bounded by particular latitude and longitude lines, rather than as the "vicinity" of a specified point; and (2) amend the rule permitting replacement of the transmitting antenna of an FM (or TV) broadcast station without prior Commission authorization in order to clarify that it is intended only for those situations in which there is no change in the coverage characteristics.

12. Applications received prior to the effective date of these rules will be processed in accordance with the rules most advantageous to the applicant.

13. Authority for the action taken herein is contained in section 303 of the Communications Act of 1934 as amended.

14. Accordingly, it is ordered That Part 73 of the Commission's Rules and Regulations are amended, as set forth below.

15. It is further ordered That those Class C stations that, as of March 2, 1987, were operating with an ERP less than 100 kW, HAAT greater than 300 meters, and distance to the 1 mV/m field strength contour exceeding 72 km, and consequently were not reclassified pending action in this proceeding, are designated Class C.

16. It is further ordered That the Petition for Partial Reconsideration filed

by Hudson Group Limited Partnership of Pennsylvania is *dismissed*.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

William J. Tricarico,

Secretary.

47 CFR Part 73 is amended as follows:

#### PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154 and 303.

2. 47 CFR 73.208 is amended by revising paragraph (c) to read as follows:

#### § 73.208 Reference points and distance computation.

(c) The method given in this paragraph shall be used to compute the distance between two reference points, except that, for computation of distance involving stations in Canada and Mexico, the method for distance computation specified in the applicable international agreement shall be used instead. The method set forth in this paragraph is valid only for distances not exceeding 475 km (295 miles).

(1) Convert the latitude and longitude of each reference point from degree-minute-second format to degree-decimal format by:

(i) Dividing minutes by 60 and seconds by 3600 then adding the results to degrees; or,

(ii) Using Table 1 of § 73.698.

(2) Calculate the middle latitude between the two reference points by averaging the two latitudes as follows:

$$ML = (LAT_{1dd} + LAT_{2dd}) / 2$$

(3) Calculate the number of kilometers per degree longitude difference for the middle latitude calculated in paragraph (c)(2) as follows:

$$KPD_{lat} = 111.3209 - 0.56605 \cos(2ML) + 0.00120 \cos(4ML)$$

(4) Calculate the number of kilometers per degree longitude difference for the middle latitude calculated in paragraph (c)(2) as follows:

$$KPD_{lon} = 111.41513 \cos(ML) - 0.09455 \cos(3ML) + 0.00012 \cos(5ML)$$

(5) Calculate the North-South distance in kilometers as follows:

$$NS = KPD_{lat} (LAT_{1dd} - LAT_{2dd})$$

(6) Calculate the East-West distance in kilometers as follows:

$$EW = KPD_{lon} (LON_{1dd} - LON_{2dd})$$

(7) Calculate the distance between the two reference points by taking the square root of the sum of the squares of the East-West and North-South distances as follows:

$$DIST = (NS^2 + EW^2)^{0.5}$$

(8) Round the distance to the nearest kilometer.

(9) Terms used in this section are defined as follows:

(i)  $LAT_{1dd}$  and  $LON_{1dd}$  = the coordinates of the first reference point in degree-decimal format.

(ii)  $LAT_{2dd}$  and  $LON_{2dd}$  = the coordinates of the second reference point in degree-decimal format.

(iii)  $ML$  = the middle latitude in degree-decimal format.

(iv)  $KPD_{lat}$  = the number of kilometers per degree of latitude at a given middle latitude.

(v)  $KPD_{lon}$  = the number of kilometers per degree of longitude at a given middle latitude.

(vi)  $NS$  = the North-South distance in kilometers.

(vii)  $EW$  = the East-West distance in kilometers.

(viii)  $DIST$  = the distance between the two reference points, in kilometers.

3. A new section 47 CFR 73.210, *Station classes*, is added:

#### § 73.210 Station classes.

(a) The rules applicable to a particular station, including minimum and maximum facilities requirements, are determined by its class. Possible class designations depend upon the zone in which the station's transmitter is located, or proposed to be located. The zones are defined in § 73.205. Allotted station classes are indicated in the Table of Allotments, § 73.202. Class A, B1 and B stations may be authorized in Zones I and I-A. Class A, C2, C1, and C stations may be authorized in Zone II.

(b) The power and antenna height requirements for each class are set forth in § 73.211. If a station has an ERP and an antenna HAAT such that it cannot be classified using the maximum limits and minimum requirements in § 73.211, its class shall be determined using the following procedure:

(1) Determine the reference distance of the station using the procedure in paragraph (b)(1)(i) of § 73.211. If this distance is less than or equal to 24 km, the station is Class A; otherwise,

(2) For a station in Zone I or Zone I-A:

(i) If this distance is greater than 24 km and less than or equal to 39 km, the station is Class B1.

(ii) If this distance is greater than 39 km and less than or equal to 52 km, the station is Class B.

(3) For a station in Zone II:

(i) If this distance is greater than 24 km and less than or equal to 52 km, the station is Class C2.

(ii) If this distance is greater than 52 km and less than or equal to 72 km, the station is Class C1.

(iii) If this distance is greater than 72 km and less than or equal to 92 km, the station is Class C.

3. 47 CFR 73.211, *Power and antenna height requirements*, is amended by revising the text of paragraph (a) and paragraphs (b)(1) and (b)(2), and by removing paragraphs (d) and (e).

#### § 73.211 Power and antenna height requirements.

(a) *Minimum requirements.* (1) Except as provided in paragraphs (a)(3) and (b)(2) of this section, the minimum effective radiated power (ERP) for:

Class A stations must equal 0.1 kW

(10.0 dBk);

Class B1 stations must exceed 3 kW (4.8 dBk);

Class B stations must exceed 25 kW (14.0 dBk);

Class C2 stations must exceed 3 kW (4.8 dBk);

Class C1 stations must exceed 50 kW (17.0 dBk);

Class C stations must equal 100 kW (20.0 dBk).

(2) Class C stations must have an antenna height above average terrain (HAAT) of at least 300 meters (984 feet). No minimum HAAT is specified for Classes A, B1, B, C2, or C1 stations.

(3) Stations of any class except Class A may have an ERP less than that specified in paragraph (a)(1) of this section, provided that the reference distance, determined in accordance with paragraph (b)(1)(i) of this section, exceeds the distance to the class contour for the next lower class.

(b) *Maximum limits.* (1) The maximum ERP in any direction, reference HAAT, and distance to the class contour for the various classes of stations are listed below:

| Station class | Maximum ERP           | Reference HAAT in meters (ft) | Class contour distance in kilometers |
|---------------|-----------------------|-------------------------------|--------------------------------------|
| A.....        | 3kW (4.8 dBk).....    | 100 (328)                     | 24                                   |
| B1.....       | 25kW (14.0 dBk).....  | 100 (328)                     | 39                                   |
| B.....        | 50kW (17.0 dBk).....  | 150 (492)                     | 52                                   |
| C2.....       | 50kW (17.0 dBk).....  | 150 (492)                     | 52                                   |
| C1.....       | 100kW (20.0 dBk)..... | 299 (981)                     | 72                                   |
| C.....        | 100kW (20.0 dBk)..... | 600 (1968)                    | 92                                   |

(i) The reference distance of a station is obtained by finding the distance to the 1 mV/m contour using Figure 1 of § 73.333 and then rounding to the nearest kilometer. Antenna HAAT is determined using the procedure in § 73.313. If the HAAT so determined is less than 30 meters (100 feet), a HAAT of 30 meters must be used when finding the distance to the 1 mV/m contour.

(ii) If a station's ERP is equal to the maximum for its class, its antenna HAAT must not exceed the reference HAAT, regardless of the reference distance. For example, a Class A station operating with 3 kW ERP may have an antenna HAAT of 100 meters, but not 101 meters, even though the reference distance is 24 km in both cases.

(iii) No station will be authorized in Zone I or I-A with an ERP equal to 50 kW and a HAAT exceeding 150 meters. No station will be authorized in Zone II with an ERP equal to 100 kW and a HAAT exceeding 600 meters.

(2) If a station has an antenna HAAT greater than the reference HAAT for its class, its ERP must be lower than the class maximum such that the reference distance does not exceed the class contour distance. If the antenna HAAT is so great that the station's ERP must be lower than the minimum ERP for its class (specified in paragraphs (a)(1) and (a)(3) of this section), that lower ERP will become the minimum for that station.

4. 47 CFR 73.213 is revised in its entirety to read as follows:

**§ 73.213 Grandfathered short-spaced stations.**

Stations at locations authorized prior to November 16, 1964 that did not meet the separation distances required by § 73.207 and have remained short-spaced since that time may be modified or relocated provided that the predicted distance to the 1 mV/m field strength contour is not extended toward the 1 mV/m field strength contour of any short-spaced station. Mutual increase in the facilities of such stations up to the limits set forth in § 73.211 may be permitted pursuant to an agreement between the affected stations and a showing of public interest. See § 73.4235.

