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Morale, Welfare and Recreation

Hunting, Fishing and Trapping

MAPA

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Summary: This regulation covers the policies, responsibilities and procedures governing hunting, fishing, and trapping and the protection of fish and wildlife resources at the United States Military Academy (USMA).

Applicability: This regulation applies to USMA and tenant agencies and authorized users of USMA lands as a recreational activity (hunting/fishing/trapping).

***This regulation supersedes USMA Regulation 215-5 dated 1 February 1997**

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CHAPTER 1

SECTION 1 GENERAL

1-1. Purpose. To prescribe policies, responsibilities and procedures governing hunting, fishing, and trapping and the protection of fish and wildlife resources at the United States Military Academy.

1-2. References

Reference publications are listed in appendix A.

SECTION II RESPONSIBILITIES

1-3. Community Recreation Officer (Chief, Community Recreation Division) (CRD)

The Community Recreation Officer will:

- a. Control selling of the special USMA hunting/fishing/trapping permits and collect the recreational activity fee.
- b. Distribute maps, promotional and regulatory materials to ensure that USMA personnel, guests, and visiting troops are aware of USMA hunting, fishing, and trapping regulations.
- c. Implement administrative aspects of the hunting, fishing and trapping programs.
- d. Operate the Field Archery Range.
- e. Publish fees and charges annually.
- f. Hold a lottery for the opening morning hunting slots of the Regular Firearms Big Game Season.
- g. Position boats and docks at any authorized fishing area.
- h. Maintain lists of individuals who have received warnings, citations, suspension and revocations.
- i. Provide personnel to augment Range Control during the Big Game Hunt season.

1-4. Directorate of Housing and Public Works (DHPW)

DHPW will:

- a. Prepare, update and implement the Cooperative Plan for Fish and Wildlife Management.
- b. Determine fish and game harvest quotas, size limits, bag limits, and season lengths. Determine participation quotas and coordinate quota criteria with the Safety Officer.
- c. Serve as the primary liaison in fish and wildlife matters with the NYS Department of Environmental Conservation, U.S. Fish and Wildlife Service, and neighboring landowners.
- d. Operate the West Point Big Game Check Station.
- e. Implement administrative and operational aspects of the trapping program.
- f. Implement the administrative aspects of the Deer Management Unit 3P general public hunting program.
- g. Provide the facilities engineering support required to implement the hunting, fishing and trapping program.
- h. Post G2, J2, J3, J4, and J5, Hunting Areas prior to the special archery big-game season.
- i. DHPW will provide to Range Control specific season dates for hunting/fishing/trapping seasons.
- j. Have approval authority for appropriate West Point, Federal and State organizations to use internal combustion engines on all lakes and ponds during water quality, weed control, habitat management, and fisheries investigations.
- k. Authorize to solicit up to five (5) trappers that do not meet the eligible requirements set forth in Appendix C to trap problem or nuisance animals.

1-5. Military Police

- a. The MPs will issue written citations on DD Form 1805.
- b. Forward copy of each citation to the Range Control Manager, acting as Chief Game Warden.

1-6. 1st Battalion, 1st Infantry

The 1-1 INF will:

- a. Provide personnel to assist the USMA Game Wardens to enforce this regulation.
- b. When requested by Range Control, assist USMA Game Warden patrols of the reservation.
- c. Issue written notes of suspensions and revocations.
- d. Ensure that the range and training area schedule and associated road closings are provided to the Adjutant General (AG) for inclusion in the USMA Post Bulletin and to the Range Control operation and the Chief, Community Recreation, so hunting, fishing and trapping will not interfere with the military mission.

1-7. Director of Operations, Plan and Security (DOPS)

DOPS will: Schedule training to minimize conflicts with the Regular Firearms Big Game Season. High deer harvests are required to meet long-term training area management objectives. Neither DOPS nor Range Control should approve a major USMA event that would significantly interfere with the Regular Firearms Big Game Season without prior coordination with Natural Resources Branch.

1-8. Adjutant General (AG)

Publish range and training schedules and associated road closings in the USMA Post Bulletin.

1-9. Safety Officer

The Safety Officer will review all safety-related aspects of the hunting, fishing, boating and trapping programs.

