

e-CFR data is current as of September 1, 2020

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Title 50: Wildlife and Fisheries

PART 26—PUBLIC ENTRY AND USE

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AUTHORITY: 5 U.S.C. 301; 16 U.S.C. 460k, 664, 668dd-668ee, and 715i; Pub. L. 96-315 (94 Stat. 958) and Pub. L. 98-146 (97 Stat. 955).

SOURCE: 41 FR 9167, Mar. 3, 1976, unless otherwise noted.

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Subpart A—Introduction

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§26.11 Purpose of regulations.

The regulations in this part govern the circumstances under which the public can enter and use a national wildlife refuge.

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Subpart B—Public Entry

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§26.21 General trespass provision.

(a) No person shall trespass, including but not limited to entering, occupying, using, or being upon, any national wildlife refuge, except as specifically authorized in this subchapter C or in other applicable Federal regulations.

(b) No unconfined domestic animals, including but not limited to dogs, hogs, cats, horses, sheep and cattle, shall be permitted to enter upon any national wildlife refuge or to roam at large upon such an area, except as specifically authorized under the provisions of §26.34, §27.91 or §29.2 of this subchapter C.

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§26.22 General exception for entry.

(a) Any person entering or using any national wildlife refuge will comply with the regulations in this subchapter C, the provisions of any special regulations and any other official notification as is appropriate under §25.31.

(b) A permit shall be required for any person entering a national wildlife refuge, unless otherwise provided under the provisions of subchapter C. The permittee will abide by all the terms and conditions set forth in the permit.

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§26.23 Exception for entry to the headquarters office.

The headquarters office of any national wildlife refuge is open to public access and admission during regularly established business hours.

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§26.24 Exception for entry when accompanied by refuge personnel.

A permit is not required for access to any part of a national wildlife refuge by a person when accompanied by refuge personnel.

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§26.25 Exception for entry to persons with an economic use privilege.

Access to and travel upon a national wildlife refuge by a person granted economic use privileges on that national wildlife refuge should be restricted to a specified area in accordance with the provisions of their agreement, lease, or permit.

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§26.26 Exception for entry for use of emergency shelter.

A permit is not required for access to any national wildlife area for temporary shelter or temporary protection in the event of emergency conditions.

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§26.27 Exception for entry on designated routes of travel.

A permit is not required to enter, travel on, and exit from any national wildlife refuge on public waters and roads, and such roads, trails, footpaths, walkways, or other routes and areas which are designated for public use under the provisions of this subchapter C.

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Subpart C—Public Use and Recreation

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§26.31 General provisions.

Public recreation will be permitted on national wildlife refuges as an appropriate incidental or secondary use, only after it has been determined that such recreational use is practicable and not inconsistent with the primary objectives for which each particular area was established or with other authorized Federal operations.

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§26.32 Recreational uses.

Recreational uses such as, but not limited to, sightseeing, nature observation and photography, interpretive centers and exhibits, hunting and fishing, bathing, boating, camping, ice skating, picnicking, swimming, water skiing, and other similar activities may be permitted on national wildlife refuges. When such uses are permitted the public will be notified under the provisions of this subchapter C.

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§26.33 Special regulations.

(a) Special regulations shall be issued for public use, access, and recreation within certain individual national wildlife refuges where there is a need to amend, modify, relax or

make more stringent the regulations contained in this subchapter C. The issued special regulations will supplement the provisions in this part 26.

(b) Special recreational use regulations may contain the following items:

- (1) Recreational uses authorized.
- (2) Seasons, period, or specific time of use.
- (3) Description of areas open to recreation.
- (4) Specific conditions or requirements.
- (5) Other provisions.

(6) Special regulations for public use, access, and recreation are published in the daily issue of the FEDERAL REGISTER and may be codified in the Code of Federal Regulations. They shall be issued in compliance with procedures contained in the Departmental Manual.

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§26.34 What are the special regulations concerning public access, use, and recreation for individual national wildlife refuges?

The following refuge units, listed in alphabetical order by State and unit name, have refuge-specific regulations for public access, use, and recreation.

(a) *Alabama*—(1) *Bon Secour National Wildlife Refuge*. (i) We allow only nonmotorized boats and boats with electric motors on Gator and Little Gator Lakes.

(ii) [Reserved]

(2) *Eufaula National Wildlife Refuge*. (i) We prohibit the use of motorized watercraft in all refuge waters not directly connected to Lake Eufaula.

(ii) We prohibit the use of all air-thrust boats, including airboats, aircraft, boats with secondary fans, and hovercraft.

(iii) We prohibit the use of personal watercraft or air-cooled propulsion engines outside of marked navigation channels.

(iv) We prohibit the mooring or storing of boats from 1½ hours after legal sunset to 1½ hours before legal sunrise.

(3) *Wheeler National Wildlife Refuge*. (i) We prohibit mooring or storing of boats from legal sunset to legal sunrise.

(ii) We prohibit airboats and hovercraft on all waters within the refuge boundaries.

(iii) We prohibit inboard waterthrust boats such as, but not limited to, personal watercraft, watercycles, and waterbikes on all waters of the refuge except that portion of the Tennessee River and Flint Creek from its mouth to mile marker 3.

(b) *Arizona*—(1) *Bill Williams River National Wildlife Refuge*. (i) We prohibit personal watercraft (PWC as governed by State law), air thrust boats, and hovercraft on all waters within the boundaries of the refuge.

(ii) We designate all refuge waters as wakeless speed zones (as governed by State law) as indicated by signs or regulatory buoys.

(iii) The nonmotorized watercraft launch and Central Arizona Project (CAP) peninsula are day-use only areas and are open from ½ hour before legal sunrise to ½ hour after legal sunset. We allow fishing and the launching of watercraft at these and other areas 24 hours a day.

(iv) We prohibit the possession or consumption of open containers of alcohol or the possession of glass beverage containers in improved areas, including the nonmotorized watercraft launch and the CAP peninsula.

(2) *Havasu National Wildlife Refuge*. (i) We prohibit the use of all air-thrust boats, including floating aircraft.

(ii) The following conditions apply only on Topock Marsh:

(A) We close designated portions to all entry from October 1 through the last day of the waterfowl hunt season (including the State junior waterfowl hunt).

(B) We close designated portions to all entry from April 1 through August 31. These areas are indicated in refuge brochures and identified by buoys and or signs.

(C) We prohibit personal watercraft (PWC, as governed by State law).

(iii) The following conditions apply to all waters of the Colorado River within the refuge from the south regulatory buoy line to the north regulatory buoy line at Interstate 40 (approximately 17 miles (27.2 kilometers)):

(A) We prohibit personal watercraft (PWC, as governed by State law) as indicated by signs or regulatory buoys in all backwaters.

(B) We limit watercraft speed as indicated by signs or regulatory buoys to no wake (as governed by State law) in all backwaters.

(C) We prohibit water-skiing, tubing, wake boarding, or other recreational-towed devices.

(iv) The following conditions apply to improved areas within the refuge; improved areas consist of the Mesquite Bay areas, Castle Rock, the Diving Cliffs, Catfish Paradise, Five Mile Landing, and North Dike:

(A) We prohibit entry of all motorized watercraft in all three bays of the Mesquite Bay areas as indicated by signs or regulatory buoys.

(B) Improved areas are day-use only and are open from ½ hour before legal sunrise to ½ hour after legal sunset. We allow fishing and launching watercraft at these and other areas 24 hours a day.

(C) We prohibit the possession of open containers of alcohol or the possession of glass beverage containers in improved areas.

(c) *Arkansas*—(1) *Bald Knob National Wildlife Refuge*. (i) We prohibit mooring houseboats to the refuge bank on the Little Red River.

(ii) [Reserved]

(2) *Big Lake National Wildlife Refuge*. (i) We prohibit boats from November 1 through February 28, except on that portion of the refuge open for public fishing with electric motors and Ditch 28.

(ii) [Reserved]

(3) *Cache River National Wildlife Refuge*. (i) We prohibit the mooring of houseboats to refuge property.

(ii) [Reserved]

(4) *Dale Bumpers White River National Wildlife Refuge*. (i) We allow camping only in designated sites and areas identified in the refuge user brochure (signed brochure), and we restrict camping to individuals involved in wildlife-dependent activities. We limit camping on the refuge to no more than 14 days during any 30 consecutive-day period. Campers must occupy camps daily. We prohibit all disturbances, including use of generators, after 10 p.m.

(ii) We allow refuge users to leave boats 16 feet (4.8 meters) or less in length unattended overnight from March 1 to October 31, as long as the owner clearly and prominently displays his or her boat registration number.

(5) *Felsenthal National Wildlife Refuge*. (i) We allow camping only at designated primitive campground sites identified in the refuge hunt brochure, and we restrict camping to individuals involved in wildlife-dependent refuge activities.

(ii) Campers may stay no more than 14 days during any 30 consecutive-day period in any campground and must occupy camps daily.

(iii) We prohibit all disturbances, including use of generators, after 10 p.m.

(6) *Overflow National Wildlife Refuge*. (i) We prohibit all boat motors (including surface drive motors, mud motors, etc.) larger than 25 horsepower.

(ii) [Reserved]

(7) *Pond Creek National Wildlife Refuge*. (i) We allow camping only at designated primitive campground sites identified in the refuge hunt brochure. We restrict camping to the individuals involved in refuge wildlife-dependent activities. Campers may stay no more than 14 days during any consecutive 30-day period in a campground and must occupy the camps daily. We prohibit all disturbances, including use of generators, after 10 p.m.

(ii) You must unload all hunting firearms and crossbows (see §27.42(b) of this chapter) within 100 yards (90 meters) of a campground.

(iii) We prohibit camping on the refuge while hunting off the refuge.

(iv) We prohibit consumption or possession of opened container(s) of alcoholic beverage(s) in parking lots, on roadways, and in plain view in campgrounds.

(v) We prohibit fires outside of campgrounds.

(vi) We prohibit possession or use of fireworks.

