

## § 32.48

1. Conditions A1, A2, A4, A12, A13, A14, and A15 apply.

2. Hunters must only use shotguns with approved nontoxic shot (see § 32.2(k)).

3. We prohibit the use or possession of lead shot (see § 32.2(k)).

4. We prohibit hunting after legal sunset.

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

1. Conditions A1, A2, A12, A13, A14, and A15 apply.

2. Hunters must only use shotguns, muzzle-loading weapons, or bow and arrow.

3. We allow persons to transport centerfire rifles and pistols through the refuge only when unloaded and cased (see § 27.42(b) of this chapter).

*D. Sport Fishing.* [Reserved]

[58 FR 5064, Jan. 19, 1993, as amended at 59 FR 6694, Feb. 11, 1994; 60 FR 62044, Dec. 4, 1995; 61 FR 46397, Sept. 3, 1996; 62 FR 47380, Sept. 9, 1997; 63 FR 46919, Sept. 3, 1998; 65 FR 30786, May 12, 2000; 65 FR 56405, Sept. 18, 2000; 66 FR 46360, Sept. 4, 2001; 67 FR 58948, Sept. 18, 2002; 69 FR 54362, 54429, Sept. 8, 2004; 74 FR 45693, Sept. 3, 2009; 74 FR 50737, Oct. 1, 2009; 76 FR 56080, Sept. 9, 2011]

## § 32.48 New Hampshire.

We have opened the following refuge unit to hunting and/or fishing with applicable refuge-specific regulations:

### GREAT BAY NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* We allow hunting of waterfowl in accordance with State regulations subject to the following conditions:

1. We do not require a separate Federal permit for waterfowl hunting.

2. We allow hunting within the refuge boundary upon navigable waters from within a boat. We prohibit access to land areas, mud flats, rocks, or marsh grass above mean high tide within the refuge. We prohibit hunters retrieving birds inland of the boundary signs.

3. We only allow portable blinds. You must remove all decoys, blinds, and boats (see § 27.93 of this chapter) each day.

*B. Upland Game Hunting.* [Reserved]

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

1. The deer hunt will be the first weekend of the State's either-sex season for Wildlife Management Unit M, usually held in November.

2. We close the refuge to all other public use during the hunt weekend.

3. We require a fee for a Quota Deer Hunt Application (FWS Form 3-2354) which you must possess and carry. We draw, by lottery,

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20 hunters for each day for a total of 40 hunters. We also draw 20 alternate hunters.

4. A licensed and permit-holding adult who is at least age 18 must accompany youth hunters up to age 16 when hunting. We charge no refuge permit fee to youth hunters.

5. Youth hunters must have successfully completed a State hunter education course.

6. We require deer hunters to wear in a visible manner on the head, chest, and back, a minimum of 400 square inches (2,600 cm<sup>2</sup>) of solid-colored, blaze-orange clothing or material.

7. We only allow shotgun hunting with slugs. We prohibit other firearms, including handguns, at any time while on the refuge.

8. You must unload shotguns (see § 27.42(b) of this chapter) outside of legal State hunting hours and while traveling through any designated safety zone.

9. We only allow portable tree stands that hunters must remove (see § 27.93 of this chapter) at the end of the day.

10. Refuge hunting regulations, as listed in the Hunter Information Package and map, will be in effect, and hunters must be in compliance with State law.

11. The refuge is located in Newington, New Hampshire, along the eastern shoreline of Great Bay. McIntyre Road borders the refuge to the east. The southern boundary begins approximately ¼ mile (.4 km) north of the intersection of Fabyan Point Road and McIntyre Road and continues west to the shoreline of Great Bay. The northern boundary begins approximately 150 feet (45 m) south of the intersection of McIntyre Road and Little Bay Road and continues west to the shoreline of Great Bay. The western boundary is the shoreline of Great Bay.