5. 47 CFR 73.313 is amended by revising paragraph (c)(2) to read as follows:

**§ 73.313 Prediction of coverage.**

(c) \* \* \*

(2) To use the chart for other ERP values, convert the ordinate scale by the appropriate adjustment in dB. For example, the ordinate scale for an ERP of 50 kW (17 dBk) should be adjusted by 17 dB and, therefore, a field strength of 40 dBu would be converted to 57 dBu. When predicting the distance to field strength contours, use the maximum ERP of the main radiated lobe in the pertinent azimuthal direction. When predicting field strengths over areas not in the plane of the maximum main lobe, use the ERP in the direction of such

areas, determined by considering the appropriate vertical radiation pattern.

**§ 73.1030 [Amended]**

6. 47 CFR 73.1030 is amended by revising the parenthetical phrase "(in the vicinity of coordinates 40°07'50" N Latitude, 105°14'40" W Longitude)" of paragraph (b) introductory text to read "(within the area bounded by 40°09'10" N Latitude on the north, 105°13'31" W Longitude on the east, 40°07'05" N Latitude on the south, and 105°15'13" W Longitude on the west)".

7. 47 CFR 73.1690 is amended by revising paragraph (c)(1) to read as follows:

**§ 73.1690 Modification of transmission systems.**

(c) \* \* \*

(1) Replacement of a non-directional antenna with one of the same or different type or number of bays, provided that the height above ground of the center of radiation is within 2 meters of that specified in the station authorization, the parameters are within that permitted by its class designation, and there is no change in the maximum effective radiated power.

[FR Doc. 87-22758 Filed 10-8-87; 8:45 am]  
BILLING CODE 6712-01-M

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**50 CFR Part 32**

**Refuge-Specific Hunting Regulations**

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

**ACTION:** Final rule.

**SUMMARY:** The Fish and Wildlife Service (Service) is amending certain regulations in 50 CFR Part 32 that pertain to migratory game bird, upland game, and big game hunting on individual national wildlife refuges (NWR). Refuge hunting programs are reviewed annually to determine whether the regulations governing individual refuge hunts should be modified, added to or deleted. Changing environmental conditions, State and Federal regulations, and other factors affecting wildlife populations and habitats may warrant modifications to ensure the continued compatibility of hunting with the purposes for which the individual refuges involved were established and, to the extent practical, make refuge

hunting programs consistent with State regulations.

**EFFECTIVE DATE:** October 9, 1987.

**FOR FURTHER INFORMATION CONTACT:**

Nancy A. Marx, Division of Refuges, U.S. Fish and Wildlife Service, 18th and C Streets, NW., Room 2343, Washington, DC 20240; Telephone (202) 343-3922.

**SUPPLEMENTARY INFORMATION:** 50 CFR

Part 32 contains provisions governing hunting on national wildlife refuges. Hunting is regulated on refuges to: (1) Ensure compatibility with refuge purposes, (2) properly manage the wildlife resource, (3) protect other refuge values, and (4) ensure refuge user safety. On many refuges, the Service policy of adopting State hunting regulations is adequate in meeting these objectives. On other refuges, it is necessary to supplement State regulations with more restrictive Federal regulations to ensure that the Service meets its management responsibilities, as outlined under the section entitled "Conformance with Statutory and Regulatory Authorities." Refuge-specific hunting regulations may be issued only after a wildlife refuge is opened to migratory game bird, upland game, or big game hunting through publication in the *Federal Register*. These regulations may list the wildlife species that may be hunted, seasons, bag limits, methods of hunting, descriptions of open areas, and other provisions. Previously issued refuge-specific regulations for migratory game bird, upland game, and big game hunting are contained in 50 CFR 32.12, 32.22, and 32.32 respectively. Many of the proposed amendments to these sections are being promulgated to standardize and clarify the existing language of these regulations. Again this year, regulations for nontoxic shot are required on more refuges. Consequently, new regulations are being added.

The policy of the Department of the Interior is, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, written comments received during the 30-day comment period for the proposed rule (52 FR 27828) are addressed in the following section.

**Responses to Comments Received**

Written comments were received from one private organization and several Service Regional offices in response to the proposed rulemaking. Technical corrections have been made, coyote and groundhog have been removed as a proposed huntable species on Wheeler NWR because of an administrative oversight on their addition and several regulations concerning the use of hunter

orange material while hunting have been added for hunter safety. Many substantive issues raised by the one organization were the same as those raised on the 1986 proposed rule opening 17 refuges to hunting and/or fishing. In the interest of reducing the paperwork burden of the government, it is suggested that 51 FR 30655 (final rule opening 17 refuges to hunting and/or fishing) be referenced for Service responses to those issues. Several new issues were presented on this proposed rule on refuge-specific regulations and are addressed below:

**Issue:** Lack of data supporting the addition of sambar deer to the huntable species at St. Vincent NWR.

**Response:** The appropriate documentation (i.e., hunt plan, EA, Section 7 evaluation and compatibility statement) has been completed and approved and it was found that the hunting of sambar deer would be compatible with refuge purposes.

**Issue:** Lack of data supporting the assertion that the proposed regulations are exempt from the requirements of the National Environmental Policy Act.

**Response:** See statements under "Environmental Considerations" in the preamble of this final rulemaking.

**Issue:** No evidence is presented that the necessary determinations have been made to ensure that endangered and threatened species will not be adversely affected by these proposed regulations.

**Response:** The majority of these regulations make technical corrections standardizing language and definitions from Region to Region, parallel the Migratory Bird Management Office's nontoxic shot regulations (for greater protection of the resource including endangered and threatened species) and provide for the public's safety by requiring the wearing of hunter orange material. The Service has concluded that these regulations will not affect any endangered or threatened species.

#### **Conformance With Statutory and Regulatory Authorities**

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

The Refuge Recreation Act authorizes the Secretary to administer areas within the Refuge System for public recreation as an appropriate incidental or secondary use only to the extent that it is practicable and not inconsistent with the primary purpose(s) for which the areas were established. The Refuge Recreation Act also authorizes the Secretary to issue regulations to carry out the purposes of the Act. Hunting plans are developed for each refuge prior to opening it to hunting. In many cases, refuge-specific hunting regulations are included in the hunting plan to ensure the compatibility of the hunting programs with the purposes for which the refuge was established. Initial compliance with the NWRSA and Refuge Recreation Act is ensured when hunting plans are developed, and the determinations required by these acts are made prior to the addition of refuges to the lists of areas open to hunting in 50 CFR. Continued compliance is ensured by annual review of hunting programs and regulations.

Considering the rapidly approaching hunting seasons and the ones presently taking place, there is an immediate need to place these regulations into effect. The absence of refuge-specific hunting regulations for these hunting seasons would be contrary to the public interest (confusion on hours, bag limits, or firearm restrictions), hunter safety (added requirements for the use of the hunter orange clothing) and wildlife conservation (nontoxic shot requirements). Thus, the Department concludes that good cause exists within the meaning of 5 U.S.C. 553(d)(3) to make these regulations effective upon publication in the **Federal Register**.

#### **Economic Effect**

Executive Order 12291 requires the preparation of regulatory impact analyses for major rules. A major rule is one likely to result in an annual effect on the economy of \$100 million or more; or a major increase in costs or prices for consumers, individual industries, government agencies or geographic regions. The Regulatory Flexibility Act of 1980 (5 U.S.C. 601 *et seq.*) further requires the preparation of flexibility analyses for rules that will have a significant effect on a substantial number of small entities, which include small businesses, organizations or governmental jurisdictions.

The amendments to the codified refuge-specific hunting regulations, included in this final rule will make relatively minor adjustments to existing hunting programs. These regulations are not expected to have any gross economic effect and will not cause an

increase in costs or prices for consumers, individual industries, Federal, State, or local governments, agencies, or geographic regions. The benefits accruing to the public are expected to exceed by a large margin the cost of administering this rule. Accordingly, the Department of the Interior has determined that this proposed rule is not a "major rule" within the meaning of E.O. 12291 and will not have a significant economic effect on a substantial number of small entities within the meaning of the Regulatory Flexibility Act.

#### **Paperwork Reduction Act**

The Service has received approval from the Office of Management and Budget (OMB) for the information collection requirements of these regulations pursuant to the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). These requirements are presently approved by OMB under #1018-0014 Economic and Public Use Permits. These regulations impose no new reporting or recordkeeping requirements that must be cleared by OMB.

#### **Environmental Considerations**

Compliance with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4332(C)) and the Endangered Species Act of 1973 (16 U.S.C. 1531-1543) is ensured when hunting plans are developed, and the determinations required by these acts are made prior to the addition of refuges to the lists of areas open to hunting in 50 CFR. Refuge-specific hunting regulations are subject to a categorical exclusion from the NEPA process if they do not significantly alter the existing use of a particular national wildlife refuge, do not cause substantial environmental impacts, maintain the permitted level of use or are implemented for public safety purposes. The changes made by this rulemaking (most of which are technical in nature) will not substantially alter the existing uses of the refuges involved and will actually enhance existing uses through more efficient management regulations. These regulations will also reduce environmental impacts substantially by implementing nontoxic shot regulations that will reduce the impacts of lead shot on waterfowl and other impacted species. And for public safety purposes the requirement for hunter orange is being included.