(vii) We prohibit geocaching.

(d) *California*—(1) *Colusa National Wildlife Refuge*. (i) No person may build or maintain fires, except in portable gas stoves in designated parking/overnight stay areas.

(ii) We only allow overnight stays in vehicles, motor homes, and trailers at the check station parking areas on Tuesdays, Fridays, and Saturdays (closed on Federal holidays).

(iii) You must restrain dogs on a leash within all designated parking areas and vehicle access roads.

(2) *Delevan National Wildlife Refuge*. (i) No person may build or maintain fires, except in portable gas stoves in designated parking/overnight stay areas.

(ii) We only allow overnight stays in vehicles, motor homes, and trailers at the check station parking areas on Tuesdays, Fridays, and Saturdays (closed on Federal holidays).

(iii) You must restrain dogs on a leash within all designated parking areas and vehicle access roads.

(3) *Lower Klamath National Wildlife Refuge*. (i) We prohibit air-thrust and inboard water-thrust boats.

(ii) You may use only nonmotorized boats and boats with electric motors on designated motorless units from the start of the hunting season through November 30. You may use motorized boats on designated motorless units from December 1 through the end of hunting season.

(4) *Sacramento National Wildlife Refuge*. (i) No person may build or maintain fires, except in portable gas stoves in designated parking/overnight stay areas.

(ii) We only allow overnight stays in vehicles, motor homes, and trailers at the check station parking areas on Tuesdays, Fridays, and Saturdays (closed on Federal holidays).

(iii) You must restrain dogs on a leash within all designated parking areas and vehicle access roads.

(5) *Sacramento River National Wildlife Refuge.* (i) We prohibit fires on the refuge, except we allow portable gas stoves on gravel bars (see §27.95(a) of this chapter).

(ii) We open the refuge for day-use access from 2 hours before legal sunrise until 1½ hours after legal sunset. We allow access during other hours on gravel bars only.

(iii) On Packer Lake and Drumheller North, due to primitive access, we only allow boats up to 14 feet (4.2 meters) and canoes. Electric motors only.

(6) *San Pablo Bay National Wildlife Refuge.* (i) We prohibit launching of boats and access to the Bay or sloughs from refuge property except from designated boat launch sites (Cullinan Ranch Unit and Dickson Ranch Unit).

(ii) We allow only nonmotorized crafts at the Cullinan Ranch Unit and Dickson Ranch Unit launch sites.

(7) *Sutter National Wildlife Refuge.* (i) No person may build or maintain fires, except in portable gas stoves in designated parking/overnight stay areas.

(ii) We only allow overnight stays in vehicles, motor homes, and trailers at the check station parking areas on Tuesdays, Fridays, and Saturdays (closed on Federal holidays).

(iii) You must restrain dogs on a leash within all designated parking areas and vehicle access roads.

(e)-(f) [Reserved]

(g) *Delaware—(1) Prime Hook National Wildlife Refuge.* (i) The maximum horsepower allowed for boat motors is 30 horsepower. You must abide by the slow, no-wake zones on designated portions of refuge waterways as depicted in maps or within the brochure.

(ii) [Reserved]

(2) [Reserved]

(h) *Florida—(1) Arthur R. Marshal Loxahatchee National Wildlife Refuge.* (i) We allow only boats equipped with factory-manufactured-water-cooled outboard motors, boats with electric motors, and nonmotorized boats. We prohibit boats with air-cooled engines, airboats, fan boats, hovercraft, and personal watercraft (e.g., Jet Skis, jet boats, wave runners).

(ii) There is a 35 miles per hour (mph) speed limit in all waters of the refuge. A 500-foot (150-meter) “idle speed zone” is at each of the refuge's three boat ramps.

(iii) We require all boats operating outside of the main perimeter canals (the L-40 Canal, L-39 Canal, L-7 Canal, and L-101 Canal) in interior areas of the refuge and within the hunt area to fly a 12-inch by 12-inch (30-centimeters (cm) by 30-cm) orange flag 10 feet (3 meters) above the vessel's waterline.

(2) *Chassahowitzka National Wildlife Refuge.* (i) We allow airboats only on the designated airboat route within Citrus County and on all navigable waterways within Hernando County with a refuge Special Use Permit (General Activities Special Use Permit Application, FWS Form 3-1383-G) issued by the U.S. Fish and Wildlife Service.

(ii) We prohibit the use of airboats on vegetation.

(3) *J.N. "Ding" Darling National Wildlife Refuge.* (i) We prohibit kite surfing, kite boarding, wind surfing, and sail boarding.

(ii) We allow vessels propelled only by polling, paddling, or floating in the posted "no-motor zone" of the J.N. "Ding" Darling Wilderness Area. All motors, including electric motors, must be in a nonuse position (out of the water) when in the "no-motor zone."

(iii) We allow vessels propelled only by polling, paddling, floating, or electric motors in the posted "pole/troll zone" of the Wulfert Flats Management Area. All non-electric motors must be in a nonuse position (out of the water) when in the "pole/troll zone."

(iv) We allow launching of canoes and kayaks anywhere on the right (north) side of Wildlife Drive. We prohibit launching motorized vessels over 14 feet (4.2 meters) in length from Wildlife Drive. Motorized vessels less than 14 feet (4.2 meters) in length may only be launched from designated site #2.

(v) We prohibit airboats, hovercraft, personal watercraft, and "Go-Devil"-style outboard motors.

(vi) Vessels must not exceed slow speed/minimum wake in refuge waters.

(4) *Lake Woodruff National Wildlife Refuge.* (i) During hunting seasons, we close hunting areas on the refuge to all public use except to hunters possessing a valid permit. Hunting areas are marked on refuge maps.

(ii) We close the refuge between legal sunset and legal sunrise.

(iii) We prohibit the use of airboats on the refuge.

(5) *Lower Suwannee National Wildlife Refuge.* (i) We prohibit leaving boats on the refuge overnight.

(ii) [Reserved]

(6) *St. Marks National Wildlife Refuge.* (i) We prohibit use of boats with motors over 10 horsepower on any refuge lake or pond.

(ii) We allow use of hand-launched boats on impoundments on the St. Marks Unit from March 15 through October 15 each year. We prohibit launching of boats from trailers in the impoundments in the St. Marks Unit. We prohibit all gasoline-powered motors in the impoundments in the St. Marks Unit.

(iii) You may not launch commercially registered boats, air-thrust boats, or personal watercraft at the saltwater boat ramp on the St. Marks Unit. We also prohibit commercial guides from launching any type of watercraft at the saltwater boat ramp on the St. Marks Unit.

(iv) You may not launch air-thrust boats or personal watercraft from Wakulla Beach. We also prohibit commercial guides from launching any type of watercraft from Wakulla Beach.

(7) *St. Vincent National Wildlife Refuge.* (i) We restrict camping and fires (see §27.95(a) of this chapter) to the two designated camping areas. We may restrict or ban fires during dry periods.

(ii) We prohibit the use or possession of alcoholic beverages during the refuge hunt period (see §32.2(j) of this chapter).

(iii) We prohibit motorized equipment, generators, or land vehicles (except bicycles).

(iv) Visitors must observe quiet time in the campground between 9 p.m. and 5 a.m. We prohibit loud or boisterous behavior or activity.

(v) We allow boats with electric motors. You must remove all other motors from the boats and secure them to a designated motor rack with a lock and chain.

(vi) We allow boats in refuge lakes from May 15 through September 30.

(8) *Ten Thousand Islands National Wildlife Refuge.* (i) We prohibit air-thrust boats, hovercraft, personal watercraft (e.g., Jet Skis, jet boats, wave runners), and off-road vehicles in the freshwater and brackish marsh area south of U.S. 41.

(ii) We limit vessels to a maximum of 25 horsepower outboard motor.

(i) *Georgia—(1) Banks Lake National Wildlife Refuge.* (i) We prohibit swimming, wading, jet skiing, water skiing, and the use of airboats.

(ii) [Reserved]

(2) *Bond Swamp National Wildlife Refuge.* (i) We prohibit overnight camping.

(ii) We prohibit overnight parking.

(iii) We allow boat launching at the Stone Creek Boat Launch. During periods of high water, we allow boats to be launched from refuge roads normally open to vehicle traffic. We allow gasoline motors only during periods of high water as defined as a reading of 18 feet (5.5 meters) or higher at the Macon Gauge on the Ocmulgee River.

(iv) We prohibit bicycles on foot travel roads or off road. We restrict bicycles to roads designated open to vehicles.

(3) *Okefenokee National Wildlife Refuge*. (i) We only allow foot and bicycle traffic on the refuge portion of Cowhouse Island.

(ii) We only allow the use of 10 horsepower motors or less on the refuge.

(iii) We prohibit paddleboarding, air boats, swimming, and wading.

(iv) We require all boats to be off the water by posted time.

(4) *Piedmont National Wildlife Refuge*. (i) The refuge is a day-use-only area, with the exception of legal hunting activities.

(ii) We prohibit bicycles on foot travel roads or off road. We restrict bicycles to gravel roads designated open to vehicles.

(iii) We prohibit overnight camping and/or parking except in the designated campgrounds at Pippins Lake during quota deer hunts with a valid permit (state-issued).

(iv) We allow alcoholic beverages only in the designated campground.

(j) [Reserved]

(k) *Idaho*—(1) *Deer Flat National Wildlife Refuge*. (i) From April 15 through September 30, we allow motorized and nonmotorized boats from ½ hour before legal sunrise to ½ hour after legal sunset throughout the Lake Lowell Unit.

(ii) [Reserved]

(2) *Grays Lake National Wildlife Refuge*. (i) We only allow nonmotorized boats on the refuge.

(ii) [Reserved]

(3) *Minidoka National Wildlife Refuge*. (i) We allow the use of float tubes year-round, throughout all of Lake Walcott.

(ii) We allow boats on designated areas of Lake Walcott from April 1 through October 31.

