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7. We prohibit the taking of turtle (see § 27.21 of this chapter).

[58 FR 5064, Jan. 19, 1993, as amended at 58 FR 29074, May 18, 1993; 59 FR 6692, Feb. 11, 1994; 59 FR 55186, Nov. 3, 1994; 60 FR 5277, Jan. 26, 1995; 60 FR 62042, Dec. 4, 1995; 61 FR 45367, Aug. 29, 1996; 61 FR 46395, Sept. 3, 1996; 62 FR 47378, Sept. 9, 1997; 63 FR 46916, Sept. 3, 1998; 65 FR 30783, May 12, 2000; 65 FR 56402, Sept. 18, 2000; 66 FR 46357, Sept. 4, 2001; 67 FR 58945, Sept. 18, 2002; 68 FR 57316, Oct. 2, 2003; 69 FR 54362, 54394, Sept. 8, 2004; 69 FR 55995, Sept. 17, 2004; 70 FR 54169, Sept. 13, 2005; 70 FR 56376, Sept. 27, 2005; 73 FR 33176, June 11, 2008; 73 FR 51158, Aug. 29, 2008; 74 FR 45684, Sept. 3, 2009; 75 FR 18420, Apr. 12, 2010; 76 FR 3961, Jan. 21, 2011; 76 FR 56070, Sept. 9, 2011; 77 FR 56041, Sept. 11, 2012]

## § 32.38 Maine.

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

### MOOSEHORN NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* We allow hunting of duck, goose, American woodcock, and Wilson's snipe on designated areas of the Baring and Edmunds Division of the refuge in accordance with State regulations subject to the following conditions:

1. We require every hunter to possess and carry a personally signed Migratory Bird Hunt Application (FWS Form 3-2357). Permits and regulations are available from the refuge in person during normal business hours (8 a.m. to 4:30 p.m. Monday through Friday; closed on holidays) or by contacting the Project Leader at (207) 454-7161 or by mail (Moosehorn National Wildlife Refuge, 103 Headquarters Road, Baring, Maine 04694).

2. You must annually complete a Migratory Bird Hunt Report (FWS Form 3-2361) and submit it by mail or in person at the refuge headquarters no later than 2 weeks after the close of the hunting season in March. If you do not comply with this requirement, we may suspend your future hunting privileges on Moosehorn National Wildlife Refuge.

3. We allow hunters to enter the refuge 2 hours before legal shooting hours, and they must exit the refuge by 1 hour past legal shooting hours.

4. You may hunt American woodcock and Wilson's snipe on the Edmunds Division and that part of the Baring Division that lies west of State Route 191.

5. You may hunt waterfowl (duck and goose) in that part of the Edmunds Division that lies north of Hobart Stream and west of U.S. Route 1, and in those areas east of U.S. Route 1, and refuge lands that lie south of South Trail; and in that portion of the Bar-

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ing Division that lies west of State Route 191.

6. We prohibit hunting waterfowl in the Nat Smith Field and Marsh or Bills Hill Field or Ponds on the Edmunds Division.

7. We prohibit construction or use of any permanent blind.

8. You may only use portable or temporary blinds.

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

10. You must remove portable or temporary blinds and decoys from the refuge following each day's hunt (see §§ 27.93 and 27.94 of this chapter).

11. We prohibit use of motorized or mechanized vehicles and equipment in designated Wilderness Areas. This includes all vehicles and items such as winches, pulleys, and wheeled game carriers. You must remove animals harvested within the Wilderness Areas by hand without the aid of mechanical equipment of any type.

12. You must follow the State hunter-or-ange clothing requirements.

*B. Upland Game Hunting.* We allow hunting of ruffed grouse, snowshoe hare, red fox, gray and red squirrel, raccoon, skunk, and woodchuck on designated areas of the Edmunds Division and that part of the Baring Division that lies west of State Route 191 in accordance with State regulations, seasons, and bag limits, subject to the following conditions:

1. Conditions A1, A2, A9, A11, and A12 apply.

2. We allow hunters to enter the refuge 2 hours before legal shooting hours, and they must exit the refuge by 1 hour past legal shooting hours, except for hunters pursuing raccoons at night.

3. We prohibit hunting of upland game species listed in the introductory text of this paragraph B. on refuge lands between April 1 and September 30.

4. You must register with the refuge office prior to hunting raccoon or red fox with trailing dogs.

*C. Big Game Hunting.* We allow hunting of black bear, bobcat, eastern coyote, moose, and white-tailed deer on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. Conditions A1, A2, A11, and A12 apply.