Information regarding hunting permits and the conditions that apply to individual refuge hunts and maps of the hunt areas are available at refuge headquarters or can be obtained from the Regional offices of the U.S. Fish and

Wildlife Service at the addresses listed below:

Region 1—California, Hawaii, Idaho, Nevada, Oregon and Washington.

Assistant Regional Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, Lloyd 500 Building, Suite 1692, 500 NE Multnomah Street, Portland, Oregon 97232; Telephone (503) 231-6214.

Region 2—Arizona, New Mexico, Oklahoma and Texas.

Assistant Regional Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, Box 1306, Albuquerque, New Mexico 87103; Telephone (505) 766-1829.

Region 3—Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio and Wisconsin.

Assistant Regional Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111; Telephone (612) 725-3507.

Region 4—Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Tennessee, South Carolina and Puerto Rico.

Assistant Regional Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, Richard B. Russell Federal Building, 75 Spring Street, SW, Atlanta, Georgia 30303; Telephone (404) 221-3538.

Region 5—Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia and West Virginia.

Assistant Regional Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, One Gateway Center, Suite 700, Newton Corner, Massachusetts 02158; Telephone (617) 965-9222.

Region 6—Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah and Wyoming.

Assistant Regional Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, Box 25486, Denver Federal Center, Denver, Colorado 80225; Telephone (303) 236-8145.

Region 7—Alaska. (Hunting on Alaska refuges is in accordance with State regulations. There are no refuge-specific hunting regulations for these refuges.)

Assistant Regional Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, 1011 E. Tudor Rd., Anchorage, Alaska 99503; Telephone (907) 786-3538.

Nancy A. Marx, Division of Refuges, U.S. Fish and Wildlife Service, Washington, DC 20240, is the primary

author of this final rulemaking document.

#### List of Subjects in 50 CFR Part 32

Hunting, National Wildlife Refuge System, Wildlife, Wildlife refuges.

Accordingly, Part 32 of Chapter I of Title 50 of the Code of Federal Regulations is amended as set forth below:

1. The authority citation for Part 32 continues to read as follows:

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

2. Section 32.12 is amended by adding (b)(8); revising (d)(1) introductory text; redesignating (d)(1)(vi) as (d)(1)(vii), and adding (d)(1)(vi); adding (e)(1)(ix) and (3)(ix); revising (f)(1) introductory text and (f)(1)(ii); revising (f)(2), (3), (4) introductory text and (5) introductory text, (f)(5)(iii) and (iv), (f)(6) introductory text, (f)(6)(ii), (iii) and (vi), and (f)(7) introductory text; adding (f)(7)(v); revising (f)(8) introductory text, (f)(8)(iv), (f)(9) introductory text, (f)(9)(v) and (f)(10) introductory text; adding (f)(10)(iii) and (iv); removing (f)(11)(iii) and redesignating (f)(11)(iv), (v) and (vi) as (f)(11)(iii), (iv) and (v); revising (f)(12) introductory text and (f)(12)(iv); redesignating (f)(12)(ii) and (iii) as (f)(12)(iii) and (ii) respectively; revising newly redesignated (f)(12)(iii); revising (f)(13)(ii); adding (f)(13)(v); revising (f)(14) and (f)(15) introductory text, (f)(15)(ii), (iv) and (vii), (g)(1) and (3), (h)(1)(viii) and (2)(vii), and (i)(1)(ii); adding (i)(1)(v) and (vi); removing (i)(2)(iv); redesignating (i)(2)(v) through (vii) as (i)(2)(iv) through (vi); revising newly redesignated (i)(2)(vi); revising (i)(3)(iv), (4)(ii) and (iii), (j)(3) and (k)(2); removing (k)(3)(iii); and redesignating (k)(3)(iv) and (v) as (k)(3)(iii) and (iv); revising new (k)(3)(iv); adding (l)(1)(iv); revising (l)(2)(i), (ii) and (iii), (m)(1)(ii) and (iii) and (o)(2); redesignating (q)(1) through (7) as (q)(2) through (8); adding (q)(1), (2)(v) and (3)(iv) and (v); removing (q)(4)(ii); redesignating (q)(4)(iii) through (v) as (q)(4)(ii) through (iv); adding (q)(4)(v); revising (q)(5)(v), (6)(iv), (7)(i), (ii) and (iii) and (8)(ii); adding (q)(8)(iv), (v) and (vi); revising (s)(1) and (2)(ii); adding (s)(2)(v); revising (t)(1)(i)(2)(ii) and (u)(1)(iii), (u)(2) introductory text, and (u)(2)(iv); adding (u)(2)(v); revising (u)(3) introductory text and (u)(3)(iii); adding (v)(1)(iv); revising (v)(5)(iii), (w)(1)(ii) and (2)(ii), (z)(1) introductory text and (z)(2), (aa) introductory text and (aa)(1); adding (aa)(7); revising (bb)(1) introductory text, (bb)(1)(i), (2)(iii) and (3)(ii); adding (bb)(3)(ii), (iv) and (v); revising (bb)(4)(ii), (cc)(1)(iv), (cc)(2)(iii) and (dd)(i); revising (dd)(2)(i), (3)(v) and (5)(i) and (ee); revising (ff)

introductory text, (ff)(2), (gg)(2), (hh)(1)(iv), (3)(iii); removing (hh)(5)(i), redesignating (hh)(5)(ii) and (iii) as (hh)(5)(i) and (ii); revising newly redesignated (hh)(5)(i); revising (hh)(8)(i) and (13)(iv) and (ii)(2); adding (ii)(1)(iv); revising (11)(2)(iv), (3)(iv) and (4)(ii), (mm)(2)(i), (3)(i), (5)(iv), (6)(iii) and (7)(iii), (nn)(1)(ii), (nn)(2) and (3), (oo)(7), (qq)(5)(iii), (qq)(6), (rr)(1)(iii), (2)(ii) and (3)(ii), and (ss).

#### § 32.12 Refuge-specific regulations; migratory game birds.

(b) *Alabama and Georgia—Eufaula National Wildlife Refuge.* \* \* \*

(8) Hunter may not possess or use more than 25 shells per day when waterfowl hunting.

(d) *Arizona and California—(1) Cibola National Wildlife Refuge.* Hunting of geese, ducks, coots, moorhens and mourning and white-winged doves is permitted on designated areas of the refuge subject to the following conditions:

(vi) Waterfowl hunting will cease at 3:00 p.m. each day.

(e) *Arkansas—(1) Felsenthal National Wildlife Refuge.* \* \* \*

(ix) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(3) *Overflow National Wildlife Refuge.* \* \* \*

(ix) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(f) *California—(1) Clear Lake National Wildlife Refuge.* Hunting of geese, ducks, coots, moorhens, and snipe is permitted on designated areas of the refuge subject to the following conditions:

(ii) Waterfowl, coot and moorhen hunters shall possess and use, while in the field, only nontoxic shot.

(2) *Colusa National Wildlife Refuge.* Hunting of geese, ducks, coots, moorhens and snipe is permitted on designated areas of the refuge subject to the following condition: Waterfowl, coot and moorhen hunters shall possess and use, while in the field, only nontoxic shot.

(3) *Delevan National Wildlife Refuge.* Hunting of geese, ducks, coots, moorhens and snipe is permitted on designated areas of the refuge subject to the following condition: Waterfowl, coot

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

(4) *Kern National Wildlife Refuge*. Hunting of geese, ducks, coots and moorhens is permitted on designated areas of the refuge subject to the following conditions:

(5) *Kesterson National Wildlife Refuge*. Hunting of geese, ducks, coots, moorhens and snipe is permitted on designated areas of the refuge subject to the following conditions:

(iii) Waterfowl, coot and moorhen hunters shall possess and use, while in the field, only nontoxic shot.

(iv) Hunters may not possess more than 25 shells while in the field.

(6) *Lower Klamath National Wildlife Refuge*. Hunting of geese, ducks, coots, moorhens and snipe is permitted on designated areas of the refuge subject to the following conditions:

(ii) Shooting hours end at 1:00 p.m. daily on all California portions of the refuge.

(iii) Only unloaded firearms may be taken through posted retrieving zones when traveling to and from the hunting areas.

(vi) Waterfowl, coot and moorhen hunters shall possess and use, while in the field, only nontoxic shot.

(7) *Merced National Wildlife Refuge*. Hunting of geese, ducks, coots and moorhens is permitted on designated areas of the refuge subject to the following conditions:

(v) Waterfowl, coot and moorhen hunters shall possess and use, while in the field, only nontoxic shot.

(8) *Modoc National Wildlife Refuge*. Hunting of geese, ducks, coots, moorhens and snipe is permitted on designated areas of the refuge subject to the following conditions:

(iv) Waterfowl, coot and moorhen hunters shall possess and use, while in the field, only nontoxic shot.

