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DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 7

[NPS-CAMO-CRMO-NPS0043954; 277P103601, PPWOVPADU0]

RIN 1024-AF13

Castle Mountains National Monument and Craters of the Moon National Monument; Hunting

AGENCY: National Park Service, Interior

ACTION: Proposed rule.

SUMMARY: The National Park Service (NPS) proposes to promulgate special regulations to allow hunting in Castle Mountains National Monument and Craters of the Moon National Monument. The regulations would recognize the authority of the States to manage wildlife while also allowing for appropriate management of hunting by the NPS to protect public health and safety, objects of historic and scientific interest that the Monuments were established to protect, and endangered or threatened species. Allowing hunting in these National Monuments is directed by Executive Order 14429, "Reinvigorating America's Hunting Heritage," and advances the policy of the Trump Administration to reinvigorate, protect, and expand America's hunting heritage to benefit our people and our land.

DATES: Comments must be received by 11:59 PM ET on [**INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER***].

ADDRESSES: You may submit comments by any of the following methods:

(1) Electronically:

- Go to the Federal Register website: https://www.federalregister.gov. In the search box, enter 1024-AF13, the regulation identifier number (RIN) for this

rulemaking. Click on the green "Submit a Public Comment" button at the top of the document and follow the instructions for submitting comments; or

- Go to the Federal eRulemaking Portal: https://www.regulations.gov. In the Search box, enter 1024-AF13, the RIN for this rulemaking. On the resulting page, select the Dockets tab and then click on the title of the rule. Next, click the "Open for Comments" box, then click the blue "Comment" box and follow the instructions for submitting comments.

(2) By hard copy:

- Mail to: National Park Service Division of Regulations, 7206 National Seashore Lane, Berlin, MD 21811.

Instructions: Comments will not be accepted by fax, email, or in any way other than those specified above. All submissions received must include the words "National Park Service" or "NPS" and must include the docket number or RIN (1024-AF13) for this rulemaking. Comments received may be posted without change to https://www.regulations.gov, including any personal information provided.

Docket: For access to the docket to view the proposed rule and comments received, go to https://www.regulations.gov and search for "1024-AF13." Be sure to check the Dockets Tab, Documents Tab, and Comments Tab for possible results.

FOR FURTHER INFORMATION CONTACT: Kevin Schluckebier, Superintendent, Castle Mountains National Monument; (402) 973-0872; kevin_schluckebier@nps.gov; Wade Vagias, Superintendent, Craters of the Moon National Monument and Preserve; (208) 527-1310; wade_vagias@nps.gov. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States. In compliance with the Providing

Accountability Through Transparency Act of 2023, the plain language summary of the proposal is available on Regulations.gov in the docket for this rulemaking.

SUPPLEMENTARY INFORMATION:

Background.

Castle Mountains National Monument.

On February 16, 2016, President Obama exercised authority provided in 54 U.S.C. 320301 (known as the "Antiquities Act") to establish Castle Mountains National Monument (CAMO) for the purpose of protecting the historic and scientific objects in the Castle Mountains area, as further described in Proclamation 9394. CAMO consists of 20,920 acres and is located in the eastern Mojave Desert in northeastern San Bernardino County, California, along the Nevada state line. CAMO is bounded on three sides by Mojave National Preserve, which also is administered by the NPS. The Castle Mountains area provides a critical linkage for plants, animals, and water between two mountain ranges within the Preserve, the New York Mountains to the northwest and the Piute Mountains to the southeast. The area's high-quality desert habitat includes some of the finest Joshua tree forest in the Mojave Desert, as well as pinyon pine and juniper forest at the upper elevations. The area's native desert grassland is a hotspot of botanical diversity. The relatively intact and undisturbed habitat within CAMO connects water flow and wildlife corridors of the Preserve and its habitat is important to the long-term survival of significant wildlife populations, including a herd of desert bighorn sheep that lives on the steep, rocky slopes of the Castle Mountains. They and other wildlife traverse the area between the Piute Mountains and the New York Mountains. Numerous bat species live in rock crevices and mine remnants in the area. Wildlife species of special concern include the Townsend's big-eared bat, California leaf-nosed bat, Swainson's hawk, golden eagle, desert tortoise, Bendire's thrasher, and gray vireo. CAMO contains cultural resources that reflect a long history of prehistoric and historic human use, including prehistoric rock art

and archeological sites. Within the external boundaries of CAMO is an area referred to as the "Castle Mountain Mine Area," which contains a commercial mining operation. This area is administered by the Bureau of Land Management (BLM) and mining activities are governed by a plan of operations issued by BLM.