(l) *Illinois*—(1) *Chautauqua National Wildlife Refuge*. (i) Motorboats must not exceed “no-wake” speeds.

(ii) We prohibit the public entering Weis Lake on the Cameron-Billsbach Unit of the refuge from October 16 through January 31.

(iii) We prohibit leaving boats on refuge waters overnight (see §27.93 of this chapter).

(2) *Crab Orchard National Wildlife Refuge*. (i) We restrict motorboats on all refuge waters to slow speeds leaving “no wake” within 150 feet (45 meters) of any shoreline, swimming area, marina entrance, boat ramp, causeway tunnel, and areas indicated on the lake zoning map in the refuge fishing brochure.

(ii) We prohibit the use of boat motors of more than 10 horsepower on Devils Kitchen and Little Grassy Lakes.

(iii) We prohibit the use of gas-powered motors in the southeastern section of Devils Kitchen Lake (consult lake zoning map in the refuge fishing brochure).

(3) *Emiquon National Wildlife Refuge*. (i) We allow the use of motorized boats at no-wake speeds on all refuge waters.

(ii) We prohibit leaving boats on refuge waters overnight.

(4) *Meredosia National Wildlife Refuge*. (i) We prohibit leaving boats on refuge waters overnight.

(ii) Motorboats must not exceed “no-wake” speeds.

(5) *Port Louisa National Wildlife Refuge*. (i) We close the following divisions to all public access:

(A) Louisa Division—September 15 until January 1;

(B) Horseshoe Bend Division—September 15 until December 1; and

(C) Keithsburg Division—September 15 until January 1.

(ii) [Reserved]

(6) *Upper Mississippi River National Wildlife and Fish Refuge*. Refer to paragraph (v)(2) of this section for regulations.

(m) *Indiana*—(1) *Big Oaks National Wildlife Refuge*. (i) We allow boats only if rowed, paddled, or powered by an electric trolling motor on the Old Timbers Lake.

(ii) [Reserved]

(2) *Muscatatuck National Wildlife Refuge*. (i) We allow the use of boats (hand- or foot-propelled only) on Stanfield Lake. We prohibit the use of electric or gasoline motors.

(ii) We allow the use of kayaks and nonmotorized canoes on Richart Lake.

(3) *Patoka River National Wildlife Refuge and Management Area*. (i) We allow motorboats only on Snakey Point Marsh east of the South Fork River and the Patoka River. All other areas are open to either manual-powered boats or boats with battery-driven motors only.

(ii) Motorboats must not exceed “no wake” speeds.

(iii) We prohibit the use of powered airboats on the refuge.

(n) *Iowa*—(1) *Desoto National Wildlife Refuge*. (i) We limit boating to “no-wake” speeds, not to exceed 5 miles per hour.

(ii) [Reserved]

(2) *Upper Mississippi River National Wildlife and Fish Refuge*. Refer to paragraph (v)(2) of this section for regulations.

(o) *Kansas*—(1) *Kirwin National Wildlife Refuge*. (i) We allow motorized boating in the main body of Kirwin Reservoir and in Bow Creek. You must not create a wake in Bow Creek or within 100 yards (90 meters) of any shoreline or island in the main body of Kirwin Reservoir. We prohibit motorized boats in the Solomon Arm of Kirwin Reservoir.

(ii) We allow motorless boats in the Solomon Arm of Kirwin Reservoir from August 1 through September 30.

(2) *Marais des Cygnes National Wildlife Refuge*. (i) We restrict outboard motor use to the westernmost 5.5 miles (8.8 kilometers) of the Marais des Cygnes River. You may use only nonmotorized boats and electric trolling motors on remaining waters in designated areas of the refuge.

(ii) [Reserved]

(p) *Kentucky*—(1) *Clarks River National Wildlife Refuge*. (i) We allow horseback riding on refuge roads and portions of the abandoned railroad tracks owned by the refuge for access purposes while engaged in wildlife activities. We prohibit horses and mules off these secondary access routes for any reason.

(ii) [Reserved]

(2) [Reserved]

(q) *Louisiana*—(1) *Bayou Sauvage National Wildlife Refuge*. (i) The refuge is open from 30 minutes before legal sunrise to 30 minutes after legal sunset.

(ii) We allow only outboard motors 25 horsepower or less in waterways inside the hurricane protection levee.

(2) *Bayou Teche National Wildlife Refuge*. (i) You may use motorized boats only in existing canals, ditches, trenasses, and ponds. We prohibit motorized boat use in areas marked as nonmotorized use only.

(ii) The refuge is open from legal sunrise until legal sunset unless stated otherwise.

(iii) We open the Franklin Unit canals (birdfoot canals) for motorized boats between April 15 and August 31. This unit is open to nonmotorized boats all year.

(3) *Big Branch Marsh National Wildlife Refuge.* (i) We prohibit air-thrust boats, aircraft, mud boats, and air-cooled propulsion engines on the refuge.

(ii) We open the refuge to public entry from $\frac{1}{2}$ hour before legal sunrise to $\frac{1}{2}$ hour after legal sunset.

(4) *Black Bayou National Wildlife Refuge.* (i) You may enter the refuge $\frac{1}{2}$ hour before legal sunrise, and you must exit no later than $\frac{1}{2}$ hour after legal sunset.

(ii) You may only launch boats at the concrete ramp adjacent to the visitor center. We prohibit launching boats with motors greater than 50 horsepower.

(iii) We prohibit leaving boats or other equipment on the refuge overnight (see §27.93 of this chapter).

(iv) We require a boat launch fee. You must pay the launch fee before launching boat.

(v) We prohibit crossing the water hyacinth booms in a boat or traveling over idle speed within the booms.

(5) *Bogue Chitto National Wildlife Refuge.* (i) We allow primitive camping within 100 feet (30 meters) of designated streams. These include either bank of the Boque Chitto River, Wilson Slough, and West Pearl River south of Wilson Slough; refuge lands along the East Pearl River; and Holmes Bayou. Campers must mark their campsite with the owner's State license/identification number, or boat identification number, and dates of occupancy placed in a conspicuous location in the center of camp.

(ii) [Reserved]

(6) *Cameron Prairie National Wildlife Refuge.* (i) We prohibit overnight camping on the refuge.

(ii) We allow only nonpowered boats in the Bank Fishing Road waterways.

(iii) We allow operation of outboard motors in refuge canals, bayous, and lakes. We allow only trolling motors in the marsh.

(7) *Catahoula National Wildlife Refuge.* (i) We allow the use of nonmotorized boats or boats with motors of 10 horsepower or less on refuge lakes and waters as designated. We prohibit the use of air-thrust boats, water-thrust boats, or personal watercraft.

(ii) We prohibit overnight camping on the refuge.

(iii) We prohibit overnight parking on the refuge.

(8) *Cat Island National Wildlife Refuge.* (i) We prohibit overnight camping on the refuge.

(ii) We prohibit overnight parking on the refuge.

(iii) We prohibit air-thrust boats on the refuge.

(iv) We prohibit boat launching by trailer from all refuge roads and parking lots except at designated boat ramps.

(9) *D'Arbonne National Wildlife Refuge*. (i) We prohibit motorized boats in the No Gun Hunting Area (the "Beanfield") from November 1 through January 31.

(ii) We prohibit leaving boats and other personal property on the refuge overnight.

(10) *Grand Cote National Wildlife Refuge*. (i) We prohibit overnight camping on the refuge.

(ii) We prohibit overnight parking on the refuge.

(iii) We allow only electric-powered or nonmotorized boats.

(11) *Lacassine National Wildlife Refuge*. (i) We prohibit overnight camping on the refuge.

(ii) We allow boats of all motor types with 40 horsepower or less in Lacassine Pool.

(iii) We prohibit boats in Lacassine Pool and Unit D from October 16 through March 14. We prohibit boats in Units A and C.

(iv) We prohibit air-thrust boats, all-terrain vehicles (ATVs), and Jet Skis on the refuge (see §27.31(f) of this chapter).

(v) We prohibit dragging or driving of boats over levees.

(vi) You must only launch trailered boats at the cement ramps at the public boat launches in Lacassine Pool.

(vii) We only allow boats powered by paddling or trolling motors in the Unit D impoundment within Lacassine Pool.

(12) *Lake Ophelia National Wildlife Refuge*. (i) We allow watercraft with motors up to 36 horsepower in Possum Bayou (north of boat ramp), Palmetto Bayou, Duck Lake, Westcut Lake, Point Basse, and Nicholas Lake.

(ii) We allow electric-powered or nonmotorized boats in Doomes Lake, Lake Long, Possum Bayou (south of boat ramp), and Lake Ophelia.

(iii) We prohibit overnight camping on the refuge.

(iv) We prohibit overnight parking on the refuge.

(13) *Mandalay National Wildlife Refuge.* (i) We allow air-cooled propulsion engines on the refuge.

(ii) We prohibit air-thrust boats or marsh buggies on the refuge. We restrict motorized boat use to existing canals, ditches, trenasses, and ponds.

(14) *Sabine National Wildlife Refuge.* (i) You may access the hunt areas by boat using the boat launches at the West Cove Public Use Area or by access through Burton Canal. You may access hunt areas by vehicle from Vastar Road or designated turnouts within the refuge public hunt area along State Highway 27 (see §27.31 of this chapter) unless otherwise posted.

(ii) We allow hand launching of small boats along Vastar Road (no trailers allowed). We allow hand launching of nonmotorized boats into Units 1A and 1B from Blue Crab Recreation Area for recreational paddling year-round.

(iii) We allow operation of outboard motors in designated refuge canals only. We allow trolling motors within the refuge marshes.

(iv) We prohibit air-thrust boats, personal motorized watercraft (e.g., Jet Skis), and all-terrain vehicles (ATVs) on the refuge (see §27.31(f) of this chapter) unless otherwise posted.

(v) We prohibit overnight camping on the refuge.

(vi) We prohibit swimming and/or wading in the refuge canals and waterways.

