

## National Park Service, Interior

## § 7.62

(6) *Sport-fishing Zone*. A zone is established for the protection and enhancement of recreational sport-fishing commencing at Beach Access Ramp No. 22 and continuing south and west along the ocean fish shore, including Cape Point (Cape Hatteras), to Beach Access Ramp No. 30. Within this zone commercial fishing, as specified in the Act of August 17, 1937 (50 Stat. 669), is permitted, except between the hours of 12:01 a.m. on Saturday to 11:59 p.m. on Sunday from October 1 through April 30, commercial fishermen are not permitted to haul seines or nets onto the beach within the Zone.

[24 FR 11052, Dec. 30, 1959, as amended at 38 FR 33081, Nov. 30, 1973; 40 FR 4135, Jan. 28, 1975; 40 FR 56888, Dec. 5, 1975; 48 FR 30295, June 30, 1983; 52 FR 10686, Apr. 2, 1987]

### § 7.59 Grand Portage National Monument.

(a) *Snowmobiles*. After consideration of existing special situations, i.e. depth of snow, and depending on local weather conditions, the superintendent may permit the use of snowmobiles on the following designated routes within the National Monument:

(1) The trail from County Road 73 (near the Grand Portage Trading Post) which moves across the Grand Portage to County Road 17 near the Catholic Church.

(2) The powerline right-of-way road from Country Road 73 which moves across the Grand Portage Trail.

(3) The logging road which moves across the Grand Portage Trail in NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 32, T64N, R6E.

(4) Abandoned Highway 61 which moves across the Grand Portage Trail.

(5) The logging road which moves across the Grand Portage Trail in SE  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , Section 25, T64N, R5E.

(b) *Fishing*. Unless otherwise designated, fishing in a manner authorized under applicable State law is allowed.

[47 FR 45005, Oct. 13, 1982, as amended at 49 FR 18451, Apr. 30, 1984]

### § 7.60 Herbert Hoover National Historic Site.

(a) *Snowmobiles*. After consideration of existing special situations, i.e., depth of snow, and depending on local weather conditions, the Superintendent may permit the use of snow-

mobiles on the shoulder of the paved motor road known as Parkside Drive between Main Street of West Branch, Iowa and Interstate Highway 80, which is used by motor vehicle traffic during other seasons in conformance with State law.

[47 FR 54933, Dec. 7, 1982]

### § 7.61 Fort Caroline National Memorial.

(a) *Fishing*. Fishing is prohibited within the Memorial.

[26 FR 3363, Apr. 20, 1961, as amended at 32 FR 16213, Nov. 28, 1967]

### § 7.62 Lake Chelan National Recreation Area.

(a) *Snowmobiles*. After consideration of existing special situations, i.e., depth of snow, and depending on local weather conditions, the superintendent may designate as open to the use of snowmobiles the following locations within the Lake Chelan National Recreation Area:

(1) All open areas, designated trails and roadways on public land below the 1320-foot contour line within the Stehekin Valley, except cross-country ski trails and within the perimeter of the Buckner Orchard. Snowmobile use on open public lands or designated trails will be limited to permanent, year-round residents of the Stehekin Valley.

(2) That portion of the Stehekin Valley Road normally open to use by motor vehicles from the 1320-foot contour line to the park boundary.

(b) *Aircraft*. The following are designated as locations where the operation of aircraft is allowed:

(1) The entire water surface of Lake Chelan.

(2) The Stehekin landing field, located at approximate latitude 48°21' N, approximate longitude 120°43' W.

(c) *Weapons*. The following location is designated for target practice between the hours of sunrise and sunset, subject to all applicable Federal, State, and local laws: in the SE  $\frac{1}{4}$  of sec. 8, T. 33 N., R. 17 E., WM, approximately 100 yards east of mile point 7 on the

Stehekin Valley Road, a converted borrow pit.

[49 FR 18451, Apr. 30, 1984, as amended at 49 FR 19652, May 9, 1984; 54 FR 48869, Nov. 28, 1989]

#### § 7.63 Dinosaur National Monument.

(a) *Commercial hauling.* Ranchers and stockmen owning, leasing or renting private lands, or holding grazing permits issued by the Bureau of Land Management on designated grazing allotments adjacent to the Artesia Entrance Road, Blue Mountain Road, and Deerlodge Park Road, are authorized to use these roads for trucking or hauling ranching and agricultural supplies and materials, including livestock, for use in normal ranching and stock growing operations.

(b) *Stock grazing.* (1) Privileges for the grazing of domestic livestock based on authorized use of certain areas at the time of approval of the act of September 8, 1960 (74 Stat. 857, Pub. L. 86-729), shall continue in effect or shall be renewed from time to time, except for failure to comply with such terms and conditions as may be prescribed by the Superintendent in these regulations and after reasonable notice of default and subject to the following provisions of tenure:

(i) Grazing privileges appurtenant to privately owned lands located within the Monument shall not be withdrawn until title to the lands to which such privileges are appurtenant shall have vested in the United States except for failure to comply with the regulations applicable thereto after reasonable notice of default.

(ii) Grazing privileges appurtenant to privately owned lands located outside the Monument shall not be withdrawn for a period of twenty-five years after September 8, 1960, and thereafter shall continue during the lifetime of the original permittee and his heirs if they were members of his immediate family as described herein except for failure to comply with the regulations applicable thereto after reasonable notice of default.

(iii) Members of the immediate family are those persons who are related to and directly dependent upon a person or persons, living on or conducting grazing operations from lands, as of

September 8, 1960, which the National Park Service recognized as base lands appurtenant to grazing privileges in the monument. Such interpretation excludes mature children who, as of that date, were established in their own households and were not directly dependent upon the base lands and appurtenant grazing recognized by the National Park Service.

(iv) If title to base lands lying outside the monument is conveyed, or such base lands are leased to someone other than a member of the immediate family of the permittee as of September 8, 1960, the grazing preference shall be recognized only for a period of twenty-five years from September 8, 1960.

(v) If title to a portion or part of the base land either outside or inside the monument is conveyed or such base lands are leased, the new owner or lessee will take with the land so acquired or leased after September 8, 1960, such proportion of the entire grazing privileges as the grazing capacity in animal unit months of the tract conveyed or leased bears to the original area to which a grazing privilege was appurtenant and recognized. Conveyance or lease of all such base lands will automatically convey all grazing privileges appurtenant thereto.

(vi) Grazing privileges which are appurtenant to base lands located either inside or outside the monument as of September 8, 1960, shall not be conveyed separately therefrom.

(2) Where no reasonable ingress or egress is available to permittees or nonpermittees who must cross monument lands to reach grazing allotments or non-Federal lands within the exterior boundary of the monument or adjacent thereto, the Superintendent will grant, upon request, a temporary nonfee annual permit to herd stock on a designated driveway which shall specify the time to be consumed in each single drive.

(3) After September 8, 1960, no increase in the number of animal unit months will be allowed on Federal lands in the monument.

(4)(i) A permittee whose privileges are appurtenant to base lands either inside or outside the monument may be granted total nonuse on a year to year