2. We allow hunters to enter the refuge 2 hours before legal shooting hours, and they must exit the refuge by 1 hour past legal shooting hours, except for hunters pursuing eastern coyotes at night.

3. We allow bear hunting during the State Prescribed Season.

4. We allow eastern coyote hunting from October 1 to March 31.

5. If you harvest a bear, deer, moose, or coyote on the refuge, you must notify the refuge office in person or by phone within 24

hours and make the animal available for inspection by refuge personnel.

6. The hunter must retrieve all species, including coyotes, harvested on the refuge.

7. We prohibit construction or use of permanent tree stands, blinds, or ladders.

8. All tree stands, blinds, and ladders must be portable.

9. You must clearly label any tree stand, blind, or ladder left on the refuge overnight with your name, address, phone number, and hunting license number.

10. You must remove all tree stands, blinds, and ladders from the refuge on the last day of the muzzleloader deer season (see §§ 27.93 and 27.94 of this chapter).

11. You may hunt black bear, eastern coyote, and white-tailed deer during the State archery and firearms deer seasons on that part of the Baring Division that lies east of State Route 191.

12. You may hunt black bear, bobcat, eastern coyote, moose, and white-tailed deer on the Edmunds Division and that part of the Baring Division that lies west of State Route 191.

13. We prohibit use of firearms to hunt bear and coyote during the archery deer season on that part of the Baring Division that lies east of Route 191. We prohibit the use of firearms, other than a muzzleloader, to hunt bear and coyote during the deer muzzleloader season on that part of the Baring Division that lies east of Route 191.

14. You must register with the refuge office prior to hunting black bear, bobcat, or eastern coyote with trailing dogs.

15. We prohibit hunting in the following areas:

i. The South Magurrewock Area: The boundary of this area begins at the intersection of the Charlotte Road and U.S. Route 1; it follows the Charlotte Road in a southerly direction to a point just south of the fishing pier and observation blind, where it turns in an easterly direction, crossing the East Branch of the Magurrewock Stream, and proceeds in a northerly direction along the upland edge of the Upper and Middle Magurrewock Marshes to U.S. Route 1 where it follows Route 1 in a southerly direction to the point of origin.

ii. The North Magurrewock Area: The boundary of this area begins where the northern exterior boundary of the refuge and Route 1 intersect; it follows the boundary line in a westerly direction to the railroad grade where it follows the main railroad grade and refuge boundary in a southwest direction to the upland edge of the Lower Barn Meadow Marsh; then it follows the upland edge of the marsh in a southerly direction to U.S. Route 1 where it follows Route 1 to the point of origin.

iii. The posted safety zone around the Refuge Headquarters Complex: The boundary of this area starts where the southerly edge of

the Horse Pasture Field intersects with the Charlotte Road. The boundary follows the southern edge of the Horse Pasture Field, across the abandoned Maine Central Railroad grade, where it intersects with the North Fireline Road. It follows the North Fireline Road to a point near the northwest corner of the Lane Construction Tract. The line then proceeds along a cleared and marked trail in a northwesterly direction to the Barn Meadow Road. It proceeds south along the Barn Meadow Road to the intersection with the South Fireline Road, where it follows the South Fireline Road to the Headquarters Road. It follows the Headquarters Road in a southerly direction to the Two Mile Meadow Road. It follows the westerly side of the Two Mile Meadow Road to the intersection with the Mile Bridge Road. It then follows Mile Bridge Road to the intersection with the Lunn Road, then along the Lunn Road leaving the road in an easterly direction at the site of the old crossing, across the abandoned Maine Central Railroad grade to the Charlotte Road (directly across from the Moosehorn Ridge Road gate). The line follows the Charlotte Road in a northerly direction to the point of origin.

iv. The Southern Gravel Pit: The boundary of this area starts at a point where Cranberry Brook crosses the Charlotte Road and proceeds south along the Charlotte Road to the Baring/Charlotte Town Line, east along the Town Line to a point where it intersects the railroad grade where it turns in a northerly direction, and follows the railroad grade to Cranberry Brook, following Cranberry Brook in a westerly direction to the point of origin.

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

1. We prohibit motorized boats on Bearce and Conic Lakes.

2. We only allow fishing from ½ hour before legal sunrise to ½ hour after legal sunset.

3. We allow fishing in the following areas on the Baring Division of the refuge:

i. Bearce Lake, Conic Lake, James Pond, Ledge Pond, and Vose Pond;

ii. Clark Brook and the West Branch of the Magurrewock Stream from the outlet of the Howard Mill Flowage water control structure to the handicapped-accessible fishing pier located off the Charlotte Road; and

iii. Barn Meadow Brook, Cranberry Brook, Mahar Brook, and Moosehorn Stream.