(9) *Sacramento National Wildlife Refuge*. Hunting of geese, ducks, coots, moorhens and snipe is permitted on designated areas of the refuge subject to the following conditions:

(v) Waterfowl, coot and moorhen hunters shall possess and use, while in the field, only nontoxic shot.

(10) *Salton Sea National Wildlife Refuge*. Hunting of geese, ducks, coots, and moorhens is permitted on

designated areas of the refuge subject to the following conditions:

(iii) Waterfowl, coot and moorhen hunters shall possess and use, while in the field, only nontoxic shot.

(iv) Hunters may not possess more than 25 shells while in the field.

(12) *San Luis National Wildlife Refuge*. Hunting of geese, ducks, coots, moorhens and snipe is permitted on designated areas of the refuge subject to the following conditions:

(iii) Waterfowl, coot and moorhen hunters shall possess and use, while in the field, only nontoxic shot.

(iv) Hunters may not possess more than 25 shells while in the field.

(13) *San Pablo Bay National Wildlife Refuge*.

(ii) Hunters may use only portable blinds and temporary or floating blinds constructed of biodegradable materials.

(v) Waterfowl, and coot hunters shall possess and use, while in the field, only nontoxic shot.

(14) *Sutter National Wildlife Refuge*. Hunting of geese, ducks, coots, moorhens and snipe is permitted on designated areas of the refuge subject to the following condition: Waterfowl, coot and moorhen hunters shall possess and use, while in the field, only nontoxic shot.

(15) *Tule Lake National Wildlife Refuge*. Hunting of geese, ducks, coots, moorhens and snipe is permitted on designated areas of the refuge subject to the following conditions:

(ii) Hunting is permitted until 1:00 p.m. each day.

(iv) Only unloaded firearms may be taken through posted retrieving zones when traveling to and from the hunting areas.

(vii) Waterfowl, coot and moorhen hunters shall possess and use, while in the field, only nontoxic shot.

(g) *Colorado—(1) Alamosa National Wildlife Refuge*. Hunting of geese, ducks, coots, snipe and mourning doves is permitted on designated areas of the refuge subject to the following condition: Snipe and dove hunting are permitted only during the waterfowl hunting season.

(3) *Monte Vista National Wildlife Refuge*. Hunting of geese, ducks, coots, snipe and mourning doves is permitted on designated areas of the refuge

subject to the following condition: Snipe and dove hunting are permitted only during the waterfowl hunting season.

(h) *Delaware—(1) Bombay Hook National Wildlife Refuge*.

(vii) Waterfowl, and coot hunters shall possess and use, while in the field, only nontoxic shot.

(2) *Prime Hook National Wildlife Refuge*.

(vii) Waterfowl, and coot hunters shall possess and use, while in the field, only nontoxic shot.

(i) *Florida—(1) Chassahowitzka National Wildlife Refuge*.

(ii) Hunters shall possess and use, while in the field, only nontoxic shot.

(v) Hunting is permitted only on Wednesdays, Saturdays and Sundays.

(vi) Chassahowitzka Wildlife Management Area regulations apply to the Hernando County portion of the refuge.

(2) *Lower Suwannee National Wildlife Refuge*.

(vi) Hunters shall possess and use, while in the field, only nontoxic shot.

(3) *Loxahatchee National Wildlife Refuge*.

(iv) Hunters shall possess and use, while in the field, only nontoxic shot.

(4) *Merritt Island National Wildlife Refuge*.

(ii) Hunting is permitted only on Wednesdays, Thursdays, Fridays and Saturdays from one-half hour before sunrise until 1:00 p.m. and on Sundays from one-half hour before sunrise until sunset.

(iii) Hunters shall possess and use, while in the field, only nontoxic shot.

(j) *Georgia and South Carolina—Savannah National Wildlife Refuge*.

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

(k) *Idaho—*

(2) *Camas National Wildlife Refuge*. Hunting of geese, ducks, coots, and snipe is permitted on designated areas of the refuge subject to the following condition: Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(3) *Deer Flat National Wildlife Refuge*.

(iv) Nonmotorized boats and boats with electric motors are restricted to the area bounded by the water's edge and extending to a point 200 yards lakeward

in hunting area 1 on the Lake Lowell sector.

(l) *Illinois—(1) Chautauqua National Wildlife Refuge.* \* \* \*

(iv) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(2) *Crab Orchard National Wildlife Refuge.* \* \* \*

(i) Waterfowl hunting is permitted on the controlled areas of Grassy Point, Carterville and Greenbriar land areas, plus Orchard, Turkey, Sawmill and Grassy Islands, from sunrise to 12:00 noon each day during the goose season. Goose hunting on these areas, including lake shorelines, is permitted only from existing refuge blinds. Only selected hunters are allowed on these islands or are allowed to occupy any existing refuge blinds during the goose season. The controlled blind hunters may use or possess only 15 shells per hunter.

(ii) No more than three people may occupy a blind during the goose hunting season.

(iii) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(m) *Iowa—(1) DeSoto National Wildlife Refuge.* \* \* \*

(ii) Hunting is permitted until noon each day from November 1 through the end of the second weekend in December, or until the end of the State waterfowl season, whichever comes first.

(iii) Hunters shall possess and use, while in the field, only nontoxic shot.

(o) *Iowa, Illinois, Minnesota and Wisconsin—Upper Mississippi River Wild Life and Fish Refuge.* \* \* \*

(2) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(q) *Louisiana—(1) Atchafalaya National Wildlife Refuge.* Hunting of geese, ducks, coots, snipe and woodcock is permitted on designated areas of the refuge subject to the following condition: Hunting shall be in accordance with Sherburne Wildlife Management Area regulations.

(2) *Bogue Chitto National Wildlife Refuge.* \* \* \*

(v) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(3) *D'Arbonne National Wildlife Refuge.* \* \* \*

(iv) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(v) Firearms must be unloaded while being transported in a vehicle or boat.

(4) *Delta National Wildlife Refuge.* \* \* \*

(v) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(5) *Lacassine National Wildlife Refuge.* \* \* \*

(v) Hunters shall possess and use, while in the field, only nontoxic shot.

(6) *Sabine National Wildlife Refuge.* \* \* \*

(iv) Hunters shall possess and use, while in the field, only nontoxic shot.

(7) *Tensas River National Wildlife Refuge.* \* \* \*

(i) Only portable blinds may be used and blinds and decoys must be removed from the refuge after each day's hunt.

(ii) Hunting of ducks and coots is permitted only on Tuesdays, Thursdays, Saturdays and Sundays until noon each day during the regular State season.

(iii) Hunting is not permitted during the special teal season and the refuge gun deer hunts.

(8) *Upper Ouachita National Wildlife Refuge.* \* \* \*

(ii) Boats, decoys and blinds must be removed from the refuge after each day's hunt.

(iv) Hunting is not permitted during the special teal season.

(v) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(vi) Firearms must be unloaded while being transported in a vehicle or boat.

(s) *Massachusetts—(1) Oxbow National Wildlife Refuge.* Hunting of woodcock and snipe is permitted on designated areas of the refuge subject to the following conditions:

(i) Use or possession of alcoholic beverages while hunting are prohibited.

(ii) Vehicles are restricted to the designated parking area that is accessible from the Still River Depot Road. Entry by routes other than Still River Depot Road is prohibited.

(2) *Parker River National Wildlife Refuge.* \* \* \*

(ii) Hunters shall possess and use, while in the field, only nontoxic shot.

(v) Use or possession of alcoholic beverages while hunting are prohibited.

(t) *Michigan—(1) Seney National Wildlife Refuge.* Hunting of woodcock and snipe is permitted on designated areas of the refuge.

(2) *Shiawassee National Wildlife Refuge.* \* \* \*

(ii) Hunters shall possess and use, while in the field, only nontoxic shot.

(u) *Minnesota—(1) Minnesota Valley National Wildlife Refuge.* \* \* \*

(iii) Hunters shall possess and use, while in the field, only nontoxic shot.

(2) *Sherburne National Wildlife Refuge.* Hunting of geese, ducks, coots, rails, woodcock, and snipe is permitted on designated areas of the refuge subject to the following conditions:

(iv) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(v) Entry to hunting areas is not allowed earlier than one and one-half hours before legal shooting hours.

(3) *Tamarac National Wildlife Refuge.* Hunting of geese, ducks, coots, rails, woodcock and snipe is permitted on designated areas of the refuge subject to the following conditions:

(iii) Hunters shall possess and use, while in the field, only nontoxic shot.

(v) *Mississippi—(1) Bogue Chitto National Wildlife Refuge.* \* \* \*

(iv) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(5) *Noxubee National Wildlife Refuge.* \* \* \*

(iii) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(w) *Missouri—(1) Mingo National Wildlife Refuge.* \* \* \*

(ii) Hunters shall possess and use, while in the field, only nontoxic shot.

(2) *Swan Lake National Wildlife Refuge.* \* \* \*

(ii) Hunters shall possess and use, while in the field, only nontoxic shot.

