

§ 32.63

50 CFR Ch. I (10-1-12 Edition)

Station, and from Busseltown Bump Station areas.

2. We limit boats to no wake speed on all refuge impoundments.
3. We prohibit leaving boats unattended on the refuge after daylight use hours.
4. We allow fishing on interior refuge impoundments from $\frac{1}{2}$ hour before legal sunrise to $\frac{1}{2}$ hour after legal sunset.
5. We prohibit taking frog, turtle, and crawfish on the refuge (see § 27.21 of this chapter).
6. We prohibit trotlines, limblines, jugs, and slat baskets in refuge pools and impoundments.
7. We prohibit swimming in refuge impoundments and from boat ramps and boat docks.
8. We allow bow fishing in refuge impoundments and on Kentucky Lake.

[58 FR 5064, Jan. 19, 1993, as amended at 58 FR 29085, May 18, 1993; 59 FR 6698, Feb. 11, 1994; 59 FR 55188, Nov. 3, 1994; 60 FR 62047, Dec. 4, 1995; 62 FR 47382, Sept. 9, 1997; 63 FR 46921, Sept. 3, 1998; 65 FR 30791, May 12, 2000; 66 FR 46361, Sept. 4, 2001; 67 FR 58950, Sept. 18, 2002; 69 FR 54362, 54454, Sept. 8, 2004; 70 FR 54191, Sept. 13, 2005; 73 FR 33197, June 11, 2008; 74 FR 45697, Sept. 3, 2009; 76 FR 3990, Jan. 21, 2011; 76 FR 56086, Sept. 9, 2011; 77 FR 56060, Sept. 11, 2012]

§ 32.63 Texas.

The following refuge units have been opened for hunting and/or fishing, and are listed in alphabetical order with applicable refuge-specific regulations.

ANAHUAC NATIONAL WILDLIFE REFUGE

A. Migratory Game Bird Hunting. We allow hunting of goose, duck, and coot on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. Season dates will be concurrent with the State for the September teal season, youth-only season, and duck and coot regular season in the Texas South Zone, and goose regular season in the Texas East Zone, with the exception that we will prohibit duck (not including the September teal and youth-only seasons) and coot hunting on the refuge until the last Saturday in October. If the State-specified duck and coot regular season opens later than the last Saturday in October, then hunting on the refuge will open consistent with the State-specified season date.

2. You must possess and carry a current signed refuge hunting permit while hunting on all hunt units of the refuge.

3. Hunters may enter the refuge hunt units no earlier than 4 a.m. Hunting starts at the designated legal shooting time and ends at 12 p.m. (noon). Hunters must leave refuge hunt units by 12:30 p.m. We close refuge hunt units

on Thanksgiving, Christmas, and New Year's Day.

4. We allow hunting in portions of the East Unit on Saturdays, Sundays, and Tuesdays during the regular waterfowl season. We require payment of a \$10 daily or \$40 annual fee to hunt on the East Unit. All hunters must check in and out through the check station when accessing the East Unit by vehicle. We will allow a limited number of parties to access the East Unit by vehicle. All hunters entering the East Unit through the check station will designate a hunt area on a first-come-first-served basis (special duck hunt areas will be assigned through a random drawing). We will require hunters to remain in an assigned area for that day's hunt. We allow hunters to access designated areas of the East Unit by boat from Jackson Ditch, East Bay Bayou, or Onion Bayou. We require hunters accessing the East Unit by boat from Jackson Ditch, East Bay Bayou, or Onion Bayou to pay the \$40 annual fee. We prohibit access to the East Unit Reservoirs from Onion Bayou via boat. We prohibit the use of motorized boats on the East Unit, except on ponds accessed from Jackson Ditch via Onion Bayou. We prohibit motorized boats launching from the East Unit.

5. We allow hunting on the East Unit Special Goose Hunt Areas by permit on a first-come, first-served basis the morning of the hunt. Hunters must have goose decoys to hunt the Special Goose Hunt Areas. We allow a minimum of two and a maximum of six persons per permit. All Special Goose Hunt Area hunters must accompany a valid permit holder. Individuals in each group must set up and stay in their permitted area and stay within 50 feet (15 m) of each other unless retrieving geese.

6. We randomly draw permits the morning of the hunt for the East Unit Special Duck Hunt Areas. Hunters must set up within 50 yards (45 m) of the post marker and must stay within 50 feet (15 m) of each other unless retrieving waterfowl. We allow a minimum of two and a maximum of six persons per permit.

7. We allow hunting in the Pace Tract daily during the September teal season and regular waterfowl season.

8. All hunters using the Oyster Bayou Boat Ramp must register at the main refuge entrance.

9. We allow hunting in portions of the Middleton Tract daily during the September teal season and on Saturdays, Sundays, and Wednesdays of the regular waterfowl season. We restrict motorized boats in inland waters of the Middleton Tract to motors of 25 hp or less or electric trolling motors.

10. Hunters age 17 and under must be under the direct supervision of an adult age 18 or older.

11. We only allow shotguns for waterfowl hunting.

U.S. Fish and Wildlife Serv., Interior

§ 32.63

12. We prohibit the use of airboats, marsh buggies, ATVs (see §27.31(f) of this chapter) and personal watercraft.

13. On inland waters of refuge hunt areas open to motorized boats, we restrict the operation of motorized boats to lakes, ponds, ditches, and other waterways. We prohibit the operation of motorized boats on or through emergent wetland vegetation.

14. On inland waters of the refuge hunt areas open to motorized boats, we restrict the use of boats powered by air-cooled or radiator-cooled engines to those powered by a single engine of 25 hp or less and utilizing a propeller 9 inches (22.5 cm) in diameter or less.

15. We only allow vehicular travel on designated roads and in parking areas. We prohibit hunting from roads and blocking access to any road or trail entering or on the refuge (see §27.31(h) of this chapter).

16. We prohibit pits and permanent blinds. We allow portable blinds or temporary natural vegetation blinds. You must remove all blinds from the refuge daily (see §§27.93 and 27.94 of this chapter).

17. The minimum permitted distance between hunt parties is 200 yards (180 m).

18. Dogs accompanying hunters must be under the immediate control of handlers at all times (see §26.21(b) of this chapter).

19. You must remove all decoys, boats, spent shells, marsh chairs, and other equipment (see §27.93 of this chapter) from the refuge daily. We prohibit the use of plastic flagging, reflectors, or reflective tape.

B. Upland Game Hunting. [Reserved]

C. Big Game Hunting. [Reserved]

D. Sport Fishing. We allow fishing and crabbing on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow fishing and crabbing on shoreline areas on East Galveston Bay, along East Bay Bayou on the East Bay Bayou Tract, along West Line Road to the southern end of Shoveler Pond, along the canal from the Oyster Bayou Boat Ramp to the southwest corner of Shoveler Pond, and along the banks of Shoveler Pond.

2. We allow fishing and crabbing only with pole and line, rod and reel, or handheld line. We prohibit the use any method not expressly allowed, including trotlines, setlines, jug lines, limb lines, bows and arrows, gigs, spears, or crab traps.

