

## § 32.1

- 32.36 Kentucky.
- 32.37 Louisiana.
- 32.38 Maine.
- 32.39 Maryland.
- 32.40 Massachusetts.
- 32.41 Michigan.
- 32.42 Minnesota.
- 32.43 Mississippi.
- 32.44 Missouri.
- 32.45 Montana.
- 32.46 Nebraska.
- 32.47 Nevada.
- 32.48 New Hampshire.
- 32.49 New Jersey.
- 32.50 New Mexico.
- 32.51 New York.
- 32.52 North Carolina.
- 32.53 North Dakota.
- 32.54 Ohio.
- 32.55 Oklahoma.
- 32.56 Oregon.
- 32.57 Pennsylvania.
- 32.58 Puerto Rico. [Reserved]
- 32.59 Rhode Island.
- 32.60 South Carolina.
- 32.61 South Dakota.
- 32.62 Tennessee.
- 32.63 Texas.
- 32.64 Utah.
- 32.65 Vermont.
- 32.66 Virginia.
- 32.67 Washington.
- 32.68 West Virginia.
- 32.69 Wisconsin.
- 32.70 Wyoming.
- 32.71 United States Unincorporated Pacific Insular Possessions.
- 32.72 Guam.

AUTHORITY: 5 U.S.C. 301; 16 U.S.C. 460k, 664, 668dd-668ee, and 715i.

SOURCE: 58 FR 5064, Jan. 19, 1993, unless otherwise noted.

### Subpart A—General Provisions

#### § 32.1 Opening of wildlife refuge areas to hunting.

The opening of a wildlife refuge area to hunting will be dependent upon the provisions of law applicable to the area and upon a determination by the Secretary that the opening of the area to the hunting of migratory game birds, upland game, or big game will be compatible with the principles of sound wildlife management and will otherwise be in the public interest. The opening or closing of wildlife refuge areas to hunting shall be in accordance with the rulemaking requirements of the Administrative Procedure Act (5 U.S.C. 553). Lands acquired pursuant to the Act of May 18, 1948 (62 Stat. 238, 16

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U.S.C. 695) will be opened to hunting only after it has been determined that the major portion of the crops in the vicinity of the area involved have been harvested, that the period of susceptibility of such crops to wildfowl depredation has passed, or that the possibility of these crops being damaged by waterfowl is minor. Lands acquired as “waterfowl production areas” shall annually be open to the hunting of migratory game birds, upland game, and big game subject to the provisions of State law and regulations and the pertinent provisions of parts 25 through 31 of this subchapter: *Provided*, That all forms of hunting or entry on all or any part of individual areas may be temporarily suspended by posting upon occasions of unusual or critical conditions of, or affecting land, water, vegetation, or wildlife populations.

#### § 32.2 What are the requirements for hunting on areas of the National Wildlife Refuge System?

The following provisions shall apply to each person while engaged in public hunting on areas of the National Wildlife Refuge System:

(a) Each person shall secure and possess the required State license.

(b) Each person 16 years of age and older shall secure and possess a Migratory Bird Hunting Stamp while hunting migratory waterfowl.

(c) Each person shall comply with the applicable provisions of Federal law and regulations including this subchapter and the current Federal Migratory Bird Regulations.

(d) Each person shall comply with the applicable provisions of the laws and regulations of the State wherein any area is located unless further restricted by Federal law or regulation.

(e) Each person shall comply with the terms and conditions authorizing access or use of wildlife refuges, including the terms and conditions under which hunting permits are issued.

(f) Each person must comply with the provisions of any refuge-specific regulations governing hunting on the wildlife refuge area. Regulations, special conditions, and maps of the hunting areas for a particular wildlife refuge are available at that area's headquarters. In addition, refuge-specific

hunting regulations for migratory game bird, upland game, and big game hunting appear in §§ 32.20 through 32.72.

(g) The use of any drug on any arrow for bow hunting on national wildlife refuges is prohibited. Archers may not have arrows employing such drugs in their possession on any national wildlife refuge.

(h) The unauthorized distribution of bait and the hunting over bait is prohibited on wildlife refuge areas. (Baiting is authorized in accordance with State regulations on national wildlife refuges in Alaska).

(i) The use of nails, wire, screws or bolts to attach a stand to a tree, or hunting from a tree into which a metal object has been driven to support a hunter is prohibited on wildlife refuge areas.

(j) The use or possession of alcoholic beverages while hunting is prohibited.

(k) You may possess only approved nontoxic shot while in the field, which we identify in 50 CFR 20.21(j), while on Waterfowl Production Areas, or on certain other areas of the National Wildlife Refuge System as delineated on maps, leaflets and/or signs, available at each refuge headquarters or posted at each refuge, or as stated in refuge-specific regulations. Where we allow turkey and deer hunting, you may use slugs and shot containing lead to hunt these species unless prohibited by refuge-specific regulations and/or State law.

(l) The refuge-specific regulations (§ 32.20 through § 32.72) may include the items discussed in § 32.3(b). Refuge permits and brochures should also include those items and any special conditions allowed by paragraph (f) of this section.

[58 FR 5064, Jan. 19, 1993, as amended at 63 FR 46914, Sept. 3, 1998; 65 FR 30777, May 12, 2000; 67 FR 58943, Sept. 18, 2002]

### § 32.3 What are the procedures for publication of refuge-specific hunting regulations?

(a) Refuge-specific hunting regulations are issued only at the time of or after the determination and publication of the opening of a wildlife refuge area to migratory game bird, upland game or big game hunting.

(b) Refuge-specific hunting regulations may contain the following items:

(1) Wildlife species that may be hunted;

(2) Seasons;

(3) Bag limits;

(4) Methods of hunting;

(5) Description of areas open to hunting; or

(6) Other provisions as required.

(c) Refuge-specific hunting regulations will not liberalize existing State laws or regulations.

(d) Refuge-specific hunting regulations are subject to change and the public is invited to submit suggestions and comments for consideration at any time.

(e) We initially publish refuge-specific hunting regulations in the daily issue of the FEDERAL REGISTER, and subsequently they appear in §§ 32.20 through 32.72, except that the refuge manager may adopt and issue relevant refuge-specific season dates and times after the State establishes its hunting seasons by publication through one or more of the methods identified in § 25.31 of this subchapter C.

(f) Refuge-specific hunting regulations may be amended or new conditions imposed at any time during the hunting season when unpredictable changes occur in wildlife populations, habitat conditions or in other factors affecting a refuge's wildlife resources. Changes in refuge-specific hunting regulations made under the conditions noted in this paragraph (f) can be in force only for the one season to which the changes apply.

[58 FR 5064, Jan. 19, 1993, as amended at 67 FR 58943, Sept. 18, 2002]

### § 32.4 Opening of wildlife refuge areas to fishing.

Wildlife refuge areas may be opened to sport fishing only after a determination is made that this activity is compatible with the purposes for which the refuge was established. In addition, the sport fishing program must be consistent with principles of sound fishery management and otherwise be in the public interest. The opening or closing of wildlife refuge areas to fishing is subject to the rulemaking requirements of the Administrative Procedure