Hunting is currently prohibited within CAMO by NPS regulations in 36 CFR 2.2, which prohibit hunting in units of the National Park System except where specifically mandated or authorized by Federal statutory law, which does not exist for CAMO.

Craters of the Moon National Monument.

President Calvin Coolidge exercised authority provided by the Antiquities Act to establish Craters of the Moon National Monument (CRMO) on May 2, 1924, for the purpose of protecting the unusual landscapes of the Craters of the Moon Lava Field, as further described in Proclamation 1694. CRMO is located in south central Idaho in Blaine and Butte counties. As further described in Proclamation 1694, the "lunar" landscape within CRMO was thought to resemble that of the moon and was described in the presidential proclamation as "a weird and scenic landscape peculiar to itself." Presidential Proclamations issued in 1928 (Proclamation 1843), 1930 (Proclamation 1916), 1941 (Proclamation 2499), and 1962 (Proclamation 3506) made minor boundary adjustments, as did Section 205 of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333). On November 9, 2000, President Clinton issued Proclamation 7373 which expanded CRMO from roughly 54,000 acres to approximately 753,000 acres to ensure protection of the Great Rift volcanic rift zone and its associated features. The expanded monument includes almost all the features of basaltic volcanism, including the craters, cones, lava flows, caves, and fissures of the 65-mile-long Great Rift, a geological feature that is comparable to the great rift zones of Iceland and Hawaii. It comprises the most diverse and geologically recent part of the lava terrain that covers the southern Snake River Plain, a broad lava plain made up of innumerable basalt lava flows that

erupted during the past 5 million years. Isolated islands of older terrain surrounded by new lava are known as "kipukas." These areas represent some of the last nearly pristine and undisturbed vegetation in the Snake River Plain.

Proclamation 7373 placed lands within the expanded CRMO under the administration of both the NPS and BLM, with each agency having primary management authority over separate portions. The NPS was given primary management authority over the portion of CRMO that includes the exposed lava flows, with BLM given primary management authority over the remaining portion. On August 21, 2002, Public Law 107-213 designated the NPS-administered portion of the monument expansion area as a National Preserve. The area within the CRMO as it existed before the 2000 expansion is referred to in this rule as the "Original CRMO."

Public Law 107-213 requires the NPS to allow hunting within the NPS-administered National Preserve in accordance with Federal and State law, except that the NPS, in consultation with the State of Idaho, may designate zones where, and establish periods when, no hunting may be permitted for reasons of public safety, protection of resources, administration, or public use and enjoyment. Hunting also is allowed in the BLM-administered portion of CRMO pursuant to authorities applicable to BLM-administered lands. Hunting is currently prohibited within Original CRMO by NPS regulations in 36 CFR 2.2, which prohibits hunting in units of the National Park System except where specifically mandated or authorized by Federal statutory law, which does not exist for Original CRMO.

Reinvigorating America's Hunting Heritage.

On September 17, 2026, President Trump issued Executive Order 14429, "Reinvigorating America's Hunting Heritage," which announced that it is a policy of the Administration to reinvigorate, protect, and expand America's hunting heritage to benefit our people and our land. E.O. 14429 recognizes that American hunters, anglers, and