3. We allow cast netting for bait for personal use along waterways in areas open to the public and along public roads.

4. We prohibit boats and other floatation devices on inland waters. You may launch motorized boats in East Bay at the East Bay Boat Ramp on Westline Road and at the Oyster Bayou Boat Ramp (boat canal). We prohibit the launching of airboats or personal watercraft on the refuge. You may launch nonmotorized boats only along East Bay

Bayou and along the shoreline of East Galveston Bay.

5. We prohibit fishing from or mooring to water control structures.

ARANSAS NATIONAL WILDLIFE REFUGE

A. Hunting of Migratory Birds. [Reserved]

B. Upland Game Hunting. [Reserved]

C. Big Game Hunting. We allow hunting of white-tailed deer and feral hog on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We may immediately close the entire refuge or any portion thereof to hunting in the event of the appearance of whooping crane in the hunt area or in order to conduct habitat management practices as required during the available windows (*i.e.*, prescribed burns, roller chopping, fire breaks).

2. For the archery and rifle season, hunters must obtain a refuge permit (name only required) and pay a fee. The hunter must tape the smaller vehicle tag on the driver's side windshield. The hunter must sign the larger permit and possess it at all times while on the refuge.

3. We define youth hunters as ages 9–16. A Texas-licensed, adult hunter, age 17 or older who has successfully completed a Hunter Education Training Course, must accompany youth hunters. We exempt those persons born prior to September 2, 1971, from the Hunter Education Training course requirement. We define accompanied as being within normal voice contact. Each adult hunter may supervise only one youth hunter.

4. We prohibit the use of dogs to trail game.

5. We prohibit possession of alcoholic beverages at any time while hunting (see §32.2(j)).

6. We will annually designate bag limits in the refuge hunt brochure.

7. We allow archery hunting within the deer season for the county on specified days listed in the refuge hunt brochure.

8. We allow firearm hunting within the deer season for the county on specified days listed in the refuge hunt brochure.

9. All hunters must check-in and out at the entrance gate at the beginning and end of each hunt and record their harvest if applicable.

10. Hunters must clean all harvested game in the field.

11. Firearm hunters must wear a total of 400 square inches (2,600 cm²) hunter orange including 144 square inches (936 cm²) visible in front and 144 square inches visible in rear. Some hunter orange must appear on head gear.

12. We prohibit target practice or any non-hunting discharge of firearms (see §27.42 of this chapter).

13. We prohibit hunting on or across any part of the refuge road system, or hunting

§ 32.63

50 CFR Ch. I (10-1-12 Edition)

from a vehicle on any refuge road or road right-of-way. Hunters must remain at a minimum of 100 yards (90 m) off any designated refuge road or structure.

14. We prohibit hunters using handguns during archery and rifle hunts. Hunters may use bows and arrows only in accordance with State law. We prohibit use of crossbows for hunting unless we issue a Special Use Permit (FWS Form 1383) due to "upper limb" disability. We allow the use of archery equipment and centerfire rifles for hunting in accordance with State law.

15. We prohibit cutting of holes or other manipulation of vegetation (e.g., cutting bushes, tree limbs, mowing, weed-eating, herbicide use, and other actions) or hunting from manipulated areas (see §27.51 of this chapter).

16. We allow use of portable hunting stands, stalking of game, and still hunting. There is a limit of two portable stands per permitted hunter. A hunter may set up the portable stands during the scouting week but must remove them when the hunter's permit expires (see §27.93 of this chapter). We prohibit hunters from driving nails, spikes, or other objects into trees or hunting from stands secured with objects driven into trees (see §32.2(i)). We prohibit the building of pits and permanent blinds.

17. We prohibit hunting with the aid of bait, salt, or any ingestible attractant (see §32.2(h)). We allow sprays and other non-ingestible attractants.

18. We prohibit blocking of gates and roadways (see §27.31(h) of this chapter). We prohibit vehicles operating off-road for any reason. Hunters must park vehicles in such a manner as to not obstruct normal vehicle traffic.

19. We allow you to use only biodegradable flagging tape to mark trails and your hunt stand location during the archery and rifle hunts on the refuge. We color-code the flagging tape used each weekend during the rifle hunts. You must use the designated flagging tape color specified for particular hunt dates. We provide this information on the refuge hunt permit and in refuge regulations sent to permittees. You must remove flagging (see §27.93 of this chapter) at the end of the hunt. The hunter must write his/her last name in black permanent marker on the first piece of flagging tape nearest the adjacent designated roadway.

20. We prohibit camping on the refuge at any time.

D. *Sport Fishing.* We allow fishing on designated areas of the refuge subject to the following conditions:

1. You may not use crab traps in any refuge marshes, including Matagorda Island.

2. Beginning April 15 through October 15, you may fish on the refuge only in areas designated in the refuge fishing brochure. From October 16 through April 14, the only area

open to fishing is adjacent to the picnic area off of the fishing pier, and we also allow wade fishing in that immediate area. You may fish all year in marshes on Matagorda Island.

3. We prohibit consumption of alcohol or possession of open alcohol containers (see §32.5(e)).

BALCONES CANYONLANDS NATIONAL WILDLIFE REFUGE

A. *Migratory Game Bird Hunting.* We allow hunting of mourning, white-wing, rock, and Eurasian-collared dove on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. The hunting season will be consistent with the State season.

2. We allow hunting in designated areas from 12 p.m. (noon) to legal sunset.

3. You may possess only approved nontoxic shot for hunting while in the field (see §32.2(k)).

4. We require refuge permits (name, address, and signature only) and payment of a hunt fee by all hunters.

5. The bag limit will be consistent with State regulations.

6. We allow dogs to retrieve game birds during the hunt, but the dogs must be under the control of the handler at all times and not allowed to roam free (see §26.21(b) of this chapter).

7. We define youth hunters as ages 9-16. A Texas-licensed, adult hunter, age 17 or older who has successfully completed a Hunter Education Training Course, must accompany youth hunters. We exempt those persons born prior to September 2, 1971, from the Hunter Education Training course requirement. We define accompanied as being within normal voice contact. Each adult hunter may supervise only one youth hunter.

8. We prohibit use or possession of alcohol while hunting (see §32.2(j)).

9. We may close the entire refuge or any portion thereof to hunting for the protection of resources, as determined by the refuge manager.

10. Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (see §27.42 of this chapter and specific refuge regulations in part 32).

11. We allow nonhunters to accompany hunters needing special assistance. Contact the refuge manager for details.

B. *Upland Game Hunting.* [Reserved]

C. *Big Game Hunting.* We allow hunting of white-tailed deer, turkey, and feral hog at designated times on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. Conditions A1, A4, A5, and A8 through A11 apply.