(15) *Tensas River National Wildlife Refuge.* (i) We allow nonmotorized boats, electric motors, and boats with motors 10 horsepower or less in refuge lakes, streams, and bayous. Boaters must follow State boating regulations, including those for navigation lights. We prohibit boat storage on the refuge.

(ii) We allow use of nonmotorized bicycles on designated all-terrain vehicle (ATV) trails.

(16) *Upper Ouachita National Wildlife Refuge.* (i) We prohibit outboard motors in the Wigeon Ponds (only trolling motors allowed).

(ii) We prohibit launching boats from a trailer or from a nondesignated boat ramp within the Mollicy levee.

(r) *Maine—(1) Rachel Carson National Wildlife Refuge.* (i) We allow car-top launching from legal sunrise to legal sunset on the following areas of the refuge:

(A) At Brave Boat Harbor division on Chauncey Creek at the intersection of Cutts Island Road and Sea Point Road.

(B) At Little River division at the end of Granite Point Road into the Little River.

(C) At Spurwink River division on the upstream side of Route 77 at the old road crossing.

(ii) [Reserved]

(2) [Reserved]

(s) *Maryland*—(1) *Blackwater National Wildlife Refuge*. (i) We prohibit boat launching from refuge lands except from the car-top boat launch located near the Blackwater River Bridge on Route 335. Only canoes, kayaks, and small jon boats under 17 feet are considered car-top boats.

(ii) We prohibit the use of airboats on refuge waters.

(2) *Eastern Neck National Wildlife Refuge*. (i) We prohibit boat launching from refuge lands except for canoes and kayaks at the canoe/kayak ramp located at the Ingleside Recreation Area.

(ii) [Reserved]

(t)-(u) [Reserved]

(v) *Minnesota*—(1) *Big Stone National Wildlife Refuge*. (i) We allow nonmotorized boats and boats using electric motors only in the Minnesota River channel. We prohibit boats on all other refuge waters.

(ii) [Reserved]

(2) *Upper Mississippi River National Wildlife and Fish Refuge*—(i) *Wildlife observation, photography, interpretation, environmental education, and other general recreational uses*. We allow wildlife-dependent uses and other recreational uses, such as, but not limited to, sightseeing, hiking, bicycling on roads or trails, picnicking, and swimming, on areas designated by the refuge manager and shown on maps available at refuge offices, subject to the following conditions:

(A) In areas posted and shown on maps as “No Entry—Sanctuary,” we prohibit entry as specified on signs or maps (see §32.42 of this chapter for list of areas and locations).

(B) In areas posted and shown on maps as “Area Closed,” “Area Closed—No Motors,” and “No Hunting Zone” (Goose Island), we ask that you practice voluntary avoidance of these areas by any means or for any purpose from October 15 to the end of the respective State duck hunting season. In areas marked “no motors,” we prohibit the use of motors on watercraft from October 15 to the end of the respective State duck hunting season (see §32.42 of this chapter for list of areas and locations).

(C) Commercial tours and filming (see §27.71 of this chapter) require a permit (FWS Form 3-1383-C) issued by the refuge or district manager.

(D) We allow the collecting of edible fruits, nuts, mushrooms, or other plant parts for personal use (no sale or barter allowed). We limit the amount you may collect to 2 gallons by volume per person, per day. We also allow the collecting of shed deer antlers for personal use.

(E) We prohibit the harvest of wild rice; plant and animal specimens; and other natural objects, such as rocks, stones, or minerals (see §27.21 of this chapter). We only allow the collection of plants or their parts for ornamental use by permit (FWS Form 3-1383-G) issued by the refuge or district manager.

(F) We prohibit the cutting, removal, or damage of any tree or vegetation on the refuge without a permit from the refuge or district manager. We prohibit attaching nails, screws, or other hardware to any tree (see §32.2(i) of this chapter).

(G) We prohibit all vehicle use on or across refuge lands at any time except on designated routes of travel or on the ice over navigable waters accessed from boat landings. We prohibit parking beyond vehicle control barriers or on grass or other vegetation. We prohibit parking or operating vehicles in a manner that obstructs or impedes any road, trail, fire lane, boat ramp, access gate, or other facility, or in a manner that creates a safety hazard or endangers any person, property, or environmental feature. We may impound any vehicle left parked in violation at the owner's expense (see §27.31(h) of this chapter).

(H) We allow dogs and other domestic animals on the refuge subject to the following conditions:

(1) We prohibit dogs disturbing or endangering wildlife or people while on the refuge.

(2) While on the refuge, all dogs must be under the control of their owners/handlers at all times or on a leash.

(3) We prohibit allowing dogs to roam.

(4) All dogs must be on a leash when on hiking trails, or other areas so posted.

(5) We allow working a dog in refuge waters by tossing a retrieval dummy or other object for out-and-back exercise.

(6) We encourage the use of dogs for hunting (see §32.42 of this chapter), but we prohibit field trials and commercial/professional dog training.

(7) Owners/handlers of dogs are responsible for disposal of dog droppings in refuge public use concentration areas such as trails, sandbars, and boat landings.

(8) We prohibit horses and all other domestic animals on the refuge unless confined in a vehicle, boat, trailer, kennel, or other container (see §26.21 of this chapter).

(I) We prohibit the discharging of firearms (including dog training pistols and dummy launchers), air guns, or any other weapons on the refuge, unless you are a licensed hunter or trapper engaged in authorized activities during established seasons, as governed by Federal, State, and local regulations. We prohibit target practice on the refuge (see §§27.42 and 27.43 of this chapter).

(J) We prohibit the use or possession of glass food and beverage containers on lands within the refuge.

(K) We require that you keep all refuge lands clean during your period of use or occupancy. At all times you must keep all refuse, trash, and litter contained in bags or other suitable containers and not left scattered on the ground or in the water. You must remove all personal property, refuse, trash, and litter immediately upon vacating a site. We require that human solid waste and associated material be either removed and properly disposed of off-refuge or be buried on site to a depth of 6 to 8 inches (15 to 20 centimeters) and at least 50 feet (15 meters) from water's edge (see §27.94 of this chapter).

(ii) *Watercraft*. We allow the use of watercraft of all types and means of propulsion on all navigable waters of the refuge as governed by State regulations subject to the following conditions:

(A) In areas posted and shown on maps as "Electric Motor Area," we prohibit motorized vehicles and watercraft year-round except watercraft powered by electric motors or nonmotorized means. We do not prohibit the possession of watercraft motors in these areas, only their use. These areas are:

- (1) Island 42, Pool 5, Minnesota, 459 acres.
- (2) Snyder Lake, Pool 5A, Minnesota, 182 acres.
- (3) Mertes Slough, Pool 6, Wisconsin, 222 acres.
- (4) Browns Marsh, Pool 7, Wisconsin, 827 acres.
- (5) Hoosier Lake, Pool 10, Wisconsin, 162 acres.

(B) In areas posted and shown on maps as "Slow No Wake Area," we require watercraft to travel at slow, no-wake speed (as governed by applicable State law) from March 16 through October 31. We also prohibit the operation of airboats or hovercraft in these areas from March 16 through October 31. These areas are:

- (1) Nelson-Trevino, Pool 4, Wisconsin, 2,626 acres.
- (2) Denzers Slough, Pool 5A, Minnesota, 83 acres.
- (3) Black River Bottoms, Pool 7, Wisconsin, 815 acres.
- (4) Blue/Target Lake, Pool 8, Minnesota, 1,834 acres.
- (5) Root River, Pool 8, Minnesota, 695 acres.
- (6) Reno Bottoms, Pool 9, Minnesota, 2,536 acres.
- (7) Nine Mile Island, Pool 12, Iowa, 454 acres.

(8) Princeton, Pool 14, Iowa, 327 acres.

(C) In water access and travel routes posted and shown on maps as “Slow No Wake Zone,” we require watercraft to travel at slow, no-wake speed (as governed by applicable State law) at all times unless otherwise posted.

(D) In portions of Spring Lake and Crooked Slough—Lost Mound, Pool 13, Illinois, posted as “Slow, 5 mph When Boats Present” and marked on maps as “Speed/Distance Regulation,” we require watercraft operators to reduce the speed of their watercraft to less than 5 miles per hour (mph) (8 kilometers per hour (kph)) when within 100 feet (30 meters) of another watercraft that is anchored or underway at 5 mph (8 kph) or less.

(E) We prohibit the mooring, beaching, or storing of watercraft on the refuge not used at least once every 24 hours. We define “used” as a watercraft moved at least 100 feet (30 meters) on the water with the operator on board. We prohibit the mooring of watercraft within 200 feet (60 meters) of refuge boat landings or ramps. We may impound any watercraft moored in violation at the owner's expense (see §27.32 of this chapter).

(F) The conditions set forth in paragraphs (v)(2)(i)(A), (B), and (K) of this section apply.

(iii) *Camping.* We allow camping on all lands and waters of the refuge as designated by the refuge manager and shown on maps available at refuge offices subject to the following conditions:

(A) We define “camping” as:

(1) Erecting a tent or shelter of natural or synthetic material;

(2) Preparing a sleeping bag or other bedding material for use;

(3) Parking of a motor vehicle or mooring or anchoring of a vessel, for the apparent purpose of overnight occupancy; or

(4) Occupying or leaving personal property, including boats or other craft, at a site anytime between the hours of 11 p.m. and 3 a.m.

(B) We prohibit camping at any one site for a period longer than 14 days during any 30-consecutive-day period. After 14 days, you must move all persons, property, equipment, and boats to a new site located at least 0.5 mile (0.8 kilometer) from the previous site.

(C) We prohibit camping within 200 feet (60 meters) of any refuge boat landing, access area, parking lot, structure, road, trail, or other recreation or management facility.

(D) We prohibit camping during waterfowl hunting seasons within areas posted “No Entry—Sanctuary,” “Area Closed,” “Area Closed—No Motors,” and “No Hunting Zone” or on any sites not clearly visible from the main commercial navigation channel of the Mississippi River (see §32.42 of this chapter).