landowners are the greatest conservationists the world has ever known, and that hunting promotes healthy and robust animal populations, conserves our beautiful wildlife for future generations, and ensures that every American can enjoy our rugged, diverse, and untamed frontier areas. E.O. 14429 directs Federal agencies to institute various reforms to pull back on the Federal Government's regulatory overreach that has led to a decline in hunting opportunities, confusing and inconsistent access policies, and heavy-handed restrictions on hunter education and recruitment efforts. E.O. 14429 reverses this overreach by applying a presumption of accessibility to federally managed lands so that the next generation of Americans shall once again have the opportunity to share in our Nation's rich sporting heritage. Consistent with these policies, Section 2(a) of E.O. 14429 states that within 90 days the Secretary of the Interior is directed to allow for hunting of species that are not subject to 16 U.S.C. 1533 (the Endangered Species Act) within CAMO and Original CRMO. E.O. 14429 states that President Trump has determined that appropriately managed hunting would not put the objects of historic and scientific interest that these monuments protect at risk.

Proposed Rule.

This rule would implement the directive in Section 2(a) of E.O. 14429 by allowing hunting within CAMO and Original CRMO. The proposed regulations for each System unit recognize the primary role of the States in managing fish and wildlife, while at the same time allowing the NPS to appropriately manage hunting, consistent with E.O. 14429, to meet its statutory mandates to protect resources and visitors within park areas. The NPS believes the regulations in this proposed rule would promote cooperative federalism as directed in Section 1 of E.O. 14429. The NPS has developed these rules in coordination with the California Department of Fish & Wildlife (CDFW) for CAMO and the Idaho Department of Fish and Game (IDFG) for Original CRMO.

Elements Common to Both Monuments.

This proposed rule would establish special regulations for CAMO and Original CRMO that relax the general NPS regulatory prohibition on hunting that applies in these Monuments.[1] Special regulations for CAMO would be codified in a new § 7.98 and special regulations for Original CRMO would be codified in a new § 7.101. This rule proposes several regulatory provisions that are common to the special regulations for each Monument. Paragraph (a) would state that notwithstanding any other provision contained in this chapter, hunting shall be allowed in each Monument. This would establish that the special regulations preempt the otherwise applicable prohibition in 36 CFR 2.2 and allow hunting in each Monument. Paragraph (b) would state that where hunting is authorized, such activities shall be conducted in accordance with Federal law and the laws of the State, with the effect that State law would govern hunting in each Monument unless specifically preempted by Federal law, including NPS regulations and closures and restrictions deemed necessary by the Superintendent. Paragraph (c) would prohibit the hunting of species subject to 16 U.S.C. 1533, notwithstanding any provision in State law. This provision implements part of the directive in Section 2(a) of E.O. 14429 and ensures that endangered or threatened species receive the protections provided by Federal law. Paragraph (d) would allow the superintendent to establish closures, restrictions, and conditions on hunting that are the minimum necessary to prevent a significant impact to public health and safety, objects of historic and scientific interest that the Monument was established to protect, or endangered or threatened species. Except in emergencies, the Superintendent would be required to consult with appropriate State agencies, such as CDFW and IDFG, before taking those actions, and to notify the public of any such closures, restrictions or conditions through appropriate methods listed in 36 CFR 1.7, including publication in the Superintendent's Compendium (or written

[1] NPS regulations in 36 CFR 1.2(a)(c) state that regulations in part 7 and part 13 are special regulations prescribed for specific park areas that may amend, modify, relax, or make more stringent the regulations contained in parts 1 through 5 and part 12.

compilation) of discretionary actions referred to in paragraph (b) of § 1.7. Providing the superintendents with this authority is consistent with the Federal statutory authority provided to the NPS for the administration of Mojave National Preserve, which allows the NPS, after consultation with the State except in emergencies, to designate areas where, and establish periods when no hunting, fishing, or trapping will be permitted for reasons of public safety, administration, or compliance with provisions of applicable law. 16 U.S.C. 410aaa-46. It also is consistent with the Federal statutory authority provided to the NPS in Public Law 107-213 for the NPS-administered Craters of the Moon National Preserve, which allows the NPS, after consultation with the State except in emergencies, to designate zones where, and establish periods when, no hunting may be permitted for reasons of public safety, protection of resources, administration, or public use and enjoyment. The similar authorities in the rule for both Monuments would allow the superintendents to respond to unforeseen circumstances that require mitigation in order to protect resources and visitors. These authorities also would help ensure that hunting in either Monument does not jeopardize the President's determination in E.O. 14429 that hunting will not put the objects of historic and scientific interest that the Monuments protect at risk.