U.S. Fish and Wildlife Serv., Interior

§ 32.63

2. We require hunters to check-in and out daily at designated check station(s).
 3. Weapons will be consistent with State regulations.
 4. Hunters must visibly wear 400 square inches ($2,600 \text{ cm}^2$) of hunter orange on the outermost layer of the head, chest, and back, which must include a hunter-orange hat or cap.
 5. We prohibit dogs for hunting.
 6. We prohibit camping.
 7. You may use vehicles only on designated roads and parking areas.
 8. We allow stand-by hunting permits only if openings are available on the day of each hunt on a first-come-first-served basis. Contact the refuge manager for details.
 9. We prohibit the use or possession of bait during scouting or hunting (see § 32.2(h)). We consider bait to be anything that may be eaten or ingested by wildlife. We allow scent attractants.
 10. Hunters must exit the refuge no later than $1\frac{1}{2}$ hours after legal sunset.
 11. Hunters must be at least age 12. A Texas-licensed adult (age 21 or older), who has successfully completed a Hunter Education Training Course, must accompany hunters between ages 12 and 17 (inclusive). We exempt those persons born prior to September 2, 1971, from the Hunter Education Training Course requirement. We define accompanied as being within normal voice contact of an adult. This adult may supervise no more than two hunters.
- D. Sport Fishing.* [Reserved]

BIG BOGGY NATIONAL WILDLIFE REFUGE

A. Migratory Game Bird Hunting. We allow hunting of goose, duck, and coot on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. Season dates will be concurrent with the State for the September teal season, youth-only season, and duck and coot regular season in the Texas South Zone, and goose regular season in the Texas East Zone, with the exception that we will prohibit duck (not including the September teal and youth-only seasons) and coot hunting on the refuge until the last Saturday in October. If the State-specified duck and coot regular season opens later than the last Saturday in October, then hunting on the refuge will open consistent with the State-specified season date.

2. We prohibit the building or use of pits and permanent blinds.

3. We only allow the use of airboats in tidal navigable waters unless otherwise posted.

4. We prohibit target practice on the refuge.

5. Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (see § 27.42 of this chapter and specific refuge regulations in part 32).

tions (see § 27.42 of this chapter and specific refuge regulations in part 32).

- B. Upland Game Hunting.* [Reserved]
C. Big Game Hunting. [Reserved]
D. Sport Fishing. [Reserved]

BRAZORIA NATIONAL WILDLIFE REFUGE

A. Migratory Game Bird Hunting. We allow hunting of goose, duck, and coot on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We require permits and payment of fees for the Otter Slough Permit Waterfowl Hunt. Hunters must abide by all terms and conditions set forth by the permit.

2. Season dates will be concurrent with the State for the September teal season, youth-only season, and duck and coot regular season in the Texas South Zone, and goose regular season in the Texas East Zone, with the exception that we will prohibit duck (not including the September teal and youth-only seasons) and coot hunting on the refuge until the last Saturday in October. If the State-specified duck and coot regular season opens later than the last Saturday in October, then hunting on the refuge will open consistent with the State-specified season date.

3. We prohibit the building of pits and permanent blinds.

4. You must possess and carry a refuge permit to hunt on certain portions of the hunting area.

5. We only allow the use of airboats in tidal navigable waters unless otherwise posted.

6. We prohibit target practice on the refuge.

7. Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (see § 27.42 of this chapter and specific refuge regulations in part 32).

- B. Upland Game Hunting.* [Reserved]
C. Big Game Hunting. [Reserved]

D. Sport Fishing. We allow fishing in accordance with State regulations subject to the following conditions:

1. We allow fishing only on Nick's Lake, Salt Lake, and Lost Lake.

2. We allow access for shore fishing at Bastrop Bayou, Clay Banks, and Salt Lake Public Fishing Areas; we prohibit the use or possession of alcoholic beverages in all Public Fishing Areas.

3. We open Bastrop Bayou to fishing 24 hours a day; we prohibit camping.

4. We open all other fishing areas from legal sunrise to legal sunset.

5. We only allow nonmotorized boat launching at the Salt Lake Public Fishing Area. The refuge provides no other boat launching facilities.

6. We prohibit the use of trotlines, sail lines, set lines, jugs, gigs, spears, bush

§ 32.63

50 CFR Ch. I (10-1-12 Edition)

hooks, snare hooks, crossbows, or bows and arrows of any type.

7. Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (see § 27.42 of this chapter and specific refuge regulations in part 32).

BUFFALO LAKE NATIONAL WILDLIFE REFUGE

A. *Migratory Game Bird Hunting.* [Reserved]

B. *Upland Game Hunting.* Hunting of pheasant is permitted on designated areas of the refuge subject to the following conditions:

1. Permits and payment of a fee are required.
2. Hunters may hunt only one day each year.
3. You may possess only approved nontoxic shot while in the field.

4. Hunting is limited to five days, opening on Saturday in accordance with the opening of the State of Texas hunting season, and the subsequent Monday, Wednesday, Friday and Sunday.

5. Hunting hours will be from 9 a.m. to the close of legal shooting time as listed in the State of Texas pheasant hunting regulations.

6. All hunters must check in and out at refuge headquarters.

7. Only shotguns are permitted.

C. *Big Game Hunting.* [Reserved]

D. *Sport Fishing.* [Reserved]

CADDY LAKE NATIONAL WILDLIFE REFUGE

A. *Migratory Game Bird Hunting.* [Reserved]

B. *Upland Game Hunting.* [Reserved]

C. *Big Game Hunting.* We allow hunting of deer and feral hog on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We prohibit the use of motorized off-road vehicles (e.g., ATVs) on the refuge (see § 27.31(f) of this chapter).

2. We set season dates and bag limits annually and publish them in the refuge public use regulations available at the refuge office.

3. Deer archery hunters must possess and carry a signed refuge permit (signed refuge brochure) while hunting.

4. You may hunt only big game during designated refuge seasons.

5. You may hunt feral hog during any established refuge hunting season. Refuge permits and legal weapons apply for the current hunting season.

6. We allow hunters to access the refuge no more than 2 hours before legal sunrise and no more than 2 hours after legal sunset.

7. We define youth hunters as ages 9-16. A Texas-licensed, adult hunter, age 17 or older who has successfully completed a Hunter Education Training Course, must accompany youth hunters. We exempt those persons born prior to September 2, 1971, from the

Hunter Education Training course requirement. We define accompanied as being within normal voice contact. Each adult hunter may supervise only one youth hunter.

8. You may participate in the refuge firearms deer hunt only with a Quota Deer Hunt Application (FWS Form 3-2354) issued through random drawing. You may obtain information on permit applications at the refuge headquarters.

9. We allow the use of only portable blinds and tree stands on the refuge. You must remove blinds, tree stands, and all other personal equipment from the refuge at the end of each day (see § 27.93 of this chapter).

10. We prohibit possession or distribution of bait or hunting with the aid of bait, including any grain, salt, minerals, or other feed or nonnaturally occurring attractant on the refuge (see § 32.2(h)).

11. We prohibit the use of dogs, feeders, campsites, and all-terrain vehicles (we may allow all-terrain vehicles for medically documented disabled hunters by Special Use Permit (SUP) [FWS Form 3-1383] only). Contact the wildlife refuge manager for guidelines to obtain a SUP.

12. Hunters must conspicuously wear daylight-fluorescent orange as per State deer hunting regulations on public hunting lands.

13. Persons possessing, transporting, or carrying firearms on a national wildlife refuge must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (see § 27.42 of this chapter and specific refuge regulations in part 32).

D. *Sport Fishing.* [Reserved]

HAGERMAN NATIONAL WILDLIFE REFUGE

A. *Migratory Game Bird Hunting.* We allow hunting of mourning dove in the month of September on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. You must possess and carry a signed refuge brochure (which serves as your Migratory Game Bird/Upland Game permit). The permit is available free of charge at the refuge headquarters.