(E) You must occupy campsites daily. We prohibit the leaving of tents, camping equipment, or other property unattended at any site for over 24 hours, and we may impound any equipment left in violation at the owner's expense. We define "occupy" and "attended" as being present at a site for a minimum of 2 hours daily.

(F) You must remove any tables, fireplaces, or other facilities erected upon vacating a camping or day-use site.

(G) We allow campfires in conjunction with camping and day-use activities subject to the following conditions (see §§27.95 and 32.42 of this chapter):

(1) You may only use dead wood on the ground, or materials brought into the refuge such as charcoal or firewood. You must remove any unused firewood brought into the refuge upon departure due to the threat of invasive insects.

(2) We prohibit building, attending, and maintaining a campfire without sufficient clearance from flammable materials so as to prevent its escape.

(3) We prohibit building a fire at any developed facility, including, but not limited to, boat landings, access areas, parking lots, roads, trails, or any other recreation or management facility or structure.

(4) We prohibit burying live fires or hot coals when vacating a campfire site.

(5) We prohibit burning or attempting to burn any nonflammable materials or any materials that may produce toxic fumes or leave hazardous waste. These materials include, but are not limited to, metal cans, plastic containers, glass, fiberglass, treated wood products, wood containing nails or staples, wire, flotation materials, or other refuse.

(H) The conditions set forth in paragraphs (v)(2)(i)(D) through (K) of this section apply.

(w) *Mississippi*—(1) *Grand Bay National Wildlife Refuge*. (i) We prohibit the use of airboats, mudboats, motorized pirogues, and air-cooled propulsion engines on the refuge.

(ii) [Reserved]

(2) *Hillside National Wildlife Refuge*. (i) With the exception of raccoon hunting and frogging, we limit all refuge entry and exit to the period of 4 a.m. to 1½ hours after legal sunset.

(ii) We allow all-terrain vehicles (ATVs) and utility-type vehicles (UTVs) only on designated trails from September 15 through February 28.

(3) *Holt Collier National Wildlife Refuge*. (i) With the exception of raccoon hunting, we limit all refuge entry and exit to the period of 4 a.m. to 1½ hours after legal sunset.

(ii) [Reserved]

(4) *Mathews Brake National Wildlife Refuge*. (i) With the exception of raccoon hunting and frogging, we limit all refuge entry and exit to the period of 4 a.m. to 1½ hours after legal sunset.

(ii) Beginning the day before duck season opens and ending the last day of duck season, we close refuge waters to all public use from 1 p.m. until 4 a.m.

(5) *Morgan Brake National Wildlife Refuge*. (i) With the exception of raccoon hunting and frogging, we limit refuge entry and exit to the period of 4 a.m. to 1½ hours after legal sunset.

(ii) We allow all-terrain vehicles (ATVs) and utility-type vehicles (UTVs) only on designated trails from September 15 through February 28.

(6) *Panther Swamp National Wildlife Refuge*. (i) With the exception of raccoon hunting and frogging, we limit refuge entry and exit to the period of 4 a.m. to 1½ hours after legal sunset.

(ii) We allow all-terrain vehicles (ATVs)/utility-type vehicles (UTVs) only on designated trails from September 15 through February 28.

(7) *Sam D. Hamilton Noxubee National Wildlife Refuge*. (i) We prohibit the use of airboats, sailboats, hovercrafts, and inboard-water-thrust boats such as, but not limited to, personal watercraft, watercycles, and waterbikes.

(ii) [Reserved]

(8) *St. Catherine Creek National Wildlife Refuge*. (i) You must hand-launch boats except at designated boat ramps, where you may trailer-launch them.

(ii) We allow all-terrain vehicles (ATVs) and utility-type vehicles (UTVs) as governed by State waterfowl management area (WMA) regulations and size specifications on designated trails from scouting season until February 28.

(iii) You must be age 16 or older to operate an ATV or UTV on the refuge.

(iv) We prohibit overnight parking.

(9) *Yazoo National Wildlife Refuge*. (i) With the exception of raccoon hunting, we limit refuge entry and exit to the period of 4 a.m. to 1½ hours after legal sunset.

(ii) [Reserved]

(x) [Reserved]

(y) *Montana*—(1) *Benton Lake National Wildlife Refuge*. (i) We only allow the use of nonmotorized boats.

(ii) [Reserved]

(2) *Black Coulee National Wildlife Refuge.* (i) We only allow the use of nonmotorized boats.

(ii) [Reserved]

(3) *Bowdoin National Wildlife Refuge.* (i) We only allow the use of nonmotorized boats.

(ii) [Reserved]

(4) *Hewitt Lake National Wildlife Refuge.* (i) We prohibit air-thrust boats and boats with motors greater than 25 horsepower.

(ii) [Reserved]

(5) *Red Rock Lakes National Wildlife Refuge*—(i) *Boats.* We only allow nonmotorized boats in the hunt area east of the Lower Red Rock Lake dam. We allow boats with motors 10 horsepower or less west of Lower Red Rock Lake dam.

(ii) *Camping.* (A) We allow camping only in two established campgrounds. We prohibit camping along roadsides.

(B) We restrict camping to 16 consecutive days within any 30-day period.

(C) We prohibit horses in the campgrounds.

(D) From March 1 to December 1, all bear attractants, including, but not limited to, food, garbage, and carcasses or parts thereof, must be acceptably stored at night (unless in immediate use) and during the day if unattended. Acceptably stored means any of the following:

(1) Suspended at least 10 feet high and 4 feet from any vertical support 100 yards from any camp or hiking trail;

(2) Secured in a certified bear-safe container; or

(3) Secured in a hard-sided vehicle, including an enclosed camper or horse trailer.

(z) *Nebraska*—(1) *Boyer Chute National Wildlife Refuge.* (i) We allow boating at no-wake speeds, not to exceed 5 miles per hour (8 kilometers per hour), on side or back channels. We prohibit all watercraft in the Boyer Chute waterway or other areas as posted.

(ii) [Reserved]

(2) *Crescent Lake National Wildlife Refuge.* (i) We only allow boating and float tubes on Island Lake. We prohibit use of internal combustion motors for boats on Island Lake.

(ii) [Reserved]

(3) *Rainwater Basin Wetland Management District*. (i) We prohibit the use of motorboats. We allow only nonpowered motorboats and those powered by electric motors (see §27.32 of this chapter).

(ii) [Reserved]

(aa) *Nevada*—(1) *Pahrnagat National Wildlife Refuge*. (i) We only allow motorless boats or boats with electric motors on the Upper Lake, Middle Marsh, and Lower Lake, with the exception that we close Upper Lake to all boating from October 1 through February 1.

(ii) We prohibit the use of boats, rubber rafts, or other flotation devices on the North Marsh.

(2) *Ruby Lake National Wildlife Refuge*. (i) We prohibit boats on refuge waters from January 1 through June 14.

(ii) During the boating season, we allow boats only on the South Marsh. From June 15 through July 31, we allow only motorless boats or boats with battery-powered electric motors. Anglers must remove all gasoline-powered motors. From August 1 through December 31, we allow only motorless boats and boats propelled with motors with a total of 10 horsepower or less.

(iii) We allow launching of boats only from designated landings.

(3) *Sheldon National Wildlife Refuge*. (i) We only allow nonmotorized boats or boats with electric motors.

(ii) [Reserved]

(4) *Stillwater National Wildlife Refuge*. (i) We prohibit boating outside of the waterfowl and youth waterfowl hunting season except in Swan Check Lake, where we allow nonmotorized boating all year.

(ii) We prohibit boats on Swan Lake, the northeast corner of North Nutgrass Lake, and the north end of Pintail Bay. We allow the use of nonmotorized carts, sleds, floating blinds, and other floating devices in these areas to transport hunting equipment and to conceal hunters, but not to transport hunters.

(iii) We only allow outboard motor boats on Lead Lake, Tule Lake, Goose Lake, South Nutgrass Lake, the southeast corner of North Nutgrass Lake, and south end of Pintail Bay.

(iv) We only allow air-thrust boats on Goose Lake, South Nutgrass Lake, the southeast corner of North Nutgrass Lake, and the south end of Pintail Bay.

(v) You may not operate air-thrust boats until 1 hour after the legal shooting time on opening day of waterfowl season.

(vi) We require air-thrust boat owners to get a Special Use Permit (FWS Form 3-1383-G) from the refuge manager and to display a number on their airboats.

(vii) We allow nonmotorized boats on all lakes and bays except Swan Lake, the northeast corner of North Nutgrass Lake, and the north end of Pintail Bay.

(viii) We allow camping only in designated areas.

(bb)-(dd) [Reserved]

(ee) *New York*—(1) *Iroquois National Wildlife Refuge*. (i) We only allow the use of nonmotorized boats.

(ii) [Reserved]

(2) [Reserved]

(ff) *North Carolina*—(1) *Mattamuskeet National Wildlife Refuge*. (i) We allow motorized and nonmotorized fishing boats, canoes, and kayaks from March 1 through October 31.

(ii) We prohibit airboats, sailboats, Jet Skis, and windboards.

(2) *Pee Dee National Wildlife Refuge*. (i) We prohibit boats utilizing gasoline-powered motors.

(ii) You must unload and load boats by hand on all waters except those having designated launch ramps.

(iii) We prohibit swimming.

(3) *Pocosin Lakes National Wildlife Refuge*. (i) We only prohibit boats on Pungo Lake.

(ii) We prohibit leaving a boat anywhere on the refuge overnight.

(gg) *North Dakota*—(1) *J. Clark Salyer National Wildlife Refuge*. (i) We only allow nonmotorized boats or boats with electric motors.

(ii) [Reserved]

(2) *Lake Ilo National Wildlife Refuge*. (i) We open the refuge to boating from May 1 through September 30.

(ii) [Reserved]

(3) *Long Lake National Wildlife Refuge*. (i) We restrict boats to 25 horsepower maximum.