Mitigations Specific to Castle Mountains National Monument.

In addition to regulatory provisions described above that would apply to both Monuments, this proposed rule would establish specific mitigation measures for hunting in Original CRMO that are the minimum necessary to protect resources and visitors. These mitigations were developed in coordination with CDFW.

First, the rule would prohibit hunting within 200 yards of a wildlife watering place within CAMO. "Wildlife watering place" would be defined, consistent with State law, as a waterhole, spring, seep, or a man-made watering device for wildlife such as a guzzler (a self-filling, in-the-ground water storage tank), horizontal well, or small

impoundment of less than one surface acre in size. See CCR Title 14 § 730. Wildlife watering places within CAMO include natural watering holes and artificial water sources used by wildlife. This prohibition is necessary to prevent human disturbance that cuts off wildlife from scarce, life-sustaining water. Water in arid desert biomes is extremely limited. Game and non-game species—such as desert bighorn sheep, mule deer, and desert tortoises—frequently rely on isolated springs, seeps, or man-made guzzlers set up for wildlife watering. Human presence within 200 yards spooks animals away, forcing them to avoid drinking, which can cause dehydration or death. Concentrated human activities, such as hunting, within immediate riparian and waterhole zones trample fragile soil crusts, destroy native vegetative shelter, and cause contamination to limited pools of water. Finally, ambushing thirsty animals concentrated around artificial or natural watering holes is considered unsporting. Enforcing a 200-yard buffer prevents hunters from executing easy ambushes on distressed wildlife using vital watering holes. The second mitigation in the rule would prohibit hunting within one mile of the Castle Mountain Mine. This prohibition is necessary to protect the safety of employees of the mine. The rule would state that these mitigations do not prevent an individual from retrieving lawfully taken wildlife from within the restricted areas, provided the wildlife was not otherwise hunted within those areas. Penalizing this conduct would not further the policy purpose of the restrictions, which is to protect wildlife while using those places for survival.

Mitigations Specific to Craters of the Moon National Monument.

In addition to regulatory provisions described above that would apply to both Monuments, this rule would establish specific mitigation measures for hunting in Original CRMO that are the minimum necessary to protect resources and visitors. These mitigations were developed in coordination with IDFG.

First, the rule would prohibit the use of weapons other than short range weapons,

which would be defined consistent with State law as (1) any shotgun using any slug or double-aught (#00) or larger buckshot; (2) any muzzleloader that is at least forty-five (0.45) caliber for deer, pronghorn, mountain lion, or gray wolf, or at least fifty (0.50) caliber for elk, moose, bighorn sheep, mountain goat, or black bear; (3) any bow having a peak draw weight of not less than forty (40) pounds up to or at a draw of twenty-eight (28) inches; (4) any crossbow having a peak draw weight of not less than one hundred fifty (150) pounds; (5) any handgun using straight wall centerfire cartridges not originally developed for rifles; (6) any airgun using pre-charged pneumatic power to propel a projectile (excluding shot and arrows) with unignited compressed air or gas and projectiles at least thirty-five (0.35) caliber for deer and pronghorn antelope or at least forty-five (0.45) caliber for elk and moose. See IAC 13.01.08.407. Other weapons, such as modern centerfire rifles, have effective ranges of hundreds of yards, and projectiles can travel considerably farther. The open nature of the Original CRMO landscape provides relatively few natural backstops or other obstructions to reduce the risk posed by errant rounds. Because the definition is codified in State law, the NPS believes this restriction will be relatively straightforward to communicate to hunters. Prohibiting centerfire rifles and other long-range weapons would substantially reduce concerns about the safety of visitors and NPS employees and volunteers.

