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(ii) The frozen surface of Lake Superior from Sand Point to the mainland unit's eastern boundary;

(iii) The ¼ mile section of the Big Sand Bay Road that passes through the park mainland unit to non-NPS property.

(2) Snowmobile use is authorized solely for the purpose of providing access for legal forms of:

- (i) Ice fishing;
- (ii) Hunting and trapping;
- (iii) Winter camping;
- (iv) Other non-motorized recreational activities; and
- (v) Access to non-NPS property by owners, and to NPS properties by "use and occupancy" lessees and their guests.

(3) Snowmobiles may be used for administrative, law enforcement, and emergency services as determined by the Superintendent.

(4) Snowmobile use in areas and for purposes other than those stated in paragraphs (b)(1) and (b)(2) of this section is prohibited.

(5) Maps showing designated use areas are available at park headquarters.

(c) *Off-road vehicles.* (1) Off-road motor vehicles may be operated for authorized purposes in the following designated areas within the Lakeshore:

(i) The frozen surface of Lake Superior that surrounds every island from the shoreline out to the authorized boundary; and

(ii) The frozen surface of Lake Superior from Sand Point to the mainland unit's eastern boundary.

(2) Off-road motor vehicle use is authorized solely for the purpose of providing access for legal forms of:

- (i) Ice fishing;
- (ii) Hunting and trapping;
- (iii) Winter camping;
- (iv) Other non-motorized recreational activities; and
- (v) Access to non-NPS property by owners, and to NPS properties by "use and occupancy" lessees and their guests.

(3) Off-road motor vehicles may be used for administrative, law enforcement, and emergency services as determined by the Superintendent.

(4) Off-road motor vehicle use in areas and for purposes other than those

stated in paragraphs (c)(1) and (c)(2) is prohibited.

(5) Maps showing designated use areas are available at park headquarters.

(d) *Ice augers and power engines.* (1) *Ice auger* means a portable gasoline or electric powered engine connected to a rotating helical shaft for boring through the frozen surface of a lake.

(2) *Power engine* means a mobile gasoline or electric powered engine or device that is connected to a rotating saw blade or teeth linked in an endless chain for cutting through the frozen ice surface of a lake.

(3) Notwithstanding the requirements of 36 CFR 2.12(a)(3), operation of an ice auger or power engine is authorized on designated portions of Lake Superior for the specific purpose of cutting through the ice surface to provide access for legal ice fishing activity.

(4) Areas designated for use of an ice auger or power engine include:

(i) The frozen surface of Lake Superior that surrounds every island from the shoreline out to the authorized boundary; and

(ii) The frozen surface of Lake Superior from Sand Point to the mainland unit's eastern boundary.

(5) Maps showing designated use areas are available at park headquarters.

(6) Use of an ice auger or power engine on any land surface or frozen water surface outside of designated use areas is prohibited without a permit.

[49 FR 18451, Apr. 30, 1984, as amended at 70 FR 16716, Apr. 1, 2005]

**§ 7.83 Ozark National Scenic Riverways.**

(a) *Restrictions for motorized vessels.* (1) On waters situated within the boundaries of Ozark National Scenic Riverways, the use of a motorized vessel is limited to a vessel equipped with an outboard motor only.

(2) For the purposes of this section, horsepower ratings on a particular motor will be based upon the prevailing industry standard of power output at the propeller shaft as established by the manufacturer.

(3) The use of a motorized vessel is allowed as follows:

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(i) Above the Big Spring landing on the Current River and below Alley Spring on the Jacks Fork River with an outboard motor not to exceed 40 horsepower.

(ii) Above Round Spring on the Current River and above Alley Spring on the Jacks Fork River with an outboard motor not to exceed 25 horsepower.

(iii) Above Akers Ferry on the Current River from May 1 to September 15 with an outboard motor not to exceed 10 horsepower.

(iv) Above Bay Creek on the Jacks Fork River from March 1 to the Saturday before Memorial Day with an outboard motor not to exceed 10 horsepower.

(4) Operating a motorized vessel other than as allowed in § 7.83(a) is prohibited.

(b) *Scuba Diving.* (1) Scuba diving is prohibited within all springs and spring branches on federally owned land within the boundaries of Ozark National Scenic Riverways without a written permit from the superintendent.

(2) *Permits.* The superintendent may issue written permits for scuba diving in springs within the boundaries of the Ozark National Scenic Riverways; *Provided,*

(i) That the permit applicant will be engaged in scientific or educational investigations which will have demonstrable value to the National Park Service in its management or understanding of riverways resources.

(ii) [Reserved]

(c) *Commercial Activities.* The activities listed herein constitute commercial activities which are prohibited within the boundaries of Ozark National Scenic Riverways, except in accordance with the provisions of a permit, contract, or other written agreement with the United States. The National Park Service reserves the right to limit the number of such permits, contracts or other written agreements, when, in the judgment of the Service, such limitation is necessary in the interest of visitor enjoyment, public safety, or preservation or protection of the resources or values of the Riverways.

(1) The sale or rental of any goods or equipment to a member or members of the public which is undertaken in the

course of an ongoing or regular commercial enterprise.

(2) The performance of any service or activity for a member or members of the public in exchange for monetary or other valuable consideration.