4. We allow fishing in the following areas on the Edmunds Division of the refuge: Hobart Lake, Hobart Stream, Cranberry Brook, Crane Meadow Brook, Crane Mill Stream, and Crane Mill Flowage.

5. We prohibit fishing on the stretch of Moosehorn Stream on the Baring Division that lies west of the Charlotte Road and east

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of the Mile Bridge Road between March 31 and July 14.

6. We prohibit trapping of bait fish on the refuge.

### PETIT MANAN NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* We allow hunting of duck, goose, woodcock, rail, gallinule, and snipe on designated areas of the refuge (Gouldsboro Bay and Sawyers Marsh Divisions) in accordance with State regulations subject to the following conditions:

1. We allow waterfowl hunting on the following islands: Little Libby, Eastern Brothers, Halifax, Schoppee, Inner Sand, Jordans Delight, Petit Manan, Sally, Abbott, Egg Rock, South Twinnie, John's, Little Marshall, Ship, Trumpet, East and West Barge, Matinicus Rock, Two Bush, Hart, Little Thrumcap, Outer White, Outer Heron, Upper Flag, and Ram.

2. We prohibit erection of permanent waterfowl blinds.

3. You must remove all temporary blinds, concealment materials, boats, and decoys (see § 27.93 of this chapter) each day.

*B. Upland Game Hunting.* We allow hunting of upland game on designated areas of the refuge (Gouldsboro Bay and Sawyers Marsh Division) in accordance with State regulations subject to the following conditions:

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

2. We allow only pointing and flushing dogs.

3. We prohibit the hunting of crows.

4. You may hunt coyotes from November 1 to March 31.

5. The hunter must retrieve all species, including coyotes, harvested on the refuge.

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

1. We allow white-tailed deer hunting on designated areas of the Petit Manan Point, Sawyers Marsh, and Gouldsboro Bay Division and Bois Bubert Island. Petit Manan Point is open only during the State-prescribed muzzleloader season.

2. We allow black bear hunting only on designated areas of the Sawyers Marsh and Gouldsboro Bay Divisions during the firearm season for white-tailed deer.

3. We prohibit the use of dogs.

4. You must remove all tree stands by the last day of the white-tailed deer hunting season (see § 27.93 of this chapter).

5. We normally close the refuge to all visitors from legal sunset to legal sunrise. However, during hunting season, we allow hunters to enter the refuge 1 hour prior to legal sunrise and remain on the refuge 1 hour after legal sunset.

*D. Sport Fishing.* [Reserved]

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### RACHEL CARSON NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* We allow hunting of duck, goose, coot, woodcock, and snipe in accordance with State regulations on designated areas of the Brave Boat Harbor, Lower Wells, Upper Wells, Mousam River, Goose Rocks, and Spurwink River Divisions of the refuge subject to the following conditions:

1. Prior to entering designated refuge hunting areas, you must obtain a refuge hunting permit, pay a recreation fee, and sign and carry the permit at all times.

2. You may only take sea duck when the State sea duck season coincides with the regular duck season.

3. You may take waterfowl by falconry during State seasons.

4. We open Designated Youth Hunting Areas to hunters age 17 and under who possess and carry a refuge hunting permit. Each youth hunter must remain within sight and normal voice contact of an adult age 21 or older. The accompanying adult must possess and carry a refuge hunting permit and may also hunt.

5. You may use seasonal blinds with a Special Use Permit. A permitted seasonal blind is available to permitted hunters on a first-come, first-served basis. The permit holder for the blind is responsible for the removal of the blind at the end of the season and compliance with all conditions of the Special Use Permit. You must remove temporary blinds, decoys, and boats from the refuge each day (see §§ 27.93 and 27.94 of this chapter).

6. We open the refuge to hunting during the hours stipulated by State regulations. We close the refuge to night hunting.

7. We close the Moody, Little River, Biddeford Pool, and Goosefare Brook divisions of the refuge to all migratory bird hunting.