2. We require the hunter to self check-in and check out.

3. We allow only shotguns for hunting.

4. You may possess shot for hunting no larger than #4 in the hunting area.

5. Hunters may possess only approved nontoxic shot while in the field (see § 32.2(k)).

6. We prohibit hunting within 150 feet (45 m) of any Day Use Area or walking trail.

7. We prohibit target practice or any non-hunting discharge of firearms.

8. We prohibit falconry.

9. We allow retriever dogs, but the dogs must be under the control of the handler at all times (see § 26.21(b) of this chapter).

U.S. Fish and Wildlife Serv., Interior**§ 32.63**

10. We prohibit airboats, hovercraft, and personal watercraft (jet skis, wave runner, jet boats, etc.) year-round on refuge waters.

11. We prohibit building or hunting from permanent blinds.

12. We prohibit blocking of gates and roads (see § 27.31(h) of this chapter).

13. We prohibit ATVs.

14. We prohibit horses.

15. We prohibit glass containers.

16. We prohibit use or possession of alcoholic beverages while hunting (see § 32.2(j)).

17. We prohibit hunting over feeders or feed (see § 32.2(h)).

B. Upland Game Hunting. We allow hunting of squirrel and rabbit in the months of February and September on designated areas of the refuge in accordance with State regulations subject to the following conditions: Conditions A1 through A17 apply.

C. Big Game Hunting. We allow hunting of white-tailed deer, feral hog, and turkey on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We require a limited hunt permit (Big/Upland Game Hunting Application, FWS Form 3-2356) for archery deer, feral hog, and spring turkey hunts. For additional information on how to apply, contact the refuge headquarters at 903-786-2826.

2. Conditions A2, A5 through A7, and A11 through A17 apply.

3. We restrict hunt participants for quota hunts to those drawn for and in possession of a limited hunt permit. The permits are non-transferable. Hunt dates and application procedures will be available annually at the refuge headquarters.

4. We allow limited hunts for feral hog (March), archery deer (November, December), and spring turkey (April). We allow muzzleloaders, bow and arrow, and shotguns for feral hog and spring turkey hunts. You may possess and use only lead free, nontoxic (steel, bismuth, copper, or tungsten) bullets, slugs, and shot (00 buck for hogs, no shell larger than No. 4 shot size for turkey).

5. We require all hunters to check-in, show proof of personal identification, and produce a valid limited hunt permit (see C1) prior to the hunt.

6. We limit each hunter to one stand which the hunter may place on the refuge during the day preceding each hunt. Hunters must remove all stands by legal sunset on the last day of each hunt (see §§ 27.93 and 27.94 of this chapter).

7. We prohibit the use of nonbiodegradable flagging, blazing, tacks, nails, or other trail marking devices to locate stands or for any other purpose.

8. Hunters must check all game harvested during limited hunts at the refuge check station the same day of the kill and prior to leaving the refuge for the day.

9. We prohibit crossbows except by special permit (General Special Use Application and Permit FWS Form 3-1383-G) issued on a case-by-case basis by the refuge manager to accommodate hunter accessibility needs.

10. We divide the refuge into six hunting units, and we may rotate areas open to hunting annually. We allow hunting only on designated days and only on areas identified annually by the refuge.

11. We require proof of completion of a bow hunter education course for all archery hunting.

12. We require annual successful completion of an archery proficiency test with a score of 80 percent or higher for all deer and turkey hunt permit holders.

13. Hunting is from stands, blinds, or by stalking only.

14. We prohibit cutting of trees or limbs greater than 1 inch (2.5 cm).

15. We will close the hunt units to public entry the day prior to each hunt segment.

16. We will allow hunters with valid limited permits to place hunt stands on trees the day before their hunt segment begins, but they must first check-in at the hunter check station. They may not enter any hunt unit until 8 a.m., and they must leave the unit by 2 p.m. We will disqualify anyone in violation from hunting.

17. There is no bag or size limit on the harvesting of feral hogs.

18. We prohibit scouting the day prior to and during each hunt segment.

19. We require hunters to wear a safety harness while hunting in elevated stands.

D. Sport Fishing. We allow fishing on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. Lake Texoma and connected streams are open to fishing year-round. We require a valid State of Texas or Lake Texoma fishing license as per State regulations.

2. Conditions A10, and A12 through A15 apply.

3. You may bank and wade fish with pole and line, rod and reel, or hand line year-round in all areas open to public fishing.

4. We allow fishing in refuge ponds March 15 through September 30 annually. We require a valid State of Texas or Lake Texoma fishing license as per State regulations.

5. Anglers may not use any glass containers, plastic jugs, or plastic bottles as floats.

6. We prohibit discarding any type of fishing line.

7. You may take bait only for personal use while fishing in refuge waters in accordance with Texas State law. We prohibit removal of bait from the refuge for commercial sales or use.

8. We prohibit fishing from bridges.

9. We allow the use of bow and arrow to take nongame fish on refuge waters.

§ 32.63

10. We prohibit limb lines, throw lines, jug lines, seine nets, and yo-yos.
11. We prohibit taking frog, turtle, and mussel from refuge lands and waters (see § 27.21 of this chapter).
12. We prohibit entry into refuge impoundments and ponds by any means (i.e., foot, boat, other floating device), for any purpose, year-round.
13. We prohibit boats and all other floating devices on all open waters of Lake Texoma, except Big Mineral Creek from October 1 through March 14 annually.
14. At the point where Big Mineral Creek joins Lake Texoma, Big Mineral Creek becomes a year-round no-wake zone to the end of upstream navigable waters.
15. From October 1 through March 14, we allow only nonmotorized boats in Big Mineral Creek from the point where it joins Lake Texoma to the upstream end of navigable waters. This includes any type of gas or electric motor that is onboard and capable of use. We allow launching only from L Pad Road or by hand at the Big Mineral Day Use Area.
- LAGUNA ATASCOSA NATIONAL WILDLIFE
REFUGE
- A. *Migratory Game Bird Hunting.* [Reserved]
- B. *Upland Game Hunting.* [Reserved]
- C. *Big Game Hunting.* We allow hunting of white-tailed deer, feral hog, and nilgai antelope on designated areas of the refuge in accordance with State regulations subject to the following conditions:
1. We require hunters to pay a fee and obtain a refuge hunt permit (name and address only). We issue replacement permits for an additional nominal fee. All hunt fees are nonrefundable. We require the hunter to possess and carry a signed and dated refuge hunt permit.
 2. We allow archery and firearm hunting on designated units of the refuge. Units 1, 2, 3, 5, 6, and 8 are open to archery hunting during designated dates. Units 2, 3, 5, and 8 are open to firearm hunting during designated dates. We close the following areas to hunting: Adolph Thomae, Jr. County Park in Unit 3, posted "No Hunting Zones" within all hunt units, La Selva Verde Tract (Armstrong), Waller Tract, Tocayo (COHYCO, Inc.) Tract, Frieze Tract, Escondido Tract, Sendero del Gato, Resaca de la Gringa, Bahia Grande Unit, South Padre Island Unit, and the Boswell Tract.
 3. We offer hunting during specific portions of the State hunting season. We determine specific deer hunt dates annually, and they usually fall within October, November, December, and January. We may provide special feral hog and nilgai antelope hunts to reduce populations at any time during the year.
 3. We offer hunting during specific portions of the State hunting season. We determine specific deer hunt dates annually, and they usually fall within November, December, and January. We may provide special feral hog and nilgai antelope hunts to reduce populations at any time during the year.
- specific deer hunt dates annually, and they usually fall within November, December, and January. We may provide special feral hog and nilgai antelope hunts to reduce populations at any time during the year.
4. We annually establish a specific bag limit for deer hunted on the refuge in the refuge hunt brochure and permit. We have an unlimited bag limit on feral hog and nilgai antelope.
5. We require hunters to visibly wear 400 square inches ($2,600 \text{ cm}^2$) of hunter orange, which includes wearing a minimum of 144 square inches (936 cm^2) visible on the chest, a minimum of 144 square inches visible on the back, and a hunter-orange hat or cap visible on the head when in the field. We allow hunter-orange camouflage patterns. We allow archery hunters during the archery-only hunts to remove their hunter orange in the field only when hunting at a stationary location.
6. We define youth hunters as ages 9 through 16. A Texas-licensed adult hunter, age 21 or older who has successfully completed a Hunter Education Training Course or is exempt, must accompany the youth hunter. We exempt those persons born prior to September 2, 1971, from the Hunter Education Training course requirement. We define accompanied as being within normal voice contact of the adult. Each adult hunter may supervise only one youth hunter.
7. We allow the use of only longbows, compound bows, and recurved bows during the archery hunt. We allow the use of only shoulder-fired muzzleloaders, rifles, and crossbows during the firearm hunt. Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (see § 27.42 of this chapter and specific refuge regulations in part 32). Muzzleloader firearms must be .40 caliber or larger, and modern rifles must be centerfired and .22 caliber or larger. We prohibit loaded authorized hunting firearms (see § 27.42 of this chapter) in the passenger compartment of a motor vehicle. We define "loaded" as having rounds in the chamber or magazine or a firing cap on a muzzleloading firearm. We prohibit target practice or "sighting-in" on the refuge.
8. We allow a scouting period prior to the commencement of the refuge deer hunting season. A permitted hunter and a limit of two nonpermitted individuals may enter the hunt units during the scouting period. We allow access to the units during the scouting period from 1½ hours before legal sunrise to legal sunset. You must clearly display the refuge-issued Hunter Vehicle Validation Tag/Scouting Permit (available from the refuge office) face up on the vehicle dashboard when hunting and scouting.