1-10. 1st Battalion, 1st Infantry Range Control

Range Control will:

- a. Exercise absolute control of access to all training areas, ranges and danger areas no matter what the hunting, fishing or trapping activity.
- b. Ensure any scheduled training activities are not interfered with by Hunting, Fishing and Trapping.
- c. Ensure safe operation of the ranges and training areas in conjunction with hunting, fishing, and trapping.
- d. Provide the administration and operation of all sign outs for small game hunting, archery, and trapping.
- e. Operate the Big Game Hunt Control Center. Issue keys for access to hunting and fishing areas for authorized users.
- f. Provide gate security of all ranges and training areas.
- g. Contact MPs to report violations of Range Control restrictions.

1-10A.

The Range Control Manager, acting as Chief Game Warden will:

- a. Suspend or revoke the hunting, fishing and trapping privileges at West Point of persons in violation of this regulation IAW appendix D.
- b. Issue written warning based on issued warnings forwarded from Game Wardens.
- c. Take administrative action against individuals based on issued DA Forms 1408 forwarded from the Provost Marshal and/or Game Wardens. Notify violators in writing, in accordance with para. 6-4, of suspensions or revocations of privileges.

- d. Maintain list of individuals who have received warnings, citations, suspensions, and revocations of privileges.
- e. Manage game wardens.
- f. Issue written warnings, IAW appendix D of the regulation on DA Form 1408.
- g. Furnish copy of each warning to DHPW, CRD, PM, and 1st of 1st.

1-11. Deputy Garrison Commander (DGC)

- a. Maintains records of written warnings, suspensions, or revocations to prevent sale of licenses to suspended or revoked hunters. Provides same to CRD.
- b. Act as the appeal authority for suspensions and revocations. Must respond to a written appeal within 10 working days.

1-12. USMA Hunters, Trappers and Anglers

See Appendix B for rules for USMA hunters, trappers, and anglers.

SECTION III POLICIES

1-13. Policies

- a. Hunting, fishing and trapping on USMA lands will be in accordance with this regulation, the USMA Integrated Natural Resources Management Plan, applicable Federal laws, and the Environmental Conservation Law of New York State (Appendix E).
- b. Hunting, fishing and trapping on the reservation are promoted primarily for personnel eligible under provisions of this regulation, AR 215-1, and AR 200-3.

1-14. USMA Permits and Fees

- a. As authorized by the Sikes Act (16 USC 670 et seq.) and in accordance with AR 200-3, special USMA hunting, fishing and trapping permits will be sold to individuals authorized under AR 215-1 and Eligibility Priorities in appendix C of this regulation. The fees collected for the special permits will be deposited on a monthly basis in the USMA Wildlife Conservation Fund Account. Funds will be used by the DHPW for the protection, conservation, and management of fish and wildlife.
- b. A recreational (hunting/fishing/trapping) activity fee will also be collected for the Installation, Morale, Welfare, and Recreation (MWR) Fund. Activity fees will be used IAW AR 215-1.
- c. The acceptance of a hunting, fishing, trapping permit, or guest pass shall constitute an acknowledgment by the permittee of his/her duty to comply with this regulation, and all permits are conditioned upon such acceptance.

1-15. Federal and State Licensing and Permits

The privileges accorded by the special USMA hunting/fishing/trapping permit will not relieve the permittees of the licensing requirements in the Migratory Bird Hunting Stamp Act (16 USC 718 et seq.) or the Environmental Conservation Law of New York State.

1-16. Season and Bag Limits

Harvest regulations will be as those prescribed in the Environmental Conservation Law of New York State, and/or the Federal Government except where more stringent measures may be promulgated by DHPW in response to fluctuations of fish and game populations. These seasons bag limits and sizes will be published in the West Point Hunting/Fishing and Trapping Bag Limit Guide. The pamphlet will be used by Game Wardens to help determine violations. Violators are also subject to disciplinary action under the Uniform Code of Military Justice and/or Federal Law and may be permanently barred from the United States Military Academy.

CHAPTER 2

SMALL GAME HUNTING

2-1. Eligibility

Eligibility Priorities are listed in appendix C

2-2. General Procedures

- a. Small game/fall turkey/waterfowl, pheasant, and spring turkey hunting areas and their hunter capacities will be listed annually by Range Control on the respective sign-out sheets posted at Range Control. It is the hunter's responsibility to sign-out on the correct sheet.
- b. Small game/fall turkey/waterfowl, and pheasant hunters, during the Regular Firearms Big Game Season, will be required to sign out and in daily in person for hunting areas at Range Control. Only one area may be signed out by an individual at one time.
- c. Off limits areas reserved for training will be indicated on the sign-out sheets at Range Control located on Route 293. Upon completion of a hunting trip, hunters will sign back in at Range Control in person and report their kill.
- d. Licensed young hunters (12 to 15 years of age) are permitted to small game hunt on the reservation, but they must be accompanied by a sponsoring USMA hunter (over 18 years of age) and remain within 10 meters of that sponsoring hunter.
- e. No individual or USMA activity is authorized to stock wildlife without the permission of the DHPW.
- f. Any game taken that has leg bands, ear tags, radio transmitters, or other markers will be reported by the hunter to the Natural Resource Branch, DHPW.
- g. Parking is limited at Range Control on route 293. Hunters should not park on the shoulder of route 293. They should park on the access roads across from Range Control when visitor parking is full at bldg 1403.
- h. Hunters are responsible for checking the Dawn to Dusk Time Chart posted at Range Control for the day's hunting hours.