(z) *Nevada—(1) Pahrnagat National Wildlife Refuge.* Hunting of geese, ducks, coots, moorhens, mourning doves and snipe is permitted on designated areas of the refuge subject to the following conditions:

(2) *Ruby Lake National Wildlife Refuge.* Hunting of geese, ducks, coots, moorhens and snipe is permitted on designated areas of the refuge subject to the following condition: Waterfowl coot and moorhen hunters shall possess and use, while in the field, only nontoxic shot.

(aa) *New Jersey—Edwin B. Forsythe National Wildlife Refuge.* Hunting of waterfowl, coots, moorhens and rails is permitted on designated areas of the

refuge subject to the following conditions:

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

(7) Use or possession of alcoholic beverages while hunting are prohibited.  
(bb) *New Mexico—(1) Bitter Lake National Wildlife Refuge.* Hunting of geese, ducks, coots, mourning doves and sandhill cranes is permitted on designated areas of the refuge subject to the following conditions:

(i) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(2) *Bosque del Apache National Wildlife Refuge.*

(iii) Hunters shall possess and use, while in the field, only nontoxic shot.

(3) *Las Vegas National Wildlife Refuge.*

(ii) Hunters shall possess and use, while in the field, only nontoxic shot.

(iii) Hunters age 17 and under must hunt under the supervision of an adult age 21 or older.

(iv) Hunters or dogs may not enter closed areas to retrieve birds.

(v) Hunting is permitted only on designated days of the week. Notice will be given as provided in 50 CFR 25.31.

(4) *Seville National Wildlife Refuge.*

(ii) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(cc) *New York—(1) Iroquois National Wildlife Refuge.*

(iv) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(2) *Montezuma National Wildlife Refuge.*

(iii) Hunters shall possess and use, while in the field, only nontoxic shot.

(dd) *North Carolina—(1) Alligator River National Wildlife Refuge.* Hunting of swans, geese, ducks, coots, snipe, mourning doves and woodcock is permitted on designated areas of the refuge subject to the following conditions:

(i) The use of hunting dogs is permitted only on designated areas of the refuge.

(ii) Hunters are permitted access to the refuge one and one-half hours before sunrise until one hour after sunset.

(iii) Firearms must be unloaded while being transported in a vehicle or boat.

(iv) Only portable blinds are permitted and must be removed from the refuge following each day's hunt.

(2) *Cedar Island National Wildlife Refuge.*

(i) Hunters shall possess and use, while in the field, only nontoxic shot.

(3) *Mattamuskeet National Wildlife Refuge.*

(v) Hunters shall possess and use, while in the field, only nontoxic shot.

(5) *Swanquarter National Wildlife Refuge.*

(i) Hunters shall possess and use, while in the field, only nontoxic shot.

(ee) *North Dakota—(1) J. Clark Salyer National Wildlife Refuge.* Hunting of geese, ducks and coots is permitted on designated areas of the refuge.

(2) *Lake Alice National Wildlife Refuge.* Hunting of geese, ducks, coots and mourning doves is permitted on designated areas of the refuge subject to the following conditions:

(i) Possession of firearms in retrieving zones is prohibited.

(ii) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(ff) *Ohio—Ottawa National Wildlife Refuge.* Hunting of geese and ducks is permitted on designated areas of the refuge subject to the following conditions:

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

(gg) *Oklahoma—(2) Sequoyah National Wildlife Refuge.* Hunting of waterfowl and doves is permitted on designated areas of the refuge subject to the following condition:

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

(hh) *Oregon—(1) Ankeny National Wildlife Refuge.*

(iv) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(3) *Baskett Slough National Wildlife Refuge.*

(iii) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(5) *Deer Flat National Wildlife Refuge.*

(i) Only portable blinds and temporary blinds constructed of natural materials are permitted.

(8) *Lower Klamath National Wildlife Refuge.*

(i) Only unloaded firearms may be taken through posted retrieving zones

when traveling to and from the hunting areas.

(13) *William L. Finley National Wildlife Refuge.*

(iv) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(ii) *Pennsylvania—Erie National Wildlife Refuge.*

(2) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(11) *Tennessee—(1) Chickasaw National Wildlife Refuge.*

(iv) Hunters shall possess and use, while in the field, only nontoxic shot.

(2) *Cross Creeks National Wildlife Refuge.*

(iv) Hunters shall possess and use, while in the field, only nontoxic shot.

(3) *Hatchie National Wildlife Refuge.*

(iv) Hunters shall possess and use, while in the field, only nontoxic shot.

(4) *Lower Hatchie National Wildlife Refuge.*

(ii) Hunters shall possess and use, while in the field, only nontoxic shot.

(mm) *Texas—*

(2) *Big Boggy National Wildlife Refuge.*

(i) Hunters shall possess and use, while in the field, only nontoxic shot.

(3) *Brazoria National Wildlife Refuge.*

(i) Hunters shall possess and use, while in the field, only nontoxic shot.

(5) *McFaddin National Wildlife Refuge.*

(iv) Hunters shall possess and use, while in the field, only nontoxic shot.

(6) *San Bernard National Wildlife Refuge.*

(iii) Hunters shall possess and use, while in the field, only nontoxic shot.

(7) *Texas Point National Wildlife Refuge.*

(iii) Hunters shall possess and use, while in the field, only nontoxic shot.

(nn) *Utah—(1) Bear River Migratory Bird Refuge.*

(ii) Hunters shall possess and use, while in the field, only nontoxic shot.

(2) *Fish Springs National Wildlife Refuge.* Hunting of ducks and coots is permitted on designated areas of the refuge.

(3) *Oura National Wildlife Refuge*. Hunting of ducks and coots is permitted on designated areas of the refuge.

(oo) *Vermont*—\* \* \*

(7) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(qq) *Washington*—\* \* \*

(5) *Ridgefield National Wildlife Refuge*. \* \* \*

(iii) Hunters shall possess and use, while in the field, only nontoxic shot.

(6) *Toppenish National Wildlife Refuge*. Hunting of geese, ducks, coots and snipe is permitted on designated areas of the refuge subject to the following condition: Hunting is permitted only within 50 feet of the numbered post assigned to each hunter.

(rr) *Wisconsin*—(1) *Horicon National Wildlife Refuge*. \* \* \*

(iii) Hunters shall possess and use, while in the field, only nontoxic shot.

(2) *Necedah National Wildlife Refuge*. \* \* \*

(ii) Waterfowl and coot hunters shall possess and use, while in the field, only nontoxic shot.

(3) *Trempealeau National Wildlife Refuge*. \* \* \*

(ii) Hunters shall possess and use, while in the field, only nontoxic shot.

(ss) *Wyoming*—(1) *Pathfinder National Wildlife Refuge*. Hunting of geese, ducks and coots is permitted on designated areas of the refuge.

(2) *Seedsakadee National Wildlife Refuge*. Hunting of geese, ducks, coots and mourning doves is permitted on designated areas of the refuge.

3. Section 32.22 is amended by revising (a)(1), and (a)(4)(iv); adding (a)(4)(vi); revising (b)(1); adding (d)(1)(iii); revising (d)(2) (iii) and (iv); adding (d)(2)(vii); revising (d)(4)(iii); adding (d)(4)(vii); revising (d)(5)(ii) and (iii); (e)(4)(ii) and (10)(ii); adding (h)(1)(iii); revising (h)(2) (ii); adding (h)(2)(v); revising (h)(3) (ii) and (iii); adding (h)(4); revising (1)(2) and (n); removing (1)(3); redesignating (q)(1) through (6) as (q)(2) through (7); adding (q)(1); revising (q)(4)(i) and (iii); (6)(i) and (ii); removing (q)(6) (iii) and (iv); revising (q)(7)(i) and (iii); adding (s)(3); revising (u)(1), (x)(6), (aa)(1) introductory text and (aa)(1)(ii); adding (aa)(1)(iv); revising (cc)(1); removing (cc)(2); redesignating (cc)(3) as (cc)(2); revising (dd)(1), (4) introductory text, and (6) introductory text, (dd)(6)(ii) and (ff)(6); adding (gg)(3) and revising (jj)(2)(ii), (jj)(3) and (ll)(1)(ii).

#### § 32.22 Refuge-specific regulations; upland game.

(a) *Alabama*—(1) *Blowing Wind Cave National Wildlife Refuge*. Hunting of upland game is permitted on designated areas of the refuge subject to the following condition: Sauty Creek Wildlife Management Area regulations apply.

(4) *Wheeler National Wildlife Refuge*. \* \* \*

(iv) Hunting of rabbits is permitted only during the last 10 days of the State season.

(vi) The use of mules and horses is prohibited on all refuge hunts.

(b) *Arizona*—(1) *Buenos Aires National Wildlife Refuge*. Hunting of cottontail rabbit, jackrabbit, coyote, fox and bobcat is permitted on designated areas of the refuge subject to the following conditions:

(i) Hunting is permitted from September 1 through March 31.