(ii) We restrict boats to the period from May 1 through September 30.

(4) *Silver Lake National Wildlife Refuge*. (i) We allow boats on Silver Lake and on refuge waters south of the confluence of the Mauvais Coulee and Little Coulee from May 1 through September 30 of each year.

(ii) We prohibit water activities not related to fishing (e.g., sailing, skiing, tubing, etc.).

(5) *Tewaukon National Wildlife Refuge*. (i) We open the refuge to boating from May 1 through September 30.

(ii) We allow snowmobiles, all-terrain vehicles (ATVs), utility terrain vehicles (UTVs), motor vehicles, and fish houses on the ice as conditions allow.

(6) *Upper Souris National Wildlife Refuge*. (i) We prohibit the use of bicycles or similar vehicles on the refuge.

(ii) We prohibit the use of amphibious vehicles or personal watercraft on the refuge.

(hh) *Ohio*—(1) *Cedar Point National Wildlife Refuge*. (i) We allow nonmotorized boats and flotation devices in designated areas.

(ii) We prohibit the use of off-road vehicles and snowmobiles on refuge lands.

(2) *Ottawa National Wildlife Refuge*. (i) The Crane Creek and Crane Creek Estuary are closed to all boats and flotation devices from State Route 2 to the mouth of Crane Creek at Lake Erie.

(ii) We allow nonmotorized boats and flotation devices in designated areas.

(iii) We prohibit the use of off-road vehicles and snowmobiles on refuge lands.

(ii) *Oklahoma*—(1) *Sequoyah National Wildlife Refuge*. (i) We allow boats, and you must operate them under applicable State laws and comply with all licensing and marking regulations from their State of origin.

(ii) We prohibit boating on the closed portion of Sally Jones Lake from September 1 to March 31.

(iii) We prohibit alcoholic beverages.

(2) *Tishomingo National Wildlife Refuge*. (i) We prohibit glass containers.

(ii) We prohibit airboats, hovercrafts, and personal watercraft (e.g., Jet Skis, wave runners, jet boats) year round on refuge waters.

(iii) We prohibit swimming and water sports.

(3) *Washita National Wildlife Refuge*. (i) We do not allow boats and other flotation devices on refuge waters from October 15 through March 14.

(ii) [Reserved]

(4) *Wichita Mountains National Wildlife Refuge*. (i) We allow hand-powered boats only on Jed Johnson, Rush, Quanah Parker, and French Lakes.

(ii) Anglers may use electric trolling motors on boats 14 feet or less in length only on Jed Johnson, Rush, Quannah Parker, and French Lakes.

(jj) *Oregon*—(1) *Baskett Slough National Wildlife Refuge*. (i) We prohibit overnight camping on the refuge.

(ii) We prohibit parking on the refuge after the refuge is closed to public entry.

(2) *Cold Springs National Wildlife Refuge*. (i) We prohibit overnight camping.

(ii) We prohibit overnight parking.

(iii) We allow use of only nonmotorized boats and boats with electric motors.

(3) *Lower Klamath National Wildlife Refuge*. (i) We prohibit the use of air-thrust and water-thrust boats.

(ii) [Reserved]

(4) *McKay Creek National Wildlife Refuge*. (i) We prohibit overnight camping.

(ii) We prohibit overnight parking.

(5) *Umatilla National Wildlife Refuge*. (i) We prohibit overnight camping.

(ii) We prohibit overnight parking.

(6) *Upper Klamath National Wildlife Refuge*. (i) Motorized boats must not exceed 10 miles per hour in any stream, creek, or canal, and on that portion of Pelican Bay west of a line beginning at designated points on the north shore of Pelican Bay $\frac{1}{4}$ mile (402 meters) east of Crystal Creek and extending due south to the opposite shore of the lake.

(ii) [Reserved]

(kk)-(ll) [Reserved]

(mm) *South Carolina*—(1) *Cape Romain National Wildlife Refuge*. (i) We prohibit camping on the refuge except for designated archery hunters on Bulls Island and individuals obtaining a Special Use Permit (FWS Form 3-1383-G) from the refuge manager.

(ii) We allow boats to operate in salt water. We prohibit motorized equipment on the refuge islands or in refuge inholdings.

(iii) We prohibit private boats in the refuge boat basins at Garris Landing and Bulls Island. We clearly mark these areas with Closed Area signs.

(iv) We prohibit overnight parking at Garris Landing, except for archery hunters during the designated refuge archery white-tailed deer season and individuals obtaining a Special Use Permit (FWS Form 3-1383-G) from the refuge manager.

(v) We close Marsh Island, White Banks, and Sandy Point to public entry from February 15 through September 15 to protect nesting birds. This closed area extends from the low mean water mark to the highest elevation on these islands.

(2) *Carolina Sandhills National Wildlife Refuge*. (i) We allow nonmotorized boats and boats with electric motors. We allow boats with permanently mounted gas motors as long as you lock the propeller out of the water. You must hand load and unload boats except at designated boat ramps. We prohibit skidding boats up or down dams or on water control structures. We provide boat ramps at Pool D, Pool L, Honkers Lake, and Mays Lake.

(ii) We prohibit swimming and wading in any areas of the refuge.

(3) *Santee National Wildlife Refuge*. (i) We prohibit overnight camping.

(ii) We prohibit overnight parking.

(iii) We prohibit overnight mooring of boats.

(iv) We prohibit swimming and wading.

(v) We allow pets only in designated areas, and they must remain on a leash or within vehicles/vessels.

(vi) We prohibit nighttime access to boat-launching areas.

(vii) We prohibit mooring or attaching boats to any refuge boundary marker, post, or navigational post within refuge waters.

(viii) We prohibit air-thrust boats, hovercraft, airboats, and personal watercraft (e.g., Jet Skis) within the waters of and/or boundary of the refuge.

(nn) *South Dakota*—(1) *LaCreek National Wildlife Refuge*. (i) We allow boat use only on Pools 3, 4, 7, and 10, and the Little White River Recreation Area.

(ii) We prohibit the use of internal combustion motors in Pools 3, 4, 7, and 10.

(2) *Sand Lake Wetland Management District*. (i) We allow the use of motorized boats.

(ii) [Reserved]

(oo) *Tennessee*—(1) *Chickasaw National Wildlife Refuge*. (i) We seasonally close the refuge sanctuary area to the public from November 15 through March 15.

(ii) We allow horses only on roads open to motorized traffic.

(2) *Cross Creeks National Wildlife Refuge*. (i) We prohibit leaving boats unattended on the refuge after daylight use hours.

(ii) We prohibit swimming in refuge impoundments and from boat ramps and boat docks.

(3) *Hatchie National Wildlife Refuge*. (i) We seasonally close the sanctuary areas of the refuge to the public from November 15 through March 15.

(ii) We allow horses only on roads open to motorized traffic.

(iii) We allow the use of nonmotorized boats and boats with electric motors only; we prohibit the use of gas and diesel motors on refuge lakes except in the waterfowl hunting area.

(4) *Lake Isom National Wildlife Refuge*. (i) We seasonally close the sanctuary areas of the refuge to the public from November 15 through March 15.

(ii) We allow horses only on roads open to motorized traffic.

(iii) We allow boats with only electric or outboard motors of 10 horsepower or less.

(5) *Lower Hatchie National Wildlife Refuge*. (i) We seasonally close the sanctuary area of the refuge and the southern unit of Sunk Lake Public Use Natural Area to the public from November 15 through March 15.

(ii) We allow horses only on roads open to motorized traffic.

(iii) We allow the use of only nonmotorized boats and boats with electric motors on Sunk Lake Public Use Natural Area.

(6) *Reelfoot National Wildlife Refuge*. (i) We seasonally close the sanctuary areas of the refuge to the public from November 15 through March 15.

(ii) We allow horses only on roads open to motorized traffic.

(iii) We prohibit airboats, hovercraft, or personal watercraft (e.g., Jet Skis) on any waters within the refuge boundary.

(7) *Tennessee National Wildlife Refuge*. (i) We limit boats to no wake speed on all refuge impoundments.

(ii) We prohibit swimming in refuge impoundments and from boat ramps and boat docks.

(pp) *Texas—(1) Anahuac National Wildlife Refuge*. (i) We prohibit boats and other flotation devices on inland waters.

(ii) 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.

(iii) You may launch nonmotorized boats only along East Bay Bayou and along the shoreline of East Galveston Bay.

(2) *Aransas National Wildlife Refuge*. (i) We prohibit camping on the refuge.

(ii) [Reserved]

(3) *Big Boggy National Wildlife Refuge.* (i) We prohibit camping on the refuge.

(ii) [Reserved]

(4) *Brazoria National Wildlife Refuge.* (i) We prohibit camping in all public hunting areas and parking lots.

(ii) We prohibit campfires in all public hunting areas and parking lots.

(iii) We allow only nonmotorized boat launching at designated areas.

(5) *Hagerman National Wildlife Refuge.* (i) We prohibit glass containers on the refuge.

(ii) We prohibit boats and other floating devices on all open waters of Lake Texoma, except Big Mineral Creek from October 1 through March 14 annually.

(iii) 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.

(iv) 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. You may not have any type of gas or electric motor onboard that is capable of use. You may launch boats from a boat ramp only from L Pad Road or by hand at the Big Mineral Day Use Area.

(6) *Laguna Atascosa National Wildlife Refuge.* (i) We only allow camping at Adolph Thomae Jr. County Park.

(ii) [Reserved]

(7) *Lower Rio Grande Valley National Wildlife Refuge.* (i) We prohibit overnight camping.

(ii) [Reserved]

(8) *McFaddin National Wildlife Refuge.* (i) 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 horsepower or less and utilizing a propeller 9 inches (22.5 centimeters) in diameter or less.

(ii) 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.

(9) *San Bernard National Wildlife Refuge.* (i) We prohibit camping in all public hunting areas and parking lots.

(ii) We prohibit campfires in all public hunting areas and parking lots.