2-3. Small Game/Fall Turkey/Waterfowl

- a. Small game hunting, including fall turkey, will be permitted in the "Bow Only" J areas by archers only during the NYS Archery Deer season.
- b. Waterfowl hunters may establish their own blinds, making sure to maintain safe distance from other blinds. Blinds must be constructed entirely of natural material common to the hunting site. All blinds must be removed at the end of the waterfowl season.
- c. Waterfowl hunters using boats while hunting must have U.S. Coast Guard approved flotation devices for each person in the boat.
- d. Waterfowl hunters must only possess non-toxic (non-lead) shot.

2-4. Spring Turkey

- a. Spring turkey hunters will sign out and in daily for hunting areas at Range Control. All spring turkey hunters must be signed in no later than 1330 hours daily.
- b. Spring turkey hunters may be completely camouflaged.
- c. Spring turkey hunting will not be permitted in Hunting Areas J2, J3, J4, J5, or G2. Spring turkey hunting by bow and arrow only will be permitted in Area J1.

2-5. Raccoon and Predator (Night)

- a. Night hunters will follow the same Range Control sign-out and in procedures as small game hunters. Small game hunters must coordinate with Range Control during duty hours to schedule an area for night hunting. Additionally, hunters must check back in with Range Control the next morning.
- b. Nighttime hunting is prohibited during the Regular Firearms Big Game Season.
- c. Nighttime hunters may possess only 22 rim fire or shotguns loaded with No. 4 shot or smaller (5, 6, 7, 8, 9). Centerfire rifles or pistols may not be carried by the hunter or in the vehicle.

CHAPTER 3

BIG GAME HUNTING

3-1. Eligibility

Eligibility priorities are listed in appendix C

3-2. General Procedures

- a. All big game harvested during the season will be registered at the West Point Big Game Check Station.
- b. Upon legally harvesting a deer or bear, after it is properly tagged according to the Environmental Conservation Law of New York State, the hunter will proceed via the most direct route to the West Point Check Station. Bear taken by any big-game hunter will be immediately reported to the DHPW Natural Resources Branch's Wildlife Biologist.
- c. Harvested big game will be presented by the hunter for registration with all internal organs removed. Registration procedures will be posted at the Hunt Control Center.
- d. Any area not being used for training and open for hunting may be closed at the discretion of the Hunt Control Officer, Forester, or Military Police. In order to fully implement the big game hunting program, the Range Control NCOIC may restrict non-hunter access on the reservation during the hunting season.
- e. Big-game hunters will be permitted to use temporary, pre-fabricated, portable stands provided that the tree(s) supporting the stand is (are) not significantly damaged when the stand is erected. Screw-in footholds, spikes, or any structures nailed into a tree will not be permitted. All stands must be removed at the end of the big-game seasons. Permanent tree stands are prohibited.

3-3. Hunting Areas and Hunter Density

The authorized Big Game Hunting areas and their maximum hunter capacities will be posted at Range Control.

3-4. Archery Season

- a. Archery hunting areas and their hunter capacities will be listed by Range Control on the hunting sign-out sheet at Range Control.
- b. Big Game taken during the archery seasons will be registered and weighed at a location to be announced by DHPW. Bear taken by archers will be immediately reported to the Natural Resources Branch, DHPW.
- c. Archery hunting will not be permitted in the hunting areas specially reserved for weekend and holiday pheasant hunting.
- d. Archery deer hunters are allowed tree stands. IAW paragraph 3-2e.
- e. During the Regular Firearms Big Game Season archers will follow the sign out and harvest registration procedures applicable to firearms big game hunters.
- f. No archery hunting will be permitted in the J areas on the Saturdays of home football games.
- g. Young hunters (14 to 15 years of age) with junior archery licenses may hunt big game with bow and arrow during the special archery season. Young hunters must be accompanied by a sponsoring USMA hunter and must remain within 20 meters of that sponsoring hunter.