(3) The delivery or retrieval within the boundaries of Ozark National Scenic Riverways of watercraft or associated boating equipment which has been rented to a member or members of the public at a location not within the Riverways, when such delivery or retrieval is performed by a principal, employee or agent of the commercial enterprise offering the equipment for rental and when these services are performed as an integral part, necessary complement, or routine adjunct of or to the rental transaction, whether or not any charge, either separately or in combination with any other charge, is made for these services.

(4) The performance, by a principal, employee, or agent of a commercial enterprise, within the boundaries of Ozark National Scenic Riverways of any other service or activity for which a fee, charge or other compensation is not collected, but which is an integral part, necessary complement, or routine adjunct of or to any commercial transaction undertaken by that enterprise for which monetary or other valuable consideration is charged or collected, even though such transaction is initiated, performed, or concluded outside the boundaries of the Riverways.

(5) The solicitation of any business, employment, occupation, profession, trade, work or undertaking, which is engaged in with some continuity, regularity or permanency for any livelihood, gain, benefit, advantage, or profit.

(d) *Fishing.* (1) Unless otherwise designated, fishing in a manner authorized under applicable State law is allowed.

(2) The superintendent may designate times and locations and establish conditions under which the digging of bait for personal use is allowed.

(e) *Frogs, turtles and crayfish.* (1) The superintendent may designate times and locations and establish conditions governing the taking of frogs, turtles and/or crayfish upon a written determination that the taking of frogs, turtles and/or crayfish:

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- (i) Is consistent with the purposes for which the area was established; and
  - (ii) Will not be detrimental to other park wildlife or the reproductive potential of the species to be taken; and
  - (iii) Will not have an adverse effect on the ecosystem.
- (2) Violation of established conditions or designations is prohibited.

[38 FR 5851, Mar. 5, 1973, as amended at 41 FR 23959, June 14, 1976; 49 FR 18451, Apr. 30, 1984; 50 FR 43388, Oct. 25, 1985; 56 FR 30696, July 5, 1991; 56 FR 37158, Aug. 5, 1991]

### § 7.84 Channel Islands National Park.

- (a) [Reserved]
- (b) *Wrecks*. No person shall destroy, molest, remove, deface, displace, or tamper with wrecked and abandoned water or airborne craft or any cargo pertaining thereto.
- (c) *Fishing*. The taking of any fish, crustaceans, mollusk, or other marine life shall be in compliance with State regulations except that:
  - (1) No invertebrates may be taken in water less than five (5) feet in depth.
  - (2) The taking of abalone and lobsters for commercial purposes is prohibited in the following areas:
    - (i) *Anacapa Island*. Northside to exterior boundary of the monument between east end of Arch Rock 119°21'–34°01' and west end of island, 119°27'–34°01'.
    - (ii) *Santa Barbara Island*. Eastside to exterior boundary of monument 119°02'–33°28' and 119°02'–33°29'30".
  - (3)(i) The use of all nets is prohibited within the outer edge of the kelp line surrounding Anacapa and Santa Barbara Islands.
  - (ii) The use of trammel or gill nets is prohibited in less than 20 fathoms of water in all areas surrounding Anacapa and Santa Barbara Islands.
  - (4) The Superintendent shall require all persons fishing commercially within Channel Islands National Monument, on waters open for this purpose, to obtain an annual permit from him. Such permits shall be issued on request except that:
    - (i) Lobster permits for Anacapa and Santa Barbara Islands will be issued only to applicants who filed with the California State Department of Fish and Game fish receipts for lobsters caught at Anacapa and Santa Barbara

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Islands during the period July 1, 1968, to July 1, 1971.

- (ii) Abalone permits for Anacapa and Santa Barbara Islands will be issued only to applicants who filed with the California State Department of Fish and Game fish receipts for abalone caught at Anacapa and Santa Barbara Islands during the period July 1, 1968, to July 1, 1971.

[38 FR 5622, Mar. 17, 1973, as amended at 48 FR 30296, June 30, 1983]

### § 7.85 Big Thicket National Preserve.

- (a) *Hunting*. Except as otherwise provided in this section, hunting is permitted in accordance with § 2.2 of this chapter.
  - (1) Hunting is permitted only during designated seasons, as defined for game animals or birds by the State of Texas. During other periods of the year, no hunting is permitted.
  - (2) During applicable open seasons, only the following may be hunted:
    - (i) Game animals, rabbits, and feral or wild hogs.
    - (ii) Game birds and migratory game birds.
    - (3) The use of dogs or calling devices for hunting game animals or fur-bearing animals is prohibited.
    - (4) The use or construction of stands, blinds or other structures for use in hunting or for other purposes is prohibited.
  - (b) *Trapping*. Trapping, for fur-bearing animals only, is permitted in accordance with § 2.2 of this chapter.
  - (c) *Hunting and Trapping Permits*. In addition to applicable State licenses or permits, a permit from the Superintendent is required for hunting or trapping on Preserve lands. Permits will be available, free of charge, at Preserve headquarters and can be obtained in person or by mail.
  - (d) *Firearms, Traps, and Other Weapons*. Except as otherwise provided in this paragraph, § 2.4 of this chapter shall be applicable to Preserve lands.
    - (1) During open hunting or trapping seasons, the possession and use of firearms or other devices capable of destroying animal life is permitted in accordance with § 2.4 of this chapter.
    - (2) The possession of firearms or other weapons at night, from one hour