U.S. Fish and Wildlife Serv., Interior**§ 32.63**

9. We allow hunters to enter the refuge only 1 hour before legal shooting hours during the permitted hunt season. We may require hunters to check out daily at the refuge check station at the end of their hunt or no later than 1 hour after legal shooting hours.

10. We allow vehicle parking at Unit 1 and Unit 6 designated parking areas and along the roadside of General Brandt Road (FM 106), Buena Vista Road, Lakeside Road, and County Road.

11. We restrict vehicle access to service roads not closed by gates or signs. We prohibit the use of motorized vehicles (see § 27.31 of this chapter). You may access hunt units only by foot or by bicycle.

12. We allow hunting from portable stands or by stalking and still hunting. There is a limit of one blind or stand per permitted hunter. You must attach hunter identification (name and phone number) to the blind or stand. We prohibit attaching blinds and stands to trees or making blinds and stands from natural vegetation (see §§27.51 of this chapter and 32.2(i)). You must remove all blinds and stands (see § 27.93 of this chapter) at the end of the permitted hunt season.

13. We prohibit the possession or use of dogs while scouting or hunting.

14. Hunters must field-dress all harvested big game in the field and check the game at the refuge check station before removal from the refuge. You may quarter deer, feral hog, and nilgai antelope in the field as defined by State regulations. You may use a non-motorized cart to assist with the transportation of harvested game animals.

15. We prohibit killing or wounding an animal covered in this section and intentionally or knowingly failing to make a reasonable effort to retrieve and include it in the hunter's bag limit.

16. We prohibit use of or hunting from any type of watercraft or floating device.

17. Hunters must receive authorization from a refuge employee to enter closed refuge areas to retrieve harvested game.

18. We reserve the right to revoke or deny any permit for up to 5 years due to unsafe conduct or violation of one or more refuge regulations; this includes a demonstrated lack of public or hunter safety to a degree that may endanger oneself or other persons or property; multiple refuge regulation violations; aggressive, abusive, or intimidating behavior towards any employee of the United States or any local or State government employee engaged in official business, or towards any private person engaged in official business, or towards any private person engaged in the pursuit of a permitted activity on the refuge.

D. Sport Fishing. We allow fishing and crabbing on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We only allow fishing and crabbing from Adolph Thomae Jr. County Park on San Martin Lake of the Bahia Grande Unit, and on the South Padre Island Unit year-round.

2. We require payment of an entry fee and boat launch at Adolph Thomae, Jr. County Park. We allow access to Adolph Thomae, Jr. County Park in accordance with the Cameron County Parks Department.

3. We only allow pole and line, rod and reel, hand line, dip net, or cast net for fishing. We prohibit the use of crab traps or pots for crabbing. Anglers must attend all fishing lines, crabbing equipment, or other fishing devices at all times.

4. We prohibit the taking and use of frog, salamander, and other amphibian as bait.

5. We allow the use of boats for sport fishing. You may launch boats at Adolph Thomae Jr. County Park. We only allow bank and wade fishing on the shoreline of San Martin Lake within the refuge boundary. We only allow access by foot behind posted refuge boundary signs.

6. We only allow camping at Adolph Thomae Jr. County Park.

LOWER RIO GRANDE VALLEY NATIONAL WILDLIFE REFUGE

A. Migratory Game Bird Hunting. We allow hunting of mourning, white-winged, and white-tipped dove on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. The hunting season will be concurrent with the State season. We publish this information in the refuge hunting sheet.

2. Designated areas include the La Grulla and Monte Cristo tracts of the refuge.

3. We require hunters to pay a fee to obtain a refuge hunt permit (name only required) and to possess and carry such permit at all times during your designated hunt period. Hunters must also display the refuge-issued vehicle placard (part of the hunt permit) while participating in the designated hunt period. Hunters, including youth hunters, must also have a valid hunting license, proof of hunter's education certification, and picture identification in order to obtain a refuge hunt permit and must possess the above items while on the refuge hunt.

4. You should park in designated refuge parking areas if they are available. You may park along County roads; however, you must not block the path of traffic and access to the refuge or private property (see § 27.31(h) of this chapter). We will tow inappropriately parked vehicles at the owner's expense.

5. We define youth hunters as ages 9–16. A Texas-licensed, adult hunter, age 17 or older who has successfully completed a Hunter Education Training Course, must accompany youth hunters. We exempt those persons born prior to September 2, 1971, from the

§ 32.63

Hunter Education Training course requirement. We define accompanied as being within normal voice contact. Each adult hunter may supervise only one youth hunter.

6. You may access the refuge during your permitted hunt period from 1 hour before legal hunt time to 1 hour after legal hunt time; however, you may not hunt outside of the legal hunt hours.

7. Your licenses, permits, hunting equipment, effects, and vehicles or other conveyances are subject to inspection by Federal, State, and local law enforcement officers.