Second, the rule would prohibit hunting in NPS-administered areas in the Original CRMO located north and northwest of Highway 20/93. This area is currently restricted to administrative use and contains two developed areas, the Yurt Campground and Administrative Campground, both of which receive substantial use by NPS personnel, partners, and cooperators throughout the year, including during the fall hunting season. The area also contains critical park infrastructure, including the park's entire potable water system and associated wellheads, electrical distribution infrastructure, a photovoltaic solar array, a pumphouse, and a chlorinator building. Additionally, the area

contains numerous sensitive archeological sites and a historic trail listed on the National Register. The area's relatively narrow, linear configuration, combined with the concentration of developed facilities, critical infrastructure, sensitive cultural resources, and ongoing administrative activities, presents significant challenges and risks to safely accommodate recreational hunting. At approximately 5,000 acres, this area represents less than 10% of the total acreage that would otherwise be available to hunting under the proposed rule. Accordingly, the prohibition would provide substantial protection for park operations and resources while imposing a relatively modest limitation on the overall hunting opportunities that would be authorized elsewhere within the Monument.

Compliance with Other Laws, Executive Orders, and Department Policy.

Regulatory Planning and Review (Executive Orders 12866 and 14192)

This rule has been determined to be significant for purposes of Executive Order 12866. This proposed rule is expected to have minor economic effects. It would generate benefits for current and potential hunters by authorizing hunting in two NPS-administered Monuments for the first time, subject to appropriate management. However, these Monuments represent a relatively small portion of the lands currently available for hunting in the surrounding areas. Hunting is already authorized on hundreds of thousands of acres of adjacent BLM- and NPS-administered lands surrounding Craters of the Moon National Monument and on more than one million acres of NPS-administered lands surrounding Castle Mountains National Monument. Further, no changes to State hunting seasons or tag quotas for specific species are anticipated. As a result, this action is expected to have minimal effects on overall hunter-days in the areas, but may increase the value of the hunting experience by providing hunters with additional locations in which to hunt.

This proposed rule could impose costs on some current non-hunting visitors due to noise or other adverse effects associated with allowing this new use. However, these

costs are expected to be minimal due to mitigations such as restrictions on types of weapons and distance restrictions from populated areas. The NPS may experience a small increase in costs associated with implementation and enforcement.

This rule is a "one-time" enabling regulation that would expand consumption options for the American public by increasing opportunities for access and recreation at each Monument. As a result, this rule qualifies as an E.O. 14192 deregulatory action pursuant to M-25-20, "Guidance Implementing Section 3 of Executive Order 14192, Titled 'Unleashing Prosperity Through Deregulation'" issued by the Office of Management and Budget, Office of Information and Regulatory Affairs, on March 26, 2025.

Regulatory Flexibility Act.

This proposed rule would not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.). No small entities would be directly regulated by this rule, which would authorize hunting by the general public within each Monument, subject to appropriate management. This action is expected to have minimal effects on visitation and is not expected to adversely affect local businesses or other small entities. For these reasons, the NPS certifies that this rule would not have a significant economic impact on a substantial number of small entities; therefore, a regulatory flexibility analysis is not required.

Congressional Review Act.

This proposed rule, if finalized, is not expected to be a major rule under 5 U.S.C. 804(2). This proposed rule:

(a) Would not have an annual effect on the economy of $100 million or more.

(b) Would not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions.

(c) Would not have significant adverse effects on competition, employment,

investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

Unfunded Mandates Reform Act.

Section 202 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531) requires that agencies assess whether a rule would impose a Federal mandate that may result in the expenditure by State, local, and Tribal governments in the aggregate, or by the private sector of $100,000,000 or more (adjusted annually for inflation) in any 1 year. As of 2025, that threshold is approximately $206 million (2024 dollars). This rule would not result in expenditures by State, local, or Tribal governments, in the aggregate, or by the private sector, in excess of the threshold. Thus, no written assessment of unfunded mandates is required."

Takings (Executive Order 12630).

This proposed rule would not effect a taking of private property or otherwise have takings implications under Executive Order 12630. A takings implication assessment is not required**.**

Federalism (Executive Order 13132).

Under the criteria in section 1 of Executive Order 13132, this proposed rule would not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement. This rule would only affect use of federally administered lands and waters. It would have no direct effects on other areas. A federalism summary impact statement is not required.