*B. Upland Game Hunting.* We allow hunting of pheasant and grouse on designated areas of the Brave Boat Harbor, Lower Wells, Upper Wells, Mousam River, Goose Rocks, Goosefare Brook, and Spurwink River division of the refuge in accordance with State regulations subject to the following conditions:

1. Conditions A1 and A6 apply.

2. You may take pheasant and grouse by falconry during State seasons.

3. You may only possess approved nontoxic shot (see § 32.2(k)) while on the refuge.

4. We close the Moody, Little River, and Biddeford Pool divisions of the refuge to all upland game hunting.

*C. Big Game Hunting.* We allow hunting of white-tailed deer on designated areas of the Brave Boat Harbor, Lower Wells, Upper Wells, Mousam River, Goose Rocks, Little River, Goosefare Brook, and Spurwink River divisions of the refuge in accordance with State regulations subject to the following conditions:

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1. Conditions A1, A4, and A6 apply.
  2. We allow hunting of deer with shotgun and archery only. We prohibit rifles and muzzleloading firearms.
  3. We allow portable tree stands and ladders only (see §32.2(i) of this chapter).
  4. We close the Moody and Biddeford Pool divisions of the refuge to white-tailed deer hunting.
  5. We allow archery on only those areas of the Little River division open to hunting.
  6. We allow hunting of fox and coyote with archery or shotgun only during daylight hours of the State firearm deer season.
  7. You must report any deer harvested to the refuge office within 48 hours.
- D. Sport Fishing.* We allow sport fishing along the shoreline on the following designated areas of the refuge in accordance with State regulations subject to the following conditions:
1. At the Brave Boat Harbor division on the north side (York) of the stream crossing under Route 103, beginning at Route 103 then downstream to the first railroad trestle.
  2. At the Moody division on the north side of the Ogunquit River and downstream of Route 1, beginning at the refuge boundary then downstream a distance of 500 feet (150 m).
  3. At the Moody division on the east side of Stevens Brook and downstream of Bourne Avenue, beginning at Bourne Avenue then downstream to where the refuge ends near Ocean Avenue.
  4. At the Lower Wells division on the west side of the Webhannet River downstream of Mile Road, from Mile Road north to the first creek.
  5. At the Upper Wells division on the south side of the Merriland River downstream of Skinner Mill Road, beginning at the refuge boundary and then east along the oxbow to the woods.
  6. At the Mousam River division on the north side of the Mousam River downstream of Route 9, beginning at the refuge boundary and then east to a point opposite Great Hill Road. Access is from the Bridle Path along the first tidal creek.
  7. At the Goosefare Brook division on the south side of Goosefare Brook where it flows into the Atlantic Ocean.
  8. At the Spurwink River division on the west side (Scarborough) of the Spurwink River upstream of Route 77, beginning at Route 77 and then upstream approximately 1,000 feet (300 m) to a point near the fork in the river.
  9. You may launch boats from car top from legal sunrise to legal sunset at Brave Boat Harbor division on Chauncey Creek at the intersection of Cutts Island Road and Sea Point Road.
  10. We allow car-top launching from legal sunrise to legal sunset at Spurwink River di-

vision on the upstream side of Route 77 at the old road crossing.

11. We allow fishing from legal sunrise to legal sunset.
12. We prohibit lead jigs and sinkers.
13. Anglers must attend their lines at all times.
14. We prohibit collection of bait on the refuge.

### SUNKHAZE MEADOWS NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* We allow hunting of migratory game birds on all areas of the refuge in accordance with State regulations.

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

1. Shotgun hunters may possess only approved nontoxic shot while in the field (see §32.2(k)).
2. We allow eastern coyote hunting from October 1 to March 31.
3. We allow hunters to enter the refuge 1 hour before legal shooting hours (½ hour before legal sunrise in the State of Maine), and they must exit the refuge by 1 hour past legal shooting hours (½ hour after legal sunset in the State of Maine), except for hunters pursuing raccoons and coyotes at night.
4. The hunter must retrieve all species, including coyotes, harvested on the refuge.

*C. Big Game Hunting.* We allow hunting of black bear, bobcat, moose, and white-tailed deer on all areas of the refuge in accordance with State regulations subject to the following conditions:

1. We require hunter-orange clothing in accordance with State of Maine regulations.
2. We allow hunters to enter the refuge 1 hour before legal shooting hours (½ hour before legal sunrise in the State of Maine), and they must exit the refuge by 1 hour past legal shooting hours (½ hour after legal sunset in the State of Maine).
3. We allow bear hunting from October 1 to the end of the State prescribed season. We prohibit use of bait during the hunting of bears.
4. You must remove all tree stands by the last day of the white-tailed deer hunting season (see §27.93 of this chapter).

*D. Sport Fishing.* We allow sport fishing on the waters of and from the banks of Baker Brook, Birch Stream, Buzzy Brook, Dudley Brook, Johnson Brook, Little Birch Stream, Little Buzzy Brook, Sandy Stream, and Sunkhaze Stream.