(10) *Texas Point National Wildlife Refuge*. (i) 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 horsepower or less and utilizing a propeller 9 inches (22.5 centimeters) in diameter or less.

(ii) 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.

(11) *Trinity River National Wildlife Refuge*. (i) We limit motors to a maximum of 10 horsepower.

(ii) [Reserved]

(qq)-(rr) [Reserved]

(ss) *Virginia—(1) Back Bay National Wildlife Refuge—(i) Access: Qualifications and specifications*. (A) As provided for in Public Law 96-315, we issue permits to permanent, full-time residents who can furnish to the refuge manager, Back Bay National Wildlife Refuge, adequate proof of continuous and continuing residency, commencing prior to December 31, 1979, on the Outer Banks from the refuge boundary south to and including the village of Corolla, North Carolina, as long as they remain permanent, full-time residents. The south boundary of the area for access consideration is defined as a straight east-west line extending from Currituck Sound to the Atlantic Ocean and passing through a point 1,600 feet due south of the Currituck lighthouse. “Residence” means a place of general abode; “Place of general abode” means a person's principal, actual dwelling place in fact, without regard to intent. A “dwelling” means a residential structure occupied on a year-round basis by the permit applicant and shall not include seasonal or part-time dwelling units such as beach houses, vacation cabins, or structures which are intermittently occupied.

(B) As provided for in Public Law 98-146, up to 15 additional permits shall be granted to those persons meeting any one of the following conditions:

(1) A resident as of July 1, 1982, who held a valid Service access permit for improved property owners at any time during the period from July 29, 1976, through December 31, 1979.

(2) Anyone in continuous residency since 1976, in the area bounded on the north by the refuge boundary, and on the south by a straight line passing through a point in the east-west prolongation of the centerline of Albacore Street, Whaleshead Club Subdivision, Currituck County, North Carolina.

(3) Any permanent, full time resident as of April 1, 1983, residing in the area outlined in paragraph (ss)(1)(i)(B)(2) of this section and not otherwise eligible, who can substantiate to the Secretary of the Interior that access is essential to their maintaining a livelihood, as long as they maintain full-time continuous employment in the Norfolk, Virginia, area may qualify for access.

(C) The burden of proving that the prospective permittee meets these criteria shall be on the applicant by presentation of adequate documentation to the refuge manager. Permittees may be required to submit additional documentation of their eligibility to the refuge manager in order to maintain access. Permits (FWS Form 3-1383-G) will be issued only to those who legally qualify for them.

(D) Only one permit will be issued per family. All permits issued will be terminated in the event that alternate access becomes available during the permit period.

(E) Permits are issued for the purpose of providing entry and exit across the refuge beach to the permittee's residence. Personal access is limited to permittees, and their families, relatives, and guests while being transported in the permittee's vehicle. "Personal access" means private, non-commercial use. Permits are not transferable by sale or devise.

(F) All vehicle occupants must provide positive identification upon the request of any refuge official.

(ii) *Access: Routes of travel.* Access to, and travel along, the refuge beach by motorized vehicles may be allowed between the dune crossing at the key card operated gate near the refuge headquarters, and the south boundary of the refuge only after a permit has been issued or authorization provided by the refuge manager. Travel along the refuge beach by motorized vehicle shall be below the high tide line, within the intertidal zone, to the maximum extent practicable. This may require permittees to adjust their travel times to avoid high tides which would require the use of the emergency storm access/evacuation route over the east dike.

(iii) *Access: Number of trips allowed.* Permittees and members of their immediate families residing with them are limited to a total of two round trips per day per household.

(iv) *Access: Hours of travel.* Travel along the designated route is allowed 24 hours per day from October 1 through April 30. Travel is restricted to the hours of 5 a.m. to 12 a.m. (midnight) from May 1 through September 30.

(v) *Access: Medical emergencies.* (A) Private vehicles used in a medical emergency will be granted access. A "medical emergency" means any condition that threatens human life or limb unless medical treatment is immediately obtained.

(B) The vehicle operator is required to provide the refuge manager with a doctor's statement confirming the emergency within 36 hours after the access has occurred.

(vi) *Access: Military, fire, or emergency vehicles.* (A) Military, fire, emergency or law enforcement vehicles used for emergency purposes may be granted access.

(B) Vehicles used by an employee/agent of the Federal, State or local government, in the course of official duty other than for emergency purposes, may be granted access upon advance request to the refuge manager.

(C) Continuous or recurring use of the refuge beach for other than emergency purposes shall require the issuance of a permit (FWS Form 3-1383-G) from the refuge manager.

(vii) *Access: Public utility vehicles.* Public utility vehicles used on official business will be granted access. A permit (FWS Form 3-1383-G) specifying the times and types of access will be issued by the refuge manager. A “public utility vehicle” means any vehicle owned or operated by a public utility company enfranchised to supply Outer Banks residents with electricity or telephone service.

(viii) *Access: Essential commercial service vehicles.* (A) Essential commercial service vehicles on business calls during the hours of 8 a.m. to 5 p.m. Monday through Friday will be granted access, only upon prior approval of the refuge manager when responding to a request from a permittee. Such requests may be verbal or in writing. Access by essential commercial service vehicles will be granted only after all other reasonable alternatives to access through the refuge have been exhausted as determined by the refuge manager.

(B) “Commercial service vehicle” means any vehicle owned or operated by or on behalf of an individual, partnership, or corporation that is properly licensed to engage entirely in the business of furnishing emergency repair services, including, but not limited to, plumbing, electrical, and repairs to household appliances.

(C) The refuge manager, upon reasonable notification, will be able to authorize essential service/emergency repair access, outside the prescribed time periods, for emergency situations should they arise.

(ix) *False Cape State Park employees.* False Cape State Park and Virginia Game Commission employees who are residents in the park will be considered as permanent, full-time residents as defined in paragraph (ss)(1)(i) of this section with access privileges identical to those of other permittees with beach access privileges.

(x) *Access: Commercial fishermen, businesses, and their employees.* (A) Commercial fishermen who have verified that their fishing operations on the Outer Banks of Virginia Beach, Virginia, or Currituck County, North Carolina, have been dependent since 1972 on entry and exit to or across the refuge are granted permits (FWS Form 3-1383-G) for access. Travel through the refuge by commercial fishermen from Currituck County, North Carolina, will be permitted only when directly associated with commercial fishing operations. Drivers and passengers on trips through the refuge are limited to commercial fishing crew members. A “commercial fisherman” means one who harvests finfish by gill net or haul seine in the Atlantic Ocean, and who has owned and operated a commercial fishing businesses continuously since 1972. Commercial permits are not transferable by sale or devise. The level of commercial permittee travel across the refuge shall not increase above the average yearly levels maintained in the 1985-1987 period.

(B) Other businesses who have verified that their business operations on the Outer Banks of Currituck County, North Carolina, have been dependent since 1972 on entry and exit to or across the refuge will be granted permits (FWS Form 3-1383-G) for access in accordance with the limitations outlined in paragraph (ss)(1)(x)(A) of this section.

(C) Each commercial fisherman or other business may be granted a maximum of five designated employees to travel the refuge beach for commercial fishing or other business-related purposes only. Commercial fishing employees may carry only other commercial fishing employees as passengers. Other business employees may carry only other employees of that business. The hauling of trailers associated with the conduct of commercial fishing or other business activities is authorized.

(D) Employees of commercial fishermen and/or other businesses who apply for access permits (FWS Form 3-1383-G) shall have the burden of proving, by the presentation of appropriate documentation to the refuge manager, that they are an “employee” for purposes of this section. “Appropriate documentation” is defined as the submission of standardized and verifiable employment forms including: Signed W-2 and W-4 forms, IRS form #1099, official earnings statements for specified periods, employee income tax withholding submissions to State and Federal tax offices (e.g., IRS form W-3 with W-2s attached), State unemployment tax information, or other proof of actual employment. Documentation for each employee must be submitted in advance of access being granted, or, for new employees, within 30 days of their starting date. Failure to provide verification of employment for new employees within 30 days will result in termination of access privileges.

(xi) *Access: Suspension or waiver of rules in this paragraph (ss)(1).* (A) In an emergency, the refuge manager may suspend any or all of the restrictions in this paragraph (ss)(1) on vehicular travel and announce each suspension by whatever means are available. In the event of adverse weather conditions, the refuge manager may close all or any portion of the refuge to vehicular traffic for such periods as deemed advisable in the interest of public safety.

(B) The refuge manager may make exceptions to access restrictions, if they are compatible with refuge purposes, for qualified permittees who have demonstrated to the refuge manager a need for additional access relating to health or livelihood.

(C) The refuge manager may grant one-time use authorization for vehicular access through the refuge to individuals, not otherwise qualified in paragraph (ss)(1)(xi)(B) of this section, who have demonstrated to the refuge manager that there is no feasible alternative to the access requested. Authorization for access under this paragraph (ss)(1)(xi)(C) will not be based on convenience to the applicant.

(xii) *Access: Violation of rules in this paragraph (ss)(1).* Violators of the regulations in this paragraph (ss)(1) pertaining to Back Bay National Wildlife Refuge are subject to legal action as prescribed by 50 CFR 25.43 and 50 CFR part 28, including suspension or revocation of all permits issued to the violator or responsible permittee. The refuge manager may deny access permits to applicants who, during the 2 years immediately preceding the date of application, have formally been charged and successfully prosecuted for three or more violations of these or other regulations in effect at Back Bay National Wildlife Refuge. Individuals whose vehicle access privileges are suspended, revoked, or denied may, within 30 days, file a written appeal of the action to the Assistant Regional Director, Refuges and Wildlife, at the address for the Northeast Regional Office provided at 50 CFR 2.2(e), in accordance with 50 CFR 25.45(c).