Civil Justice Reform (Executive Order 12988).

This proposed rule complies with the requirements of Executive Order 12988. This proposed rule:

(a) Meets the criteria of section 3(a) requiring that all regulations be reviewed to eliminate errors and ambiguity and be written to minimize litigation; and

(b) Meets the criteria of section 3(b)(2) requiring that all regulations be written in clear language and contain clear legal standards.

Consultation with Indian Tribes (Executive Order 13175 and Department Policy).

The Department of the Interior strives to strengthen its government-to-government relationship with Indian Tribes through a commitment to consultation with Indian Tribes and recognition of their right to self-governance and Tribal sovereignty. The NPS has evaluated this proposed rule under the criteria in Executive Order 13175 and under the Department's consultation policy and has concluded that this rule would not have substantial direct effects on Indian Tribes. Cultural resources staff at CRMO have provided Executive Order 14429 to the Shoshone-Bannock Tribes of Fort Hall and the Shoshone-Paiute Tribes of the Duck Valley Reservation for their awareness. Staff will also send formal consultation letters to consulting tribes, which consist of the two aforementioned tribes and the Northwestern Band of the Shoshone Nation, to initiate consultation pursuant to Section 106 of the National Historic Preservation Act. The Superintendent of CRMO has met with the Shoshone-Bannock Tribes of Fort Hall's Section 106 representative to discuss any concerns the Tribe may have regarding treaty rights under the Fort Bridger Treaty of 1868. The tribal liaison for CAMO will meet with the Fort Mojave and Chemehuevi tribes to inform them of this proposed rule and the opportunity for comment.

Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.)

This proposed rule contains no new information collections. All information collections require approval under the Paperwork Reduction Act of 1995 (PRA; 44 U.S.C. 3501 et seq.). The NPS 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.

National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 et seq.)

The NPS does not expect a detailed statement under the National Environmental Policy Act of 1969 (NEPA) would be required because the NPS anticipates that the rule would be covered by a categorical exclusion and will not involve any of the extraordinary circumstances listed in 43 CFR 46.215 that would require further analysis under NEPA. The NPS will document the application of a categorical exclusion to this rule if applicable.

Effects on the Energy Supply (Executive Order 13211).

This proposed rule is not a significant energy action under the definition in Executive Order 13211; this proposed rule is not likely to have a significant adverse effect on the supply, distribution, or use of energy, and this proposed rule has not otherwise been designated by the Office of Information and Regulatory Affairs as a significant energy action. A Statement of Energy Effects in not required.

Public Comment Period.

Department of the Interior policy states that the bureaus should allow at least 60 calendar days for public comments on proposed rules but that shorter periods may be used in special cases requiring more timely action. 318 DM HB Section 5.4. The NPS has determined that the direction in Section 2(a) of E.O. 14429 that the NPS allow hunting in the Monuments within 90 days of the date of the order is a special case that requires more timely action. E.O. 14429 was issued on September 17, 2026. A 60-day comment period would leave only 15 days to develop and complete internal review and approval of the proposed and final rules, including public comment analysis, and publish each in the Federal Register. This would be an insufficient amount of time. As a result, the NPS has shortened the public comment period to 30 days in order to complete the rulemaking process in a sufficient and timely manner.

List of Subjects in 36 CFR Part 7

National parks, Reporting and recordkeeping requirements.

In consideration of the foregoing, the National Park Service proposes to amend 36 CFR part 7 as set forth below:

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

1. The authority citation for part 7 continues to read as follows:

Authority: 54 U.S.C. 100101, 100751, 320102; Sec. 7.96 also issued under DC Code 10-137 and DC Code 50-2201.07.

2. Add § 7.98 to read as follows:

§ 7.98 Castle Mountains National Monument.

(a) *Hunting*. Notwithstanding any other provision contained in this chapter, hunting shall be allowed in Castle Mountains National Preserve.

(b) *State law*. Where hunting is authorized, such activities shall be conducted in accordance with Federal law and the laws of the State of California.

(c) *Appropriate management.* Notwithstanding any provision in State law, hunting shall be subject to the following requirements.

(1) Hunting species subject to 16 U.S.C. 1533 is prohibited.

(2) Hunting within 200 yards of a wildlife watering place is prohibited. For purposes of this § 7.98, a wildlife watering place is defined as a waterhole, spring, seep or man-made watering device for wildlife such as a guzzler (a self-filling, in-the-ground water storage tank), horizontal well, or small impoundment of less than one surface acre in size.

(3) Hunting within one mile of the Castle Mountain Mine.

(4) None of the provisions in this section may be enforced to prohibit an individual from retrieving lawfully taken wildlife from within the restricted areas identified in paragraphs (c)(1) and (c)(2) of this section, provided the wildlife was not otherwise hunted within those areas.

(d) *Superintendent's authority*.

(1) The Superintendent may establish closures, restrictions, and conditions on hunting that are the minimum necessary to prevent a significant impact to public health and safety, objects of historic and scientific interest that the Monument was established to protect, or endangered or threatened species.

(2) Except in emergencies, the Superintendent shall consult with appropriate State agencies before invoking the authority provided in paragraph (d)(1) of this section and notify the public of any such closures, restrictions or conditions through one or more methods listed in § 1.7 of this chapter, including publication in the Superintendent's Compendium (or written compilation) of discretionary actions referred to in § 1.7(b).

(3) Violating a closure, restriction, or condition established by the Superintendent under this paragraph (d) is prohibited.

3. Add § 7.101 to read as follows:

§ 7.101 Craters of the Moon National Monument.

(a) *Hunting*. Notwithstanding any other provision contained in this chapter, hunting shall be allowed in Craters of the Moon National Monument.

(b) *State law*. Where hunting is authorized, such activities shall be conducted in accordance with Federal law and the laws of the State of Idaho.

(c) *Appropriate management.* Notwithstanding any provision in State law, hunting shall be subject to the following requirements.

(1) Hunting species subject to 16 U.S.C. 1533 is prohibited.

(2) The use of a weapon other than a short-range weapon is prohibited. For purposes of this § 7.101, a short-range weapon is:

(i) Any shotgun using any slug or double-aught (#00) or larger buckshot.

(ii) Any muzzleloader that is at least forty-five (0.45) caliber for deer, pronghorn, mountain lion, or gray wolf, or at least fifty (0.50) caliber for elk, moose, bighorn sheep,

mountain goat, or black bear.

(iii) Any bow having a peak draw weight of not less than forty (40) pounds up to or at a draw of twenty-eight (28) inches.

(iv) Any crossbow having a peak draw weight of not less than one hundred fifty (150) pounds.

(v) Any handgun using straight wall centerfire cartridges not originally developed for rifles.

(vi) Any airgun using pre-charged pneumatic power to propel a projectile (excluding shot and arrows) with unignited compressed air or gas and projectiles at least thirty-five (0.35) caliber for deer and pronghorn antelope or at least forty-five (0.45) caliber for elk and moose.

(3) Hunting in the north end section of the Monument is prohibited. For purposes of this § 7.101, the north end section is defined as the NPS-administered lands within the Monument located north and northwest of Highway 20/93. Maps showing the location of the north end section will be made available at the Monument visitor center.

(d) *Superintendent's authority*.

(1) The Superintendent may establish closures, restrictions, and conditions on hunting that are the minimum necessary to prevent a significant impact to public health and safety, objects of historic and scientific interest that the Monument was established to protect, or endangered or threatened species.

(2) Except in emergencies, the Superintendent shall consult with appropriate State agencies before invoking the authority provided in paragraph (d)(1) of this section and notify the public of any such closures, restrictions or conditions through one or more methods listed in § 1.7 of this chapter, including publication in the Superintendent's Compendium (or written compilation) of discretionary actions referred to § 1.7(b).

(3) Violating a closure, restriction, or condition established by the Superintendent

under this paragraph (d) is prohibited.

Kevin J. Lilly,
Assistant Secretary for Fish and Wildlife and Parks.

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