(ii) Quail hunting is prohibited.

(d) *Arkansas*—(1) *Big Lake National Wildlife Refuge*. \* \* \*

(iii) Hunting of raccoon and opossum is permitted for three consecutive weekends (Fri-Sun) beginning on the last Friday in October.

(2) *Felsenthal National Wildlife Refuge*. \* \* \*

(iii) Hunting of raccoon and opossum is permitted only December 1-31 from sunset to sunrise. Bag limit is three raccoons per hunter per night.

(iv) Beaver and nutria may be taken only from sunrise to sunset during any refuge hunt.

(vii) Lead shot is permitted only on designated portions of the refuge.

(4) *Overflow National Wildlife Refuge*. \* \* \*

(iii) Hunting of raccoon and opossum is permitted only December 1-31 from sunset to sunrise. Bag limit is three raccoons per hunter per night.

(vii) Hunters shall possess and use, while in the field, only nontoxic shot.

(5) *Wapanocca National Wildlife Refuge*. \* \* \*

(ii) Hunting of squirrel and beaver is permitted from October 1 through November 15. Rabbit may be taken when the State rabbit season coincides with the above dates.

(iii) Hunting of raccoon and opossum is permitted from November 1 through November 15.

(e) *California* \* \* \*

(4) *Lower Klamath National Wildlife Refuge*. \* \* \*

(ii) Only unloaded firearms may be taken through posted retrieving zones when traveling to and from the hunting areas.

(10) *Tule Lake National Wildlife Refuge*. \* \* \*

(ii) Only unloaded firearms may be taken through posted retrieving zones when traveling to and from the hunting areas.

(h) *Florida*—(1) *Chassahowitzka National Wildlife Refuge*. \* \* \*

(iii) Chassahowitzka Wildlife Management Area regulations apply to the Hernando County portion of the refuge.

(2) *Lower Suwannee National Wildlife Refuge*. \* \* \*

(ii) Hunting of squirrel, quail, rabbit and armadillo is permitted only on the Levy County portion of the refuge from the day after the State general deer gun season ends through the last day of the State squirrel season, and during the refuge archery hunt.

(v) Hunters must use and possess only .22 rimfire rifles or shotguns.

(3) *St. Marks National Wildlife Refuge*. \* \* \*

(ii) Hunting is permitted beginning the second Friday in December through the third Sunday in January.

(iii) Aucilla Wildlife Management Area regulations apply to a portion of the refuge.

(4) *St. Vincent National Wildlife Refuge*. Hunting of raccoon is permitted on designated areas of the refuge subject to the following conditions:

(i) Permits are required.

(ii) Raccoons may be taken only during scheduled deer hunts in December and January.

(1) *Illinois, Iowa and Missouri*—*Mark Twain National Wildlife Refuge*. \* \* \*

(2) Hunting of squirrel is permitted on the Keithsburg Division from the opening of the State season until the start of the Illinois waterfowl hunting season. Squirrel hunting is permitted on the Bear Creek Unit of the Gardner Division. On the remainder of the Gardner Division squirrel hunting is permitted only through September 30.

(n) *Indiana—Muscatatuck National Wildlife Refuge.* Hunting of quail and rabbit is permitted on designated areas of the refuge subject to the following condition:

(1) No discharge of firearms is permitted within 100 yards of an occupied dwelling.

(2) Hunting is permitted only from sunrise to sunset.

(3) Hunting is prohibited from the beginning of the second State muzzleloader deer season through the end of the year.

(q) *Louisiana—(1) Atchafalaya National Wildlife Refuge.* Hunting of squirrel, rabbit, raccoon, opossum, nutria, muskrat, mink, fox, bobcat, beaver and otter is permitted on designated areas of the refuge subject to the following conditions:

(i) Hunting shall be in accordance with Sherburne Wildlife Management Area regulations, except that dogs may not be used to hunt rabbits.

(4) *D'Arbonne National Wildlife Refuge.*

(i) Hunting of raccoon and opossum is permitted only during January and December of odd numbered years.

(iii) Firearms must be unloaded while being transported in a vehicle or boat.

(6) *Tensas River National Wildlife Refuge.*

(i) The use of mules and horses is prohibited on all refuge hunts.

(ii) Only .22 rimfire rifles and pistols or shotguns are permitted.

(7) *Upper Ouachita National Wildlife Refuge.*

(i) Hunting of raccoon and opossum is permitted only during December and January of odd numbered years.

(iii) Firearms must be unloaded while being transported in a vehicle or boat.

(s) *Massachusetts—Oxbow National Wildlife Refuge.*

(3) Use or possession of alcoholic beverages while hunting is prohibited.

(u) *Minnesota—(1) Big Stone National Wildlife Refuge.* Hunting of partridge, pheasant, gray and fox squirrel, cottontail rabbit, jackrabbit, and red and gray fox is permitted on designated areas of the refuge.

(x) *Montana*

(6) *Medicine Lake National Wildlife Refuge.* Hunting of pheasant, partridge,

and sharp-tailed grouse is permitted on designated areas of the refuge.

(aa) *New Mexico—(1) Bitter Lake National Wildlife Refuge.* Hunting of pheasant, cottontail rabbit and jackrabbit is permitted on designated areas of the refuge subject to the following conditions:

(ii) Hunts hall possess and use, while in the South Unit (Area C) during the waterfowl season, only nontoxic shot.

(iv) Quail hunting is prohibited.

(cc) *North Carolina—(1) Alligator River National Wildlife Refuge.* Hunting of squirrel, rabbit, quail, raccoon and opossum is permitted on designated areas of the refuge subject to the following conditions:

(i) The use of hunting dogs is permitted on designated areas of the refuge.

(ii) Firearms must be unloaded while being transported in a vehicle or boat.

(dd) *North Dakota—(1) Arrowwood National Wildlife Refuge.* Hunting of pheasant, grouse, partridge, rabbit and fox is permitted on designated areas of the refuge subject to the following condition: Hunting is permitted from the day after the State deer gun season through the regular State late upland game season.

(4) *Lostwood National Wildlife Refuge.* Hunting of partridge and sharp-tailed grouse is permitted on designated areas of the refuge subject to the following conditions:

(6) *Upper Souris National Wildlife Refuge.* Hunting of partridge and sharp-tailed grouse is permitted on designated areas of the refuge subject to the following conditions:

(ii) Hunter orange vest and cap are required during the deer gun seasons.

(ff) *Oregon*

(6) *Lower Klamath National Wildlife Refuge.* Hunting of pheasant is permitted on designated areas of the refuge subject to the following condition: Only unloaded firearms may be taken through posted retrieving zones when traveling to and from hunting areas.

(gg) *Pennsylvania—Erie National Wildlife Refuge.*

(3) Hunters, during the State firearm deer season, just wear in a conspicuous manner on head, chest and back a

minimum of 400 square inches of solid-colored hunter orange clothing or material.

(hh) *South Carolina*

(4) *Savannah National Wildlife Refuge.*

(iii) Hunters must wear a minimum of 500 square inches of hunter orange material above the waistline.

(jj) *Tennessee*

(2) *Cross Creek National Wildlife Refuge.*

(ii) Hunting is permitted from the opening of the State season through October 12.

(3) *Hatchie National Wildlife Refuge.* Hunting of quail, squirrel, rabbit, raccoon and opossum is permitted on designated areas of the refuge subject to the following condition: Upland game hunting is not permitted during the refuge deer archery and gun hunting seasons.

(11) *Utah—(1) Bear River Migratory Bird Refuge.*

(ii) Hunters shall possess and use, while in the filed, only nontoxic shot.

4. Section 32.32 is amended by revising (a)(3) (ii), (iii) and (iv), and (b)(1); removing (c)(1)(ii) and redesignating (c)(1)(iii) as (c)(1)(ii); revising (d)(2) (ii), (vi) and (vii), adding (d)(2)(ix); revising (d)(4) (ii) and (iv); adding (d)(4) (v) and (vi); revising (h)(1), (2)(v) and (3) (ii), (iv) and (v); adding (h)(2) (vi) and (viii); removing (h)(4); redesignating (h) (5) and (6) as (h) (4) and (5); revising (h)(4) (ii), (v) and (viii) and (h)(5) introductory text, (ii), (iv), (v), (vi) and (viii); adding (h)(5)(x); revising (i)(1) (ii), (iii) and (v), (i)(3) (iv) and (vii) and (i)(4)(ii); removing (i)(4) (iii) and (v); redesignating (i)(4) (iv), (vi) and (vii) as (i)(4) (iii), (iv) and (v); revising (i)(6) (iv) and (v); adding (i)(6)(vii); revising (j) (4) and (5); removing (l)(4); revising (n) (1), (2) and (3); adding (o)(4); revising (q)(1); redesignating (r) (1) through (7) as (r) (2) through (8); adding (r) (1), (3)(vii), (4)(iv), (7) (vi) and (vii) and (8)(iv); revising (r)(4) (ii) and (iii), (r)(7) (i), (iii) and (iv) and (r)(8)(iii); revising (5)(1); adding (t)(2)(iii), (u) (1)(iv) and (2)(v); redesignating (v) through (tt) as (w) through (uu); (the rest of the paragraphs reflect the newly redesignated lettering); adding (v); revising (z)(1)(i); redesignating (z)(2) as (z)(3); adding (z)(2); revising (z)(3)(ii); removing (aa)(2)(ii) and redesignating (aa)(2)(iii) as (aa)(2)(ii); revising (bb)(2)(ii); adding (dd) (3) and (4); revising (ff)(1) and (gg)(1); adding (gg)(2)(iv); revising (gg)(4)(iii); redesignating (ii) (1) through

(3) as (ii) (2) through (4); adding (ii)(1) and (kk)(3); revising (ll)(2)(vii); adding (ll)(2) (viii) and (ix); revising (ll)(3) (iv), (vi) and (vii), (ll)(4)(vi), (oo)(1) (v) and (vi), (oo)(3) (iv) and (v), (qq) and (rr)(1)(v); adding (rr) (2)(iv), (3)(v) and (4)(vii) and removing (ss)(4)(iv).