*D. Sport Fishing.* [Reserved]

### SILVIO O. CONTE NATIONAL FISH AND WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* We allow hunting of duck, goose, common snipe, and American woodcock on the Pondicherry Division of the refuge in accordance with State regulations subject to the following conditions:

1. You may only use portable blinds. You must remove all blinds, decoys, shell casings, and other personal equipment and refuse from the refuge by legal sunset (see §§ 27.93 and 27.94 of this chapter).

2. You must wear in a conspicuous manner on the outermost layer of the head, chest, and back a minimum of 400 square inches (2,600 cm<sup>2</sup>) of hunter-orange clothing or material, except when hunting waterfowl from a blind or boat or over waterfowl decoys.

3. We allow the use of retrieving dogs but dogs must be under voice command at all times (see § 26.21 of this chapter).

4. We allow hunting during the hours stipulated under the State's hunting regulations

but no longer than from ½ hour before legal sunrise to ½ hour after legal sunset. We prohibit night hunting. You must unload all firearms (see §27.42 of this chapter) outside of legal hunting hours.

5. We prohibit all-terrain vehicles (ATV's or OHV's).

*B. Upland Game Hunting.* We allow hunting of coyote, fox, raccoon, woodchuck, red squirrel, eastern gray squirrel, porcupine, skunk, American crow, snowshoe hare, ring-necked pheasant, and ruffed grouse on the Pondicherry Division of the refuge in accordance with State regulations subject to the following conditions:

1. You must wear in a conspicuous manner on the outermost layer of the head, chest, and back, a minimum of 400 square inches (2,600 cm<sup>2</sup>) of hunter-orange clothing or material.

2. Conditions A3, A4, and A5 apply.

3. We allow hunting of snowshoe hare and coyote with dogs from October 1 to March 15. You may hunt with trailing dogs on the refuge subject to the following conditions:

i. We will only allow dog training outside the established hunting seasons under a Special Use Permit issued by the refuge manager.

ii. We allow a maximum of four dogs per hunter.

iii. You must pick up all dogs the same day you release them (see §26.21(b) of this chapter).

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

1. We allow bear hunting with dogs during the established State hound season. Hunting with trailing dogs on the refuge will be subject to the following conditions:

i. We allow a maximum of four dogs per hunter.

ii. You must pick up all dogs the same day you release them (see §26.21(b) of this chapter).

2. We prohibit the use of bait (see §32.2(h)).

3. We allow temporary tree stands and blinds, but you must remove them (see §§27.93 and 27.94 of this chapter) by the end of the season. Your name and address must be clearly visible on the tree stand. We prohibit nails, screws, or screw-in climbing pegs to build or access a stand or blind (See §32.2(i)).

4. You must wear in a conspicuous manner on the outermost layer of the head, chest, and back a minimum of 400 square inches (2,600 cm<sup>2</sup>) of hunter-orange clothing or material, except when hunting turkey or while engaged in archery hunting.

5. Conditions A4 and A5 apply.

6. We allow prehunt scouting of the refuge; however, we prohibit firearms during prehunt scouting.

7. We will only allow dog training outside the established hunting seasons under a Special Use Permit issued by the Refuge Manager.

*D. Sport Fishing.* [Reserved]

#### UMBAGOG NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* We allow hunting of duck, goose, merganser, coot, snipe, and woodcock in accordance with State regulations, seasons, and bag limits subject to the following conditions:

1. You must wear hunter-orange clothing or material in accordance with State of Maine regulations for the season and/or species you are hunting.

2. At various locations on the refuge, we will provide permanent refuge blinds, which 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 and 27.94 of this chapter).

3. You may use dogs to assist in hunting and retrieval of harvested birds. We prohibit dog training on the refuge.

4. We open the refuge to hunting during the hours stipulated under the State's hunting regulations. We close the refuge to night hunting. Hunters must unload all hunting firearms (see §27.42 of this chapter) outside of legal hunting hours.