8. We restrict hunt participants to those listed on the refuge hunt permit (hunter, nonhunting chaperone, and nonhunting assistant). We require all participants to wear hunter orange according to Texas State regulations (400 square inches [2,600 cm²] that is visible on the chest, back and head).

9. We allow only the hunter to hunt and carry or discharge the applicable hunting shotgun, muzzleloader, rifle, or bow.

10. We allow hunters to use bicycles on designated routes of travel.

11. You may use properly trained retriever dogs to retrieve dove during the hunt, but the dog must be under the control of the handler at all times (hunters must not allow dogs to roam free) (see § 26.21(b) of this chapter).

12. We prohibit hunters discharging firearms for any purpose other than to take or attempt to take a game bird listed in the introductory text of this paragraph A. during your established hunt.

13. We prohibit use of flagging or any other type of marker.

14. We prohibit hunters cutting or trimming any vegetation or brush (see § 27.51 of this chapter).

15. We prohibit overnight camping.

16. We prohibit the use of motorized vehicles.

17. We reserve the right to revoke or deny any permit for up to 5 years for the following reasons: Lack of public safety to a degree that may endanger oneself or other persons or property; multiple regulation violations; aggressive, abusive, or intimidating behavior towards any employee of the United States or any local or State government employee engaged in official business, or towards any private person engaged in the pursuit of a permitted activity on the refuge.

B. Upland Game Hunting. [Reserved]

C. Big Game Hunting. We allow hunting of white-tailed deer, feral hog, and nilgai antelope on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. Conditions A3 through A10 and A13 through A17 apply.

2. We offer hunting during specific portions of the State hunting season. We determine specific hunt dates annually. We publish this information in the refuge hunting sheet.

50 CFR Ch. I (10-1-12 Edition)

3. We allow archery and firearm hunting on designated tracts of the refuge. We open Tejiente Tract to archery and firearm hunting during designated dates. We open East Lake Tract to firearm hunting during designated dates.

4. We allow the use of longbows, compound bows, recurved bows, shotgun, muzzleloader, and any legal center-fire firearm except hand-held pistols (handguns) when hunting. Muzzleloader firearms must be .40 caliber or larger and slugs are the only permitted shot for shotguns when hunting. We publish this information in the refuge hunting sheet.

5. We allow the use of rattling horns.

6. We allow free-standing blinds or tripods. Hunters may set them up during the scouting days preceding each permitted hunt date and must take them down by the end of such hunt date. Hunters must mark and tag all stands with their name, contact number, and hunt date during the period of use.

7. Hunters must field-dress all harvested big game in the field.

8. Hunters may use nonmotorized dollies or carts off improved roads or trails to haul carcasses to a parking area.

9. We prohibit use of big game decoys.

10. We prohibit use or possession of dogs, horses, or mules on the refuge during big game refuge hunt.

11. We prohibit the killing, wounding, taking, or possession of an animal listed in the introductory text of this paragraph C while intentionally or knowingly failing to make a reasonable effort to retrieve or keep the edible portions of the animal and include it in your bag limit.

12. We prohibit discharge of firearms or bows and arrows for any purpose other than to take or attempt to take an animal listed in the introductory text of this paragraph C during your established hunt.

D. Sport Fishing. [Reserved]

McFADDIN NATIONAL WILDLIFE REFUGE

A. Migratory Game Bird Hunting. We allow hunting of goose, duck, and coot on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. Season dates will be concurrent with the State for the September teal season, youth-only season, and duck and coot regular season in the Texas South Zone, and goose regular season in the Texas East Zone, with the exception that we will prohibit duck (not including the September teal and youth-only seasons) and coot hunting on the refuge until the last Saturday in October. If the State-specified duck and coot regular season opens later than the last Saturday in October, then hunting on the refuge will open consistent with the State-specified season date.

2. You must possess and carry a current signed refuge hunting permit while hunting on all units of the refuge.

U.S. Fish and Wildlife Serv., Interior**§ 32.63**

3. Hunters must enter the refuge hunt units between 4 a.m. and ½ hour before the designated legal shooting time. Hunting starts at legal shooting time and ends at 12 p.m. (noon). Hunters must leave refuge hunt units by 12:30 p.m. We close refuge hunt units on Thanksgiving, Christmas, and New Year's Day.

4. You may access hunt areas by foot, non-motorized watercraft, outboard motorboat, or airboat. Airboats may not exceed 10 hp with direct drive with a propeller length of 48 inches (120 cm) or less. Engines may not exceed 2 cylinders and 484 cc. We prohibit all other motorized vehicles. We prohibit marsh buggies, ATVs, and personal watercraft (see § 27.31(f) of this chapter).

5. On inland waters of the refuge open to motorized boats, we restrict the use of boats powered by air-cooled or radiator-cooled engines to those powered by a single engine of 25 hp or less and utilizing a propeller 9 inches (22.5 cm) in diameter or less.

6. On inland waters of the refuge open to motorized boats, we restrict the operation of motorized boats to lakes, ponds, ditches, and other waterways. We prohibit the operation of motorized boats on or through emergent wetland vegetation.

7. We allow hunting in the Star Lake/Clam Lake Hunt Unit daily during the special teal season and on Saturdays, Sundays, and Tuesdays of the regular waterfowl season. During the regular waterfowl season only, all hunters hunting the Star Lake/Clam Lake Hunt Units must register at the check station, including those accessing the unit from the beach along the Brine Line or Perkins Levee. Hunters will choose a designated hunt area on a first-come-first-served basis and will be required to remain in assigned areas for that day's hunt. All hunters accessing Star Lake and associated waters via boat must access through the refuge's Star Lake boat ramp.

8. We allow hunting in the Central Hunt Units daily during the September teal season and on Saturdays, Sundays, and Tuesdays of the regular waterfowl season.

9. We only allow hunting in the Spaced Hunt Units on Saturdays, Sundays, and Tuesdays of the regular waterfowl season. We require payment of a \$10.00 daily fee to hunt the Spaced Hunt Units. We allow a maximum of four hunters per area. Hunters must possess and carry Special Fee Area Permits while hunting.

10. We allow daily hunting in the Mud Bayou Hunt Unit during the September teal season and on Sundays, Wednesdays, and Fridays of the regular waterfowl season. We allow access by foot from the beach at designated crossings or by boat from the Gulf Intracoastal Waterway via Mud Bayou.

11. Hunters age 17 or under must be under the direct supervision of an adult age 18 or older.

12. We only allow shotguns for waterfowl hunting.

13. We only allow vehicular travel on designated roads and in parking areas. We prohibit blocking access to any road or trail entering or on the refuge (see § 27.31(h) of this chapter).

14. We prohibit pits and permanent blinds. We allow portable blinds or temporary natural vegetation blinds. You must remove all blinds from the refuge daily (see §§ 27.93 and 27.94 of this chapter).

15. The minimum permitted distance between hunt parties and between hunters and driveable roads and buildings is 200 yards (180 m). We prohibit hunting from roads or levees.

16. Dogs accompanying hunters must be under the immediate control of handlers at all times (see § 26.21(b) of this chapter).

17. You must remove all decoys, boats, spent shells, marsh chairs, and other equipment (see §§ 27.93 and 27.94 of this chapter) from the refuge daily. We prohibit use of plastic flagging, reflectors, or reflective tape on the refuge.