(xiii) *Other access rules in this paragraph (ss)(1).* (A) No permit will remain in effect beyond December 31 of the year in which it was issued. Permits may be renewed upon the submission of appropriate updated information relating to the permit, and a signed statement that the conditions under which the previous permit was issued have not changed. In the event of any changes of conditions under which the permit is granted, the permittee shall notify the refuge manager in writing within 30 days. Failure to report changes may result in suspension/revocation of the permit.

(B) Vehicles shall be operated on the refuge beach only by the permittee or other authorized drivers. Permit holders shall not tow, transport, or operate vehicles owned by non-permit holders through the refuge. Non-commercial permit holders may tow utility and boat trailers when being used for their personal use only. Any towed vehicle shall have advance approval from the refuge manager prior to being brought through the refuge. The access privilege in this paragraph (ss)(1)(xiii)(B) is not to be used for any commercial purpose.

(C) The refuge manager may prescribe restrictions as to the types of vehicles to be permitted to ensure public safety and adherence to all applicable rules and regulations.

(D) A magnetic card will be issued to each authorized driver only for his or her operation of the computer-controlled gate. No more than two cards will be issued per family. Only one vehicle will be permitted to pass for each gate opening. Unauthorized use of the magnetic card may result in suspension of the permit. A fee will be charged to replace lost or misplaced cards. Malfunctioning cards will be replaced at no charge.

(E) Access is granted for the purpose of travel to and from the permittee's residence and/or place of business. Access is not authorized for the purpose of transporting individuals for hire, or for the transport of prospective real estate clients to or from the Outer Banks of North Carolina, or for any other purpose not covered by this paragraph (ss)(1).

(xiv) *General rules in this paragraph (ss)(1)—(A) Entry on foot, bicycle, or motor vehicle.* Entry on foot, bicycle, or by motor vehicle on designated routes is allowed one-half hour before sunrise to one-half hour after sunset for the purposes of nature observation and study, photography, hiking, surf fishing, and bicycling.

(B) *Beach-oriented uses.* Designated areas of the refuge beach are open to wildlife/wildlands-oriented recreation only as outlined in paragraph (ss)(1)(xiv)(A) of this section. Entry to the beach is via designated access points only.

(C) *Parking.* Limited parking at the refuge office/visitor contact station is allowed only in designated spaces. Parking is available on a first-come, first-served basis for persons engaged in wildlife/wildlands-oriented recreation only as outlined in paragraph (ss)(1)(xiv)(A) of this section.

(D) *Fires.* All fires are prohibited.

(E) *Pets.* Dogs and other pets, on a hand-held leash not exceeding 10 feet in length, are allowed from October 1 through March 31.

(F) *Sand dunes*. Pedestrians and vehicular traffic in the sand dunes are prohibited.

(G) *Groups*. Use by all groups exceeding 10 individuals will require a Special Use Permit (FWS Form 3-1383-G), issued by the refuge manager.

(H) *Motorized vehicles*. Registered motor vehicles and motorized bicycles (mopeds) are allowed on the paved refuge access road and parking lot at refuge headquarters. All other motorized vehicular use is prohibited, except as specifically authorized pursuant to this paragraph (ss)(1).

(2) [Reserved]

(tt) *Washington*—(1) *Billy Frank Jr. Nisqually National Wildlife Refuge*. (i) We prohibit boat launching on the refuge.

(ii) The maximum speed limit is 5 miles per hour for boats in all refuge waters.

(2) *Columbia National Wildlife Refuge*. (i) We prohibit overnight camping.

(ii) We prohibit overnight parking.

(3) *Conboy Lake National Wildlife Refuge*. (i) We prohibit overnight camping.

(ii) We prohibit overnight parking.

(4) *Hanford Reach National Monument/Saddle Mountain National Wildlife Refuge*. (i) We prohibit overnight camping.

(ii) We prohibit overnight parking.

(iii) We allow only nonmotorized boats and boats with electric motors on the WB-10 Pond (Wahluke Lake) and with walk-in access only.

(5) *McNary National Wildlife Refuge*. (i) We prohibit overnight camping.

(ii) We prohibit overnight parking.

(6) *Toppenish National Wildlife Refuge*. (i) We prohibit overnight camping.

(ii) We prohibit overnight parking.

(7) *Umatilla National Wildlife Refuge*. (i) We prohibit overnight camping.

(ii) We prohibit overnight parking.

(8) *Willapa National Wildlife Refuge*. (i) We prohibit camping on the refuge except in designated campgrounds on Long Island for up to 14 days.

(ii) [Reserved]

(uu) [Reserved]

(vv) *Wisconsin*—(1) *Upper Mississippi River National Wildlife and Fish Refuge*. Refer to paragraph (v)(2) of this section for regulations.

(2) [Reserved]

(ww) *Wyoming*—(1) *Seedskadee National Wildlife Refuge*. (i) You must only launch or pick up trailered boats at the following boat ramps: Dodge Bottom, Hayfarm, Lombard, and Six-Mile.

(ii) [Reserved]

(2) [Reserved]

(xx) *Information collection requirements*. The information collection requirements contained in this section have been approved by the Office of Management and Budget (OMB) under 44 U.S.C. 3501 *et seq.* and assigned clearance number 1018-0140. The information is being collected to provide the refuge managers the information needed to decide whether or not to allow the requested use. A response is required in order to obtain a benefit. The Service may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid OMB control number. Direct comments regarding the burden estimate or any other aspect of these information collection requirements to the Service's Information Collection Clearance Officer at the address provided at 50 CFR 2.1(b).

[84 FR 47660, Sept. 10, 2019]

EDITORIAL NOTE: For FEDERAL REGISTER citations to regulations affecting temporary and special regulations on national wildlife refuges, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

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§26.35 Cabin sites.

(a) There shall be no new private cabin site permits issued for national wildlife refuges. All appropriate provisions of 43 CFR part 21 apply to the phaseout of existing permits on national wildlife refuges.

(b) No new government owned cabin site permits for private recreational purposes shall be issued nor shall existing permits be renewed.

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§26.36 Public assemblies and meetings.

(a) Public meetings, assemblies, demonstrations, parades and other public expressions of view may be permitted within a national wildlife refuge open to public use, provided a permit therefore has been issued by the refuge manager.

(b) Any application for such permit shall set forth the name of the applicant, the date, time, duration, nature and place of the proposed event, an estimate of the number of persons expected to attend, and a statement of equipment and facilities to be used in connection therewith.

(c) The refuge manager may issue a permit on proper application unless:

(1) A prior application for the same time and place has been made which has been or will be granted; or

(2) The activity will present a clear and present danger to public health or safety, or undue disturbance to the other users or resources of the area; or

(3) The activity is of such nature that it cannot be reasonably accommodated in the particular national wildlife refuge; or

(4) The activity conflicts with the purposes of the national wildlife refuge.

(d) The permit may contain such conditions as are reasonably consistent with protection and use of the national wildlife refuge for the purpose for which it is maintained. It may also contain reasonable limitations on the time and area within which the activity is permitted.

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§26.41 What is the process for determining if a use of a national wildlife refuge is a compatible use?

The Refuge Manager will not initiate or permit a new use of a national wildlife refuge or expand, renew, or extend an existing use of a national wildlife refuge, unless the Refuge Manager has determined that the use is a compatible use. This section provides guidelines for making compatibility determinations, and procedures for documenting compatibility determinations and for periodic review of compatibility determinations. We will usually complete compatibility determinations as part of the comprehensive conservation plan or step-down management plan process for individual uses, specific use programs, or groups of related uses described in the plan. We will make all compatibility determinations in writing.

(a) *What information do we include in a compatibility determination?* All compatibility determinations will include the following information:

(1) The proposed or existing use;

(2) The name of the national wildlife refuge;

(3) The authorities used to establish the national wildlife refuge;

(4) The purpose(s) of the national wildlife refuge;

(5) The National Wildlife Refuge System mission;

(6) The nature and extent of the use including the following:

(i) What is the use? Is the use a priority public use?;

(ii) Where would the use be conducted?;

(iii) When would the use be conducted?;

(iv) How would the use be conducted?; and

(v) Why is the use being proposed?.

(7) An analysis of costs for administering and managing each use;

(8) The anticipated impacts of the use on the national wildlife refuge's purposes and the National Wildlife Refuge System mission;

(9) The amount of opportunity for public review and comment provided;

(10) Whether the use is compatible or not compatible (does it or will it materially interfere with or detract from the fulfillment of the National Wildlife Refuge System mission or the purpose(s) of the national wildlife refuge);

(11) Stipulations necessary to ensure compatibility;

(12) A logical explanation describing how the proposed use would, or would not, materially interfere with or detract from the fulfillment of the National Wildlife Refuge System mission or the purpose(s) of the national wildlife refuge;

(13) The Refuge Manager's signature and date signed; and

(14) The Regional Chief's concurrence signature and date signed.

(15) The mandatory 10- or 15-year re-evaluation date.

(b) *Making a use compatible through replacement of lost habitat values or other compensatory mitigation.* We will not allow compensatory mitigation to make a proposed refuge use compatible, except by replacement of lost habitat values as provided in paragraph (c) of this section. If we cannot make the proposed use compatible with stipulations we cannot allow the use.

(c) *Existing right-of-ways.* We will not make a compatibility determination and will deny any request for maintenance of an existing right-of-way which will affect a unit of the National Wildlife Refuge System, unless: the design adopts appropriate measures to avoid resource impacts and includes provisions to ensure no net loss of habitat quantity and quality; restored or replacement areas identified in the design are afforded permanent protection as part of the national wildlife refuge or wetland management district affected by the maintenance; and all restoration work is completed by the applicant prior to any title transfer or recording of the

easement, if applicable. Maintenance of an existing right-of-way includes minor expansion or minor realignment to meet safety standards.

(d) *Termination of uses that are not compatible.* When we determine an existing use is not compatible, we will expeditiously terminate or modify the use to make it compatible. Except with written authorization by the Director, this process of termination or modification will not exceed 6 months from the date that the compatibility determination is signed.

[65 FR 62482, Oct. 18, 2000]