### UMBAGOG NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* We allow hunting of goose, snipe, duck, coot, and

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woodcock in accordance with State regulations, seasons, and bag limits subject to the following conditions:

1. Hunters must comply with State regulations regarding hunter-orange clothing or material.

2. We will provide permanent refuge blinds at various locations on the refuge that are available for public use by reservation. Hunters may make reservations for particular blinds up to 1 year in advance, for a maximum of 7 days, running Monday through Sunday during the hunting season. Hunters may make reservations for additional weeks up to 7 days in advance, on a space-available basis. We allow no other permanent blinds. Hunters must remove temporary blinds, boats, and decoys from the refuge following each day's hunt (see § 27.93 of this chapter).

3. Pursuant to State regulations, you may use dogs to assist in hunting and retrieval of harvested birds.

4. We prohibit dog training on the refuge.

5. We open the refuge to hunting during the hours stipulated under the State's hunting regulations. Hunters will unload all hunting firearms outside of legal hunting hours.

6. We prohibit the use of all-terrain vehicles (ATVs or OHRVs) on refuge land.

*B. Upland Game Hunting.* We allow hunting of coyote (see C. Big Game Hunting), fox, raccoon, woodchuck, squirrel, porcupine, skunk, snowshoe hare, ring-necked pheasant, and ruffed grouse in accordance with State regulations, seasons, and bag limits, subject to the following conditions:

1. We prohibit night hunting.

2. You may possess only approved nontoxic shot when hunting with a shotgun (see § 32.2(k)).

3. We open the refuge to hunting during the hours stipulated under State hunting regulations. Hunters must unload all hunting firearms (see § 27.42 of this chapter) and nock no arrows outside of legal hunting hours (½ hour before legal sunrise and ½ hour after legal sunset in the State of Maine).

4. We prohibit the use of all-terrain vehicles (ATVs or OHRVs) on refuge land.

5. Each hunter must wear hunter-orange clothing or material as specified by State hunting regulations.

6. We allow hunting of snowshoe hare, ring-necked pheasant, and ruffed grouse with dogs during State hunting seasons in accordance with State regulations.

7. We prohibit dog training on the refuge.

*C. Big Game Hunting.* We allow hunting of bear, white-tailed deer, coyote, and moose in accordance with State regulations, seasons, and bag limits subject to the following conditions:

1. Condition B3 applies, and we prohibit night hunting.

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2. We allow bear and coyote hunting with dogs during State hunting seasons. We prohibit dog training on the refuge.

3. We allow prehunt scouting of the refuge; however, we prohibit dogs and firearms (see § 27.42 of this chapter) during prehunt scouting.

4. Each hunter must wear hunter-orange clothing or material in accordance with State regulations.

5. We prohibit the use of all-terrain vehicles (ATVs or OHRVs) (see § 27.31(f) of this chapter).

6. We allow temporary tree stands and blinds, but hunters must remove them by the end of the season (see § 27.93 of this chapter). We prohibit nails, screws, or screw-in climbing pegs to build or access a stand or blind (see § 32.2(i)).

### *D. Sport Fishing.* [Reserved]

[58 FR 5064, Jan. 19, 1993, as amended at 58 FR 29075, May 18, 1993; 60 FR 62043, Dec. 4, 1995; 61 FR 46396, Sept. 3, 1996; 63 FR 46917, Sept. 3, 1998; 65 FR 30784, May 12, 2000; 65 FR 56403, Sept. 18, 2000; 66 FR 46358, Sept. 4, 2001; 67 FR 58946, Sept. 18, 2002; 69 FR 54362, 54410, Sept. 8, 2004; 70 FR 54172, Sept. 13, 2005; 73 FR 33183, June 11, 2008; 76 FR 56074, Sept. 9, 2011; 77 FR 56044, Sept. 11, 2012]

## § 32.39 Maryland.

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

### BLACKWATER NATIONAL WILDLIFE REFUGE

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

1. We require you to submit a Waterfowl Lottery Application (FWS Form 3-2355) to be selected to hunt waterfowl. If you are selected, we require you to then obtain a permit (name/address/signature required). Hunting brochures containing hunting application procedures, seasons, bag limits, methods of hunting, maps depicting areas open to hunting, and the terms and conditions under which we issue hunting permits are available at the refuge administration office and on the refuge's Web site.

2. We require you to abide by the terms and conditions of the refuge permit and brochure. Hunters may have their permits revoked if they are found to be in violation of § 32.2 or other Federal and State laws.

3. We allow only hunters possessing a permit issued by the refuge to hunt during designated days.

4. Except in accordance with condition A5, we require hunters to possess a valid Maryland hunting license and all required stamps,