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

*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 the State's hunting regulations. We close the refuge to night hunting. Hunters must unload all hunting firearms (see §27.42 of this chapter) and nock no arrows outside of legal hunting hours.

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

5. Condition A1 applies.

6. We allow hunting of snowshoe hare, ring-necked pheasant, and ruffed grouse with dogs during State hunting seasons. We prohibit dog training on the refuge.

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

1. We open the refuge to hunting during the hours stipulated under the State's hunting regulations. We prohibit night hunting. Hunters must unload all hunting firearms (see §27.42 of this chapter) and nock no arrows outside of legal hunting hours.

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 during prehunt scouting.

4. Each hunter must wear hunter-orange clothing or material in accordance with State of Maine regulations for the season and/or species you are hunting.

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

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

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

[65 FR 30786, May 12, 2000, as amended at 65 FR 56405, Sept. 18, 2000; 69 FR 54362, 54430, Sept. 8, 2004; 70 FR 54183, Sept. 13, 2005; 73 FR 33192, June 11, 2008; 74 FR 45693, Sept. 3, 2009; 77 FR 56053, Sept. 11, 2012]

## § 32.49 New Jersey.

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

### CAPE MAY NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* We allow hunting of waterfowl, coot, moorhen, rail, common snipe, and woodcock on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow hunting only on those refuge tracts located west of Route 47 in the Delaware Bay Division and on those tracts north of Route 550 in the Great Cedar Swamp Division. We prohibit hunting on the Two Mile Beach Unit.

2. Any time the State hunting regulations specify the requirement that hunters wear orange-colored clothing, you must wear, in a visible manner on head, chest, and back, a minimum of 400 square inches (2,600 cm<sup>2</sup>) of solid-colored, hunter-orange clothing or material. This must consist of a vest and hat or a jacket and hat. We prohibit blaze-orange camouflage.

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3. You must remove all hunting blind materials, boats, and decoys at the end of each hunting day (see §27.93 of this chapter). We prohibit permanent or pit blinds.

4. The common snipe season on the refuge begins with the start of the State early woodcock south zone season and continues through the end of the State common snipe season.

5. You may possess only approved nontoxic shot in the field while hunting migratory game birds (see §32.2(k)).

6. We allow the use of retrieving and/or pointing dogs; however, the dogs must be under the hunter's control at all times (see §26.21(b) of this chapter), and we prohibit groups of three or more dogs per hunter. We prohibit dog training at all times

7. We prohibit hunting on Sunday.

8. We prohibit falconry.

9. We prohibit motorized and nonmotorized vehicles on refuge lands. This includes, but is not limited to, vehicles, all-terrain vehicles, dirt bikes, motorcycles, and bicycles.

10. We prohibit hunting on all areas posted "Area Closed" and all areas marked as closed on the refuge "Hunt Map."

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

1. Conditions A1, A2, and A7 through A10 apply.

2. We will allow rabbit and squirrel hunting following the end of the State's Six-Day Firearm Season for white-tailed deer, and it will end at the close of the regular rabbit and squirrel season.

3. We prohibit the use of dogs for hunting rabbit and squirrel. We prohibit dog training at all times.

4. You must remove all hunting stands, blinds, and hunting materials at the end of each hunting day (see §27.93 of this chapter). We prohibit marking (this includes but is not limited to, the use of flagging, bright eyes, tacks, and paint), cutting, and/or removal of trees or vegetation (see §27.61 of this chapter).

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

1. We allow hunting of white-tailed deer on all areas of the refuge except for the Two Mile Beach Unit, areas posted "Area Closed," and all areas marked as closed on the refuge "Hunt Map."

2. We allow turkey hunting only on refuge tracts located north of County Route 550 in the Great Cedar Swamp Division. We prohibit hunting on the Two Mile Beach Unit, areas posted "Area Closed," and all areas marked as closed on the refuge "Hunt Map."