3-5. Regular Firearms Big Game Season and Deer Management Permit (DMP) Program

- a. During the Regular Firearms Big Game/DMP Season all hunters will sign-out and in at the Hunt Control Center.
- b. After selecting a hunting area, hunters will be issued distinctive Hunting Area Identification and they will surrender their Big Game Hunting License (not back tag), which will be retained in the Hunt Control Center. When signing in from an area, a hunter will turn in the Hunting Area Identification and receive back his/her license.
- c. Hunters will wear at all times the distinctive identification issued by the Hunt Control Center and 400 square inches of fluorescent orange clothing visible from all sides.

d. The parking pass issued by the Hunt Control Center will be prominently displayed in the windshield whenever the vehicle is parked in or adjacent to a hunting area. Hunters must park in or immediately adjacent to their hunting area and display their parking pass issued by the Hunt Control Center.

e. Beginning big game hunters (16 to 17 years of age) may hunt big game on the reservation during the Regular Firearms Season, but they must be accompanied by a sponsoring hunter.

f. During the season, hunters will choose hunting areas on a first-come, first-served basis (except lottery assignments for opening morning).

3-6. Administrative Procedures of DMP Hunting

a. Administrative aspects of general public DMP hunting will be coordinated by DHPW.

b. General Public hunters hunting at West Point with a valid DMP 3P must fill their DMP 3P first before they are authorized to hunt for an antlered deer. This requirement may be suspended during the later part of the Regular Big-Game Season if the DHPW Wildlife Biologist determines that a sufficient antlerless deer harvest has been achieved.

c. Special Buck Hunting Passes will be issued by DHPW to general public hunters who fill their DMP P3 tag at West Point with an antlerless deer.

d. General Public DMP 3P hunters will not be issued a Special Buck Hunting Pass until their antlerless DMP 3P deer is registered at the West Point Deer Check Station.

e. General Public hunters may not sign-out the first week of the season until 0700 hours. After the first week, General Public hunters may sign-out at 0500 hours.

f. General Public hunters may also use their DMP 3P permits at West Point during the Regular Big-Game, Special Muzzleloader, and late Special Archery Seasons.

g. General Public DMP 3P Hunters may only take deer or coyotes (provided the hunter has a small-game or sportsman license and furbearer tags).

h. General public hunters will comply with all other regulations and policies applicable to hunting at West Point.

i. General public hunters are not permitted in any Hunting Areas located east of US Route 9W.

3-7. Lottery

a. The Community Recreation Officer will hold a lottery for the opening morning hunting slots of the Regular Firearms Big Game Season. Eligibility priority in the lottery will be:

Priority I - Active duty military personnel and civilian employees living on West Point and assigned to USMA, and their family members.

Priority II - Active duty military and their family members not assigned to West Point, and retired military personnel. Drilling Reserve and Guard personnel.

Priority III - USMA Civilian Personnel

b. In the event an individual will be away from USMA on the date of the lottery, a letter of explanation may be submitted to the Community Recreation Officer requesting that an area be selected by proxy.

c. If slots are still available following the lottery, USMA hunters may choose a slot prior to opening day on a first-come, first-served basis at Range Control during business hours at bldg. 1403 on Rte 293.

d. Hunting slots reserved for opening morning will be held in reserve until 0900 hours on opening morning. After 0900 hours the spaces will be signed out on a first-come, first-served basis.

3-8. Guests

a. Authorized personnel may sponsor only two guests.

b. Guests are not authorized to hunt on opening day of Big Game Season.

c. Guests possessing a valid DMP 3P Permit will pay lower applicable fee. Daily, if hunting one or two days or DMP 3P fee for three or more days.

3-9. Muzzleloader Season

a. Muzzleloaders will sign-out and in at Range Control, Bldg 1403 on route 293.

b. Muzzleloaders will wear 100 square inches of fluorescent orange clothing (e.g., hat) while hunting.

c. Muzzleloaders will register and weigh their kill at Range Control, Bldg 1403 on Route 293.