**§ 32.32 Refuge-specific regulations; big game.**

(a) *Alabama*— \* \* \*

(3) *Wheeler National Wildlife Refuge*. \* \* \*

(ii) Archery hunting is permitted November 2 through January 30.

(iii) Hunting with flintlock firearms is permitted beginning January 18 through January 30.

(iv) Hunters are required to wear an outer garment containing no less than 144 square inches of hunter orange material visible from any angle during any refuge deer gun hunt.

(b) *Arizona*—(1) *Buenos Aires National Wildlife Refuge*. Hunting of mule and white-tailed deer, javelina and feral hogs is permitted on designated areas of the refuge.

\* \* \* \* \*

(d) *Arkansas*— \* \* \*

(2) *Felsenthal National Wildlife Refuge*. \* \* \*

(ii) Archery hunting is permitted beginning October 1 through December 31, except during quota deer hunts when hunting is permitted only by a special permit.

\* \* \* \* \*

(vi) Feral hogs may be taken from sunrise to sunset during any refuge hunt with weapons legal for that hunt through January 31.

(vii) Possession of a deer without a valid quota deer hunt permit during the modern gun and muzzleloader hunts is prohibited.

\* \* \* \* \*

(ix) Lead shot is permitted only on designated portions of the refuge.

\* \* \* \* \*

(4) *Overflow National Wildlife Refuge*. \* \* \*

(ii) Archery hunting is permitted beginning October 1 through December 31, except during quota gun deer hunts when hunting is permitted only by a special permit.

\* \* \* \* \*

(iv) Feral hogs may be taken from sunrise to sunset during any refuge hunt with weapons legal for that hunt through January 31.

(v) Muzzleloader hunting is permitted during the third consecutive Friday and Saturday in October.

(vi) Hunters shall possess and use, while in the field, only nontoxic shot.

\* \* \* \* \*

(h) *Florida*—(1) *Chassahowitzka National Wildlife Refuge*. Hunting of white-tailed deer and feral hogs is permitted on designated areas of the refuge subject to the following conditions:

(i) Permits are required.

(ii) *Chassahowitzka Wildlife Management Area* regulations apply to the Hernando County portion of the refuge.

(2) *Lake Woodruff National Wildlife Refuge*. \* \* \*

(v) Hunters must wear a visible outer garment of hunter orange material above the waistline.

(3) *Lower Suwannee National Wildlife Refuge*. \* \* \*

(ii) Archery and muzzleloader gun hunting of deer (either sex) and feral hogs are permitted on the Levy County portion of the refuge in accordance with State seasons.

\* \* \* \* \*

(iv) Hunters must wear a visible outer garment of 500 square inches of hunter orange material above the waistline during modern and muzzleloading gun hunts.

(v) Modern gun deer (buck only) and feral hog hunting on the Levy County portion of the refuge are permitted beginning the opening day of the State's general gun deer season for 5 consecutive days.

(vi) Two, 2-day modern gun deer (either sex) and feral hog hunts are permitted on the Levy County portion of the refuge only, beginning the first Thursday and Friday and the first Saturday and Sunday following the opening weekend of the State's general gun deer season.

(vii) In Levy County, hunters must check all antlerless deer at the refuge check station during the muzzleloading and modern gun deer (either sex) hunts.

(4) *St. Marks National Wildlife Refuge*. \* \* \*

(ii) Archery hunting is permitted for deer (either sex), turkey (either sex) and hogs for 12 consecutive days beginning the last Friday in October.

\* \* \* \* \*

(v) *Aucilla Wildlife Management Area* regulations apply to a portion of the refuge.

\* \* \* \* \*

(viii) Hunters must wear a visible outer garment of hunter orange material above the waistline.

(5) *St. Vincent National Wildlife Refuge*. Hunting of white-tailed and sambar deer, turkey and feral hogs is permitted on designated areas of the refuge subject to the following conditions:

\* \* \* \* \*

(ii) Archery hunting is permitted for 3 consecutive days beginning on the second Thursday in December.

\* \* \* \* \*

(iv) Primitive weapon hunting is permitted for 1 day on the first Saturday of the regular State deer gun season and for 3 consecutive days beginning on the first Thursday in January.

(v) One white-tailed deer (either sex) may be taken during the archery hunt and only one antlered white-tailed deer may be taken during the 3-day primitive weapon hunt.

(vi) One turkey (either sex) may be taken during each 3-day hunt.

\* \* \* \* \*

(viii) Hunters must wear a visible outer garment of hunter orange material above the waistline during the primitive weapons hunt.

\* \* \* \* \*

(x) One sambar deer (either sex) may be taken during the 1-day primitive weapon hunt.

(i) *Georgia*—(1) *Blackbeard Island National Wildlife Refuge*. \* \* \*

(ii) Archery hunting is permitted for 3 consecutive days beginning the fourth Friday in October and for 3 consecutive days beginning the first Friday in December.

(iii) Two deer (either sex) may be taken.

\* \* \* \* \*

(v) Hunters are required to remain on their stands from one-half hour before sunrise until 9:00 a.m. and from two hours before sunset until sunset.

\* \* \* \* \*

(3) *Harris Neck National Wildlife Refuge*. \* \* \*

(iv) Two deer (either sex) may be taken.

\* \* \* \* \*

(vii) Hunters are required to remain on their stands from one-half hour before sunrise until 9:00 a.m. and from two hours before sunset until sunset.

(4) *Okefenokee National Wildlife Refuge*. \* \* \*

(ii) Archery hunting is permitted on Thursday, Friday and Saturday on the Pocket Unit during the State season and during the entire State archery season on the Cowhouse Unit.

\* \* \* \* \*

(6) *Wassaw National Wildlife Refuge*. \* \* \*

(iv) Two deer (either sex) may be taken.

(v) Hunters are required to remain on their stand from one-half hour before sunrise until 9:00 a.m. and from two hours before sunset until sunset.

\* \* \* \* \*

(vii) A special feral hog hunt is permitted on October 9, 10 and 11. Permits are required and there is no hog limit. Firearms must be unloaded and cased while being transported in a boat on the refuge. Hunting hours are from one-half hour before sunrise to one-half hour after sunset. Camping is not permitted. Hunters may enter the refuge one and one-half hour before sunrise and leave the refuge by one and one-half hours after sunset.

(j) *Georgia and South Carolina—Savannah National Wildlife Refuge.* \* \* \*

(4) Hunters must wear a minimum of 500 square inches of hunter orange material above the waistline.

(5) Two deer (either sex) may be taken.

(n) *Illinois, Iowa and Missouri—Mark Twain National Wildlife Refuge.* \* \* \*

(1) Permits are required.

(2) Firearms hunting is permitted on the Bear Creek Unit of the Gardner Division. Firearms hunting is permitted on the remainder of the Gardner Division only during part of the November firearms season, from one-half hour before sunrise to 3:00 p.m.

(3) Archery hunting is permitted on the Bear Creek Unit of the Gardner Division. Archery hunting is permitted on the remainder of the Gardner Division during part of the Illinois archery season.

(o) *Indiana—Muscatatuck National Wildlife Refuge.* \* \* \*

(4) No discharge of firearms is permitted within 100 yards of an occupied dwelling.

(q) *Kansas—(1) Flint Hills National Wildlife Refuge.* Hunting of big game is permitted on designated areas of the refuge subject to the following condition: Only shotguns are permitted.

(r) *Louisiana—(1) Atchafalaya National Wildlife Refuge.* Hunting of deer and turkey is permitted on designated areas of the refuge subject to the following condition: Hunting shall be in accordance with Sherburne Wildlife Management Area regulations.

(3) *Catahoula National Wildlife Refuge.* \* \* \*

(vii) Archery hunting is permitted during the State archery season.

(4) *D'Arbonne National Wildlife Refuge.* \* \* \*

(ii) Either sex deer hunting is permitted the first Friday and Saturday following Thanksgiving.

(iii) Feral hogs may be taken during any refuge hunt.

(iv) Firearms must be unloaded while transported in a vehicle or boat.

(7) *Tensas River National Wildlife Refuge.* \* \* \*

(i) Permits are required for the gun deer hunts.

(iii) One deer (either sex) may be taken per day for all gun hunts.

(iv) Hunters under 16 years old must possess proof, while hunting on the refuge, of completing a State approved hunter safety course.

(vi) All vehicles are restricted to graveled roads and all ATV trails are closed during the turkey season.

(vii) Only still or stalk hunting are permitted.

(8) *Upper Ouachita National Wildlife Refuge.* \* \* \*

(iii) Feral hogs may be taken during any refuge hunt.

(iv) Firearms must be unloaded while being transported in a vehicle or boat.

(t) *Maine—(1) Moosehorn National Wildlife Refuge.* Hunting of deer is permitted on designated areas of the refuge subject to the following conditions:

(i) Permits are required.

(ii) Hunters must wear in a conspicuous manner on head, chest and back a minimum of 400 square inches of solid-colored hunter orange clothing or material.

(2) *Rachel Carson National Wildlife Refuge.* \* \* \*

(iii) Hunters, during the State shotgun deer season, must wear in a conspicuous manner on head, chest and back a minimum of 400 square inches of solid-colored hunter orange clothing or material.

(u) *Maryland—(1) Blackwater National Wildlife Refuge.* \* \* \*

(iv) Hunters must wear in a conspicuous manner on head, chest and back a minimum of 400 square inches of solid-colored hunter orange clothing or material.

(2) *Eastern Neck National Wildlife Refuge.* \* \* \*

(v) Hunters must wear in a conspicuous manner on head, chest and back a minimum of 400 square inches of solid-colored hunter orange clothing or material.

(v) *Massachusetts—Parker River National Wildlife Refuge.* Hunting of deer is permitted on designated areas of the refuge subject to the following conditions:

(1) A refuge permit is required.

(2) Hunting is permitted from one-half hour before sunrise until 12 noon.

(3) Only shotguns, 20 gauge or larger, loaded with slugs are permitted.

(4) Attendance at a refuge orientation is mandatory.

(5) Hunting is permitted Monday, Tuesday, Friday and Saturday of the State shotgun deer season.

(6) All deer harvested must be brought to the refuge check station whole (undressed).

(7) Use or possession of alcoholic beverages while hunting is prohibited.

(z) *Missouri—(1) Mingo National Wildlife Refuge.* \* \* \*

(i) Only archery and historic weapon hunting are permitted.

(2) *Squaw Creek National Wildlife Refuge.* Hunting of deer is permitted on designated areas of the refuge subject to the following conditions:

(i) Permits are required.

(ii) Only historic weapon hunting is permitted.

(iii) Hunters are required to check in and out of the refuge.

(iv) Stands must be removed from the refuge each day.

(v) Hunting is permitted only during the special hunt season established by the State for the refuge.

(3) *Swan Lake National Wildlife Refuge.* \* \* \*

(ii) Only historic weapon hunting is permitted.

(bb) *Nebraska—(2) DeSoto National Wildlife Refuge.* \* \* \*

(ii) Only archery hunting is permitted on the area west of the Missouri River.

(dd) *New Jersey—Great Swamp National Wildlife Refuge.* \* \* \*

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

(4) Use or possession of alcoholic beverages while hunting is prohibited.

(ff) *New York—(1) Iroquois National Wildlife Refuge.* Hunting of deer is permitted on designated areas of the refuge subject to the following condition:

(i) Hunters, during the State shotgun deer season, must wear in a conspicuous manner on head, chest and back a minimum of 400 square inches of solid-colored hunter orange clothing or material.

(gg) *North Carolina—(1) Alligator River National Wildlife Refuge.* Hunting of deer is permitted on designated areas of the refuge subject to the following conditions:

(i) The use of hunting dogs is permitted only on designated areas of the refuge.

(ii) Firearms must be unloaded while being transported in a vehicle or boat.

(iii) Only portable stands are permitted and must be removed from the refuge after each day's hunt.

(2) *Great Dismal Swamp National Wildlife Refuge.* \* \* \*

(iv) Hunters must wear in a conspicuous manner on head, chest and back a minimum of 400 square inches of solid-colored hunter orange clothing or material.

(4) *Pee Dee National Wildlife Refuge.* \* \* \*

(iii) One deer (either sex) may be taken during each gun hunt.

(ii) *Oklahoma—(1) Optima National Wildlife Refuge.* Hunting of mule and white-tailed deer and turkey is permitted on designated areas of the refuge subject to the following conditions:

(i) Permits are required.

(ii) Only fall turkey hunting is permitted.

(kk) *Pennsylvania—Erie National Wildlife Refuge.* \* \* \*

(3) Hunters, during the State firearm deer season, must wear in a conspicuous manner on head, chest and back a minimum of 400 square inches of solid-colored hunter orange clothing or material.

(ll) *South Carolina—* \* \* \*

(2) *Carolina Sandhills National Wildlife Refuge.* \* \* \*

(vii) Hunters must wear a visible outer garment made of hunter orange material above the waistline.

(viii) Firearms must be unloaded while being transported in a vehicle.

(ix) Hunting from a road right-of-way is prohibited.

(3) *Pinckney Island National Wildlife Refuge.* \* \* \*

(iv) Two deer (either sex) may be taken.

(vi) Hunters are required to remain on their stands from one-half hour before sunrise until 9:00 a.m. and from two hours before sunset until sunset.

(vii) Hunters must wear a minimum of 500 square inches of hunter orange material above the waistline.

(4) *Santee National Wildlife Refuge.* \* \* \*

(vi) Hunters must wear a visible outer garment made of hunter orange material during the gun hunts.

(oo) *Texas—(1) Aransas National Wildlife Refuge.* \* \* \*

(v) The firearms hunt bag limit is two deer per hunter.

(vi) Hunters must wear hunter orange caps and vests.

(3) *Laguna Atascosa National Wildlife Refuge.* \* \* \*

(iv) The firearms hunt bag limit is two deer per hunter.

(v) Hunters must wear hunter orange caps and vests.

(qq) *Vermont—Missisquoi National Wildlife Refuge.* Hunting of deer is permitted on designated areas of the refuge subject to the following conditions:

(1) Only shotguns may be used on that part of the refuge east of the Missisquoi River during the State regular season.

(2) Hunters, during the State firearm deer season, must wear in a conspicuous manner on head, chest and back a minimum of 400 square inches of solid-colored hunter orange clothing or material.

(rr) *Virginia—(1) Back Bay National Wildlife Refuge.* \* \* \*

(v) Hunters must wear in a conspicuous manner on head, chest and back a minimum of 400 square inches of solid-colored hunter orange clothing or material.

(2) *Chincoteague National Wildlife Refuge.* \* \* \*

(iv) Hunters must wear in a conspicuous manner on head, chest and back a minimum of 400 square inches of solid-colored hunter orange clothing or material.

(3) *Great Dismal Swamp National Wildlife Refuge.* \* \* \*

(v) Hunters must wear in a conspicuous manner on head, chest and back a minimum of 400 square inches of solid-colored hunter orange clothing or material.

(4) *Presquile National Wildlife Refuge.* \* \* \*

(vii) Hunters must wear in a conspicuous manner on head, chest and back a minimum of 400 square inches of

solid-colored hunter orange clothing or material.

Dated: September 22, 1987.

Susan Recce,

Acting Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 87-23278 Filed 10-8-87; 8:45 am]

BILLING CODE 4310-55-M

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 641

[Docket No. 50828-7106]

### Reef Fish Fishery of the Gulf of Mexico; Corrections

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Final rule; corrections.

**SUMMARY:** This document makes corrections in the regulatory text of the final rule to implement mandatory reporting requirements prescribed in the Fishery Management Plan for the Reef Fish Fishery of the Gulf of Mexico published September 23, 1987 (52 FR 35717). Two of the corrections are for clarification of definitions and one corrects an incorrect reference to a paragraph.

**EFFECTIVE DATE:** October 23, 1987.

**FOR FURTHER INFORMATION CONTACT:** William R. Turner, 813-893-3722.

In rule document 87-21745 beginning on page 35717 in the issues of September 23, 1987, make the following corrections:

#### § 641.2 [Corrected]

In § 641.2, under the definitions for "Charter vessel" and "Headboat" column 3, in line 3 of each definition, the phrase "that fishes" is corrected to read "who fish".

#### § 641.5 [Corrected]

In § 641.5, paragraph (h), on page 35720, column 1, the reference to paragraph "(e)" is corrected to read "(c)", and the words "or quarterly" are added after the word "monthly".

(16 U.S.C. 1801 *et seq.*)

Dated: October 6, 1987.

Bill Powell,

Executive Director, National Marine Fisheries Service.

[FR Doc. 87-23511 Filed 10-8-87; 8:45 am]

BILLING CODE 3510-22-M