B. *Upland Game Hunting.* [Reserved]

C. *Big Game Hunting.* [Reserved]

D. *Sport Fishing.* We allow fishing and crabbing on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We only allow fishing and crabbing with pole and line, rod and reel, or handheld line. We prohibit the use of any method not expressly allowed in inland waters, including trotlines, set lines, jug lines, limb lines, bows and arrows, gigs, spears, and crab traps.

2. We allow cast netting for bait for personal use along waterways in areas open to the public and along public roads.

3. We allow fishing and crabbing in 10-Mile Cut and Mud Bayou and in the following inland waters: Star Lake, Clam Lake, and Mud Lake. We also allow fishing and crabbing from the shoreline of the Gulf Intracoastal Waterway and along roadside ditches.

4. Conditions A5 and A6 apply.

5. We prohibit fishing from or mooring to water control structures.

5. Conditions A5 and A6 apply.

SAN BERNARD NATIONAL WILDLIFE REFUGE

A. *Migratory Game Bird Hunting.* We allow hunting of goose, duck, and coot on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. Season dates will be concurrent with the State for the September teal season, youth-only season, and duck and coot regular season in the Texas South Zone, and goose regular season in the Texas East Zone, with the exception that we will prohibit duck (not including the September teal and youth-only seasons) and coot hunting on the refuge until the last Saturday in October. If the State-

§ 32.63

50 CFR Ch. I (10-1-12 Edition)

specified duck and coot regular season opens later than the last Saturday in October, then hunting on the refuge will open consistent with the State-specified season date.

2. We prohibit the building or use of pits and permanent blinds (see §§ 27.92 and 27.93 of this chapter).

3. We require hunters to use the Waterfowl Lottery Application (FWS Form 3-2355) and payment of fees for the Sergeant Permit Waterfowl Hunt Area. Hunters must abide by all terms and conditions set by the permits.

4. We only allow the use of airboats in tidal navigable waters unless otherwise posted.

5. We prohibit target practice on the refuge.

6. Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (see § 27.42 of this chapter and specific refuge regulations in part 32).

B. *Upland Game Hunting.* [Reserved]

C. *Big Game Hunting.* [Reserved]

D. *Sport Fishing.* We allow sport fishing on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow fishing only on the refuge portions of Cow Trap Lakes, Cedar Lakes, and along Cedar Lake Creek.

2. We allow access for shore fishing at Cedar Lake Creek Public Fishing Area; we prohibit the use or possession of alcoholic beverages in all Public Fishing Areas.

3. Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (see § 27.42 of this chapter and specific refuge regulations in part 32).

TEXAS POINT NATIONAL WILDLIFE REFUGE

A. *Migratory Game Bird Hunting.* We allow hunting of goose, duck, and coot on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. Season dates will be concurrent with the State for the September teal season, youth-only season, and duck and coot regular season in the Texas South Zone, and goose regular season in the Texas East Zone, with the exception that we will prohibit duck (not including the September teal and youth-only seasons) and coot hunting on the refuge until the last Saturday in October. If the State-specified duck and coot regular season opens later than the last Saturday in October, then hunting on the refuge will open consistent with the State-specified season date.

2. You must possess and carry a current signed refuge hunting permit while hunting on all hunt units of the refuge.

3. Hunters must enter the refuge hunt unit between 4 a.m. and $\frac{1}{2}$ hour before the designated legal shooting time. Hunting starts at legal shooting time and ends at 12 p.m. (noon). Hunters must be off refuge hunt units by 12:30 p.m. We close refuge hunt units on Thanksgiving, Christmas, and New Year's Day.

4. We allow hunting in portions of the refuge daily during the September teal season and on Saturdays, Mondays, and Wednesdays during the regular waterfowl season.

5. You may access hunt areas by foot, non-motorized watercraft, outboard motorboat, or airboat. Airboats may not exceed 10 hp with direct drive with a propeller length of 48 inches (120 cm) or less. Engines may not exceed 2 cylinders and 484 cc. We prohibit all other motorized vehicles. We prohibit marsh buggies, ATVs, and personal watercraft (see § 27.31(f) of this chapter).

6. On inland waters of the refuge open to motorized boats, we restrict the use of boats powered by air-cooled or radiator-cooled engines to those powered by a single engine of 25 hp or less and utilizing a propeller 9 inches (22.5 cm) in diameter or less.

7. On inland waters of the refuge open to motorized boats, we restrict the operation of motorized boats to lakes, ponds, ditches, and other waterways. We prohibit the operation or motorized boats on or through emergent wetland vegetation.

8. Hunters age 17 or under must be under the direct supervision of an adult age 18 or older.

9. We only allow shotguns for waterfowl hunting.

10. We only allow vehicle travel on designated roads and in designated parking areas (see § 27.31 of this chapter). We prohibit blocking access to any road or trail entering or on the refuge (see § 27.31(h) of this chapter).

11. We prohibit pits and permanent blinds. We allow portable blinds or temporary natural vegetation blinds. You must remove all blinds from the refuge daily (see §§ 27.93 and 27.94 of this chapter).

12. The minimum distance between hunt parties is 200 yards (180 m). We prohibit hunting from roads or levees.

13. Dogs accompanying hunters must be under the immediate control of handlers at all times (see § 26.21(b) of this chapter).

14. You must remove all decoys, boats, spent shells, marsh chairs, and other equipment (see §§ 27.93 and 27.94 of this chapter) from the refuge daily. We prohibit use of plastic flagging, reflectors, or reflective tape on the refuge.

B. *Upland Game Hunting.* [Reserved]

C. *Big Game Hunting.* [Reserved]

D. *Sport Fishing.* We allow fishing and crabbing on designated areas of the refuge in accordance with State regulations subject to the following conditions:

U.S. Fish and Wildlife Serv., Interior**§ 32.63**

1. We allow fishing and crabbing only with pole and line, rod and reel, or handheld line. We prohibit the use of any method not expressly allowed in inland waters, including trotlines, set lines, jug lines, limb lines, bows and arrows, gigs, spears, and crab traps.

2. We allow cast netting for bait only by individuals along waterways in areas open to the public and along public roads.

3. Conditions A6 and A7 apply.

4. We prohibit fishing from or mooring to water control structures.

TRINITY RIVER NATIONAL WILDLIFE REFUGE

A. Migratory Game Bird Hunting. We allow hunting of duck on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We only allow hunting on Champion Lake by drawing.

2. We require an application fee for participants to enter the drawing. After the State announces hunting dates, we will issue a refuge permit to those drawn. The hunter must possess and carry the permit at all times when hunting.

3. We only allow hunting on Champion Lake Saturdays and Sundays during the State duck season. Hunters may not enter the refuge until 5 a.m. and must be off the hunt area by 12 p.m. (noon).

4. We only allow portable blinds. Hunters must remove all blinds, decoys, shell casings, and other personal equipment (see §§27.93 and 27.94 of this chapter) from the refuge each day.

5. We limit motors to 10 hp or less.

6. We allow retrievers, but they must be under the immediate control of the hunter at all times.

7. Each youth hunter (age 17 and under) must remain within sight and normal voice contact and under supervision of an adult age 18 or older.