CHAPTER 4 FISHING & BOATING

4-1. Eligibility

Eligibility Priorities are listed in appendix C

SECTION I FISHING

4-2. Authorized Fishing Areas

Note: Fires are not authorized on the ice while ice fishing.

a. **Water Bodies:** Beaver Pond (NE of Cat Hollow), Brooks Hollow, Bull Pond, Popolopen Lake, Cragston Lake, Cranberry Pond, Lake Frederick, Lake Georgina, Lusk Reservoir, Mine Lake, Round Pond, Stilwell Lake, Weyants Pond, Wilkins Pond, and any unnamed ponds outside of the USMA dud danger zones. Bull Pond and Round Pond will only be open to fishing during the NYS trout season and Lusk Reservoir will be open from 1 April through 30 November. A one day trout derby may be held in Round Pond if a Fishing Preserve License is obtained by DHPW.

b. **Streams:** Cranberry Brook, Highland Brook, Long Pond Creek, Deep Hollow Brook, Johnson Meadow Brook, Popolopen Brook, Queensboro Brook, Mineral Springs Brook, Crows Nest Brook, and any unnamed drainage flowing outside of USMA dud danger areas. Highland Brook, Queensboro Brook, and Mineral Springs Brook are only open to fishing during the NYS trout season. Mineral Springs Brook is strictly a catch-and-release (no-kill) trout fishery.

4-3. Policies

- a. Anglers will not release bait fish live in any West Point waters.
- b. Catch and Release of sportfish species (bass and trout) will be promoted to reduce exploitation of this resource.
- c. Children under 12 years of age must be accompanied by an adult or a responsible person at least 16 years of age while fishing in West Point waters, except at Round Pond and Lake Frederick.
- d. All anglers must check in with Range Control to determine which lakes are open. Some lakes may close during training. Any persons who plan on fishing in the training area would obtain a key to the gate that access the area from Range Control during normal business hours, Monday thru Friday 0830-1700. Range Control will be insuring the gates to Camp Buckner, Camp Natural Bridge and other training areas are locked at 1700 hrs.

4-4. Stocking and Habitat Management

DHPW will coordinate and implement all fish stockings and habitat management projects as prescribed in the Cooperative Plan. USMA Activities that wish to conduct habitat management projects or to stock additional fish (at their expense) must seek prior approval from the DHPW.

4-5. Reporting

All fish kept will be reported either on the appropriate form or by calling DHPW 938-2314. Other reporting arrangements must be coordinated in advance with DHPW.

4-6. Bass Tournaments

- a. Aerated live wells will be used by all competitors to keep bass alive.
- b. Bass will be returned to the same lake as caught immediately after weigh-in.
- c. Records will be kept of tournament participants and the catch to include lengths and weights by fish species.
- d. During the tournament, the USMA minimum length and possession limit will be waived and the NYS minimum legal bass length and possession limit may be used for fish that will be released

immediately after the competition. Anglers may keep one trophy bass (minimum length 20 inches) per tournament. All other bass must be released.

e. All anglers in the tournament will possess NYS fishing licenses and USMA fishing permits or guest passes.

f. Not more than three one-day tournaments will be held on any individual body of water in any one year. Non-participants will not be excluded from fishing lakes and ponds.

4-7. Ice Fishing Derby

One-day ice fishing derbies for trout may be conducted on Round Pond. The derbies will be conducted under the provisions of a NYS Fishing Preserve License.

a. During the derbies no more than three tip-ups and one hand line may be used per angler.

b. All fish caught during the derbies will be tagged by derby personnel.

**SECTION II
BOATING**

4-8. Authorized Boating Areas

a. All boats will have the necessary safety equipment aboard in compliance with current USCG rules. Operators are responsible for complying with Federal and State boating laws.

b. The term “boat” is intended to mean any watercraft.

c. Authorized boating areas and the types of propulsion authorized are:

	Powerboats		*Non-Power	
	>10 hp	<10 hp Electric		
Beaver Pond			X	X
Brooks Hollow			X	X
Bull Pond			X	X
Cragston Lake			X	X
Cranberry Pond			X	X
Lake Frederick			X	X
Lake Georgina			X	X
Lusk Reservoir				X
Mine Lake			X	X
Popolopen Lake	X	X	X	X
Round Pond			X	X
Stilwell Lake	X	X	X	X
Weyants Pond			X	X
Wilkins Pond			X	X

*Non-power boats include canoes, rowboats, kayaks, skiffs, paddleboats, or other watercraft without internal combustion engines or motors.

Note: Long Pond is leased to the Town of Highlands for use by its residents; use by West Point personnel is not authorized.

d. On the areas permitting internal combustion engines, no more than five (5) powerboats greater than 10 hp may be used at Stilwell Lake at any one time, and two at Popolopen. The limit on powerboats less than 10 hp will be seven (7) per area. Sanctioned fishing derbies are excluded from this provision.

e. Powerboats will not be permitted on Popolopen Lake during the period of Cadet Field Training. Powerboats needed to support cadet training will be permitted at the Camp Commander’s discretