

## U.S. Fish and Wildlife Serv., Interior

## § 31.1

operations the area shall be restored as nearly as possible to its condition prior to the commencement of operations. Nothing in this section shall be applied so as to contravene or nullify rights vested in holders of mineral interests on refuge lands.

### PART 30—RANGE AND FERAL ANIMAL MANAGEMENT

#### Subpart A—Range Animals

Sec.

- 30.1 Surplus range animals.
- 30.2 Disposition of surplus range animals.

#### Subpart B—Feral Animals

- 30.11 Control of feral animals.
- 30.12 Disposition of feral animals.

AUTHORITY: 5 U.S.C. 301; 16 U.S.C. 668dd, as amended; 16 U.S.C. 715i, as amended; 41 CFR 101-44.

#### Subpart A—Range Animals

##### § 30.1 Surplus range animals.

Range animals on fenced wildlife refuge areas, including buffalo and long-horn cattle, determined to be surplus to the needs of the conservation program may be planned and scheduled for disposal.

[38 FR 16356, June 22, 1973]

##### § 30.2 Disposition of surplus range animals.

Disposition shall be made only during regularly scheduled disposal program periods, except in the event of exigent circumstances affecting the animals, their range, or the recipient. The Refuge Manager is responsible for determining the existence of "exigent circumstances." Surplus range animals may be disposed of, subject to State and Federal health laws and regulations, by donation for specific purposes to public agencies, public institutions, other governments or charitable institutions, or sold on the open market.

[62 FR 19937, Apr. 24, 1997]

#### Subpart B—Feral Animals

##### § 30.11 Control of feral animals.

(a) Feral animals, including horses, burros, cattle, swine, sheep, goats,

reindeer, dogs, and cats, without ownership that have reverted to the wild from a domestic state may be taken by authorized Federal or State personnel or by private persons operating under permit in accordance with applicable provisions of Federal or State law or regulation.

(b) [Reserved]

[31 FR 16027, Dec. 15, 1966]

##### § 30.12 Disposition of feral animals.

Feral animals taken on wildlife refuge areas may be disposed of by sale on the open market, gift or loan to public or private institutions for specific purposes, and as otherwise provided in section 401 of the act of June 15, 1935 (49 Stat. 383, 16 U.S.C. 715s).

[38 FR 16356, June 22, 1973]

### PART 31—WILDLIFE SPECIES MANAGEMENT

#### Subpart A—Surplus Wildlife

Sec.

- 31.1 Determination of surplus wildlife populations.
- 31.2 Methods of surplus wildlife population control and disposal.

#### Subpart B—Terms and Conditions of Wildlife Reduction and Disposal

- 31.11 Donation and loan of wildlife specimens.
- 31.12 Sale of wildlife specimens.
- 31.13 Commercial harvest of fishery resources.
- 31.14 Official animal control operations.
- 31.15 Public hunting and fishing programs.
- 31.16 Trapping program.
- 31.17 Disposal of furs and pelts.

AUTHORITY: Sec. 2, 33 Stat. 614, as amended, sec. 5, 43 Stat. 651, secs. 5, 10, 45 Stat. 449, 1224, secs. 4, 2, 48 Stat. 402, as amended, 451, as amended, 1270, sec. 4, 76 Stat. 654; 5 U.S.C. 301, 16 U.S.C. 685, 725, 690d, 715i, 664, 718(b), 43 U.S.C. 315a, 16 U.S.C. 460k; sec. 2, 80 Stat. 926; 16 U.S.C. 668bb.

SOURCE: 31 FR 16027, Dec. 15, 1966, unless otherwise noted.

#### Subpart A—Surplus Wildlife

##### § 31.1 Determination of surplus wildlife populations.

The populations and requirements of wildlife species on wildlife refuge areas

## § 31.2

shall be determined by population census, habitat evaluation, and other means of ecological study.

### § 31.2 Methods of surplus wildlife population control and disposal.

Upon a determination that wildlife are surplus to a balanced conservation program on any wildlife refuge area, the surplus may be reduced or utilized in accordance with Federal and State law and regulation by:

- (a) Donation or loan to public agencies and institutions.
- (b) Sale to public or private agencies and institutions.
- (c) Commercial harvest of fishery resources.
- (d) Official wildlife control operations.
- (e) Public hunting or fishing.
- (f) Trapping.

## Subpart B—Terms and Conditions of Wildlife Reduction and Disposal

### § 31.11 Donation and loan of wildlife specimens.

Wildlife specimens may be donated or loaned to public institutions for specific purposes. Donation or loans of resident species of wildlife will not be made unless the recipient has secured the approval of the State.

[38 FR 16356, June 22, 1973]

### § 31.12 Sale of wildlife specimens.

Surplus wildlife specimens may be sold alive or butchered, dressed and processed subject to Federal and State laws and regulations and the provisions of this part.

### § 31.13 Commercial harvest of fishery resources.

Fishery resources of commercial importance on wildlife refuge areas may be taken under permit in accordance with Federal and State law and regulation.

### § 31.14 Official animal control operations.

(a) Animal species which are surplus or detrimental to the management program of a wildlife refuge area may be taken in accordance with Federal and State laws and regulations by Federal

## 50 CFR Ch. I (10–1–02 Edition)

or State personnel or by permit issued to private individuals.

(b) Animal species which are damaging or destroying Federal property within a wildlife refuge area may be taken or destroyed by Federal personnel.

### § 31.15 Public hunting and fishing programs.

The privilege of hunting and fishing may be extended to the general public under the provisions of regulations cited in parts 32 and 33 of this subchapter.

### § 31.16 Trapping program.

Except as hereafter noted, persons trapping animals on wildlife refuge areas where trapping has been authorized shall secure and comply with the provisions of a Federal permit issued for that purpose. This permit shall specify the terms and conditions of trapping activity and the rates of charge or division of pelts, hides, and carcasses. Lands acquired as “waterfowl production areas” shall be open to public trapping without Federal permit provided that trapping on all or part of individual areas may be temporarily suspended by posting upon occasions of unusual or critical conditions affecting land, water, vegetation, or wildlife populations. Each person trapping on any wildlife refuge area shall possess the required State license or permit and shall comply with the provisions of State laws and regulations.

[36 FR 17998, Sept. 8, 1971]

### § 31.17 Disposal of furs and pelts.

The disposition of animals and the pelts or carcasses thereof accruing to the United States through the trapping programs shall be sold by public auction or on the open market unless required for official purposes.

## PART 32—HUNTING AND FISHING

### Subpart A—General Provisions

Sec.

32.1 Opening of wildlife refuge areas to hunting.