8. Hunt parties must keep a minimum distance of 150 yards (135 m) between them.

B. Upland Game Hunting. We allow hunting for squirrel and rabbit on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We require hunters to possess a refuge permit (signed brochure) and pay a fee for the hunt application. For information concerning the hunts, contact the refuge office. The hunter must carry the nontransferable permit at all times while hunting.

2. We will offer a limited season upland game squirrel and rabbit hunt. We require refuge permits and hunters must turn in the Upland/Small Game/Furbearer Report (FWS Form 3-2362) by the date specified on the permit. Failure to submit the report will render the hunter ineligible for the next year's limited upland game hunt. Drawings will be either by lottery or on a first-come-first-served basis. We will describe hunt units in maps and written directions.

3. We prohibit hunting along refuge roads.

4. All units are walk-in only. We prohibit hunters using dogs, feeders, baiting, campsites, fires, horses, bicycles, and all-terrain vehicles (except on designated units which allow ATV use for hunters with disabilities). We provide access for hunters with disabilities. Please contact the refuge office for additional information.

5. Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (see §27.42 of this chapter and specific refuge regulations in part 32). Units will have a hunting type of weapon restriction (long gun, shotgun, or archery) due to safety concerns.

6. Youth hunters age 12 through 17 must hunt with a permitted adult age 18 or older and be within sight and normal voice contact of the adult.

7. For safety we require a minimum distance between hunt parties of 200 yards (180 m). Hunters must visibly wear 400 square inches (2,600 cm²) of hunter orange above the waist and a hunter-orange hat or cap.

8. We require hunters to park only in the assigned parking area at each hunt unit. They may enter the refuge no earlier than 4:30 a.m. We will allow hunting from $\frac{1}{2}$ hour before legal sunrise to legal sunset only during the days specified on the permit.

9. Hunters may place no more than one temporary stand on the refuge. Hunters may place the stand during the scouting week before the hunt begins and must remove it the day the hunt ends. Hunters must remove all flagging or markers the day the hunt ends. We prohibit the use of paint for marking. Hunters must label blinds with the name of the permit holder. We prohibit hunting or erection of blinds along refuge roads or main trails.

C. Big Game Hunting. We allow hunting of white-tailed deer and feral hog on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We will offer limited (shortened) seasons for big game hunting of deer and feral hog. The limited hunts are during the archery, general, and muzzleloader State seasons. We require refuge permits (signed refuge brochure) and Big Game Harvest Report (FWS Form 3-2359). Hunters must turn in both forms by the date specified on the permit. Failure to submit the Harvest Report will render the hunter ineligible for the next year's limited big game hunt. Drawings are by lottery. We will describe hunt units in maps and provide written directions.

2. Conditions B3 through B9 apply.

3. We allow hunting during a designated 23-day archery season. We require participants

§ 32.64

to pay an application fee to obtain a designated number of permits. We issue a refuge permit to those individuals.

4. We allow muzzleloader hunting during the designated State season.

D. *Sport Fishing.* We allow fishing on most refuge tracts in accordance with State regulations subject to the following conditions:

1. We only allow fishing with pole and line, rod and reel, or hand-held line.

2. We prohibit the use of trotlines, setlines, bows and arrows, gigs, spears, fish traps, crab/crawfish traps or nets.

3. We prohibit the harvesting of frog or turtle (see §27.21 of this chapter).

4. We allow fishing from legal sunrise to legal sunset.

5. We limit motors to a maximum of 10 hp. We prohibit fishing or enter within 200 yards (180 m) of an established bird rookery from March through the end of June. Check at refuge headquarters for rookery locations.

[58 FR 5064, Jan. 19, 1993, as amended at 58 FR 29076, May 18, 1993; 59 FR 6698, Feb. 11, 1994; 59 FR 55188, Nov. 3, 1994; 62 FR 47382, Sept. 9, 1997; 63 FR 46921, Sept. 3, 1998; 65 FR 30792, May 12, 2000; 65 FR 56408, Sept. 18, 2000; 66 FR 46361, Sept. 4, 2001; 67 FR 58950, Sept. 18, 2002; 69 FR 54362, 54457, Sept. 8, 2004; 69 FR 55995, Sept. 17, 2004; 70 FR 54192, Sept. 13, 2005; 73 FR 33197, June 11, 2008; 74 FR 45697, Sept. 3, 2009; 76 FR 3993, Jan. 21, 2011; 76 FR 56086, Sept. 9, 2011; 76 FR 59304, Sept. 26, 2011; 77 FR 56062, Sept. 11, 2012]

§ 32.64 Utah.

The following refuge units have been opened for hunting and/or fishing, and are listed in alphabetical order with applicable refuge-specific regulations.

BEAR RIVER MIGRATORY BIRD REFUGE

A. *Migratory Game Bird Hunting.* We allow hunting of goose, duck, coot, and tundra swan on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We prohibit hunting or shooting within 100 yards (90 m) of refuge roads, parking areas, and observation platforms.

2. You may possess only approved nontoxic shot while in the field (see §32.2(k)).

3. We allow only portable blinds and blinds made from natural vegetation. We prohibit the construction or use of permanent blinds and/or pits for blinds (see §27.92 of this chapter).

4. You must remove boats, decoys, portable blinds, and other personal property from the refuge at the end of each day (see §§27.93 and 27.94 of this chapter).

5. We allow airboats only in Refuge Unit 9 and Block C.

50 CFR Ch. I (10-1-12 Edition)

6. You may possess only 10 shells while hunting on or within 50 feet (15 m) from the center of Unit 1A or 2C dike.

7. We prohibit hunters or dogs to enter closed areas to retrieve downed birds.

8. We prohibit the consumption or possession of alcoholic beverages while hunting (see §32.2(j)).

9. We are closed for spring and extended season goose hunts.

10. You must possess a valid State permit to hunt swans on the refuge.

11. We prohibit all commercial guiding and outfitter activities on the refuge.

12. We prohibit entering the refuge hunting units prior to the opening day of waterfowl season.

13. We prohibit archery hunting on the refuge.

14. You may enter the refuge 2 hours before legal sunrise and must exit the refuge by 2 hours after legal sunset.

15. You may park only in designated areas.

16. We allow only legally licensed vehicles on the refuge. We prohibit use of unlicensed off-highway vehicles and all-terrain vehicles on the refuge.

17. We prohibit fires, camping, and overnight RV parking on the refuge.

18. You may discharge firearms only during legal hunting activities. We prohibit target shooting.

19. Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) hunting firearms in accordance with refuge regulations (see §27.42 of this chapter and part 32).

20. You must abide by all terms and conditions in the refuge hunting brochure.

B. *Upland Game Hunting.* We allow hunting of pheasants on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We prohibit hunting or taking of pheasants with a shotgun of any description capable of holding more than three shells, unless it is plugged with a one-piece filler incapable of removal without disassembling the gun, so its total capacity does not exceed three shells.

2. Condition A2 applies.

C. *Big Game Hunting.* [Reserved]

D. *Sport Fishing.* Fishermen may fish on designated areas of the refuge subject to the following conditions:

1. Fishermen may fish year-round in designated areas of the Refuge.

2. You may fish only in designated areas west of the Auto Tour Road access gate from legal sunrise to legal sunset.

3. We prohibit fishing from refuge bridges and water control structures.

4. You must remove all fishing equipment, personal property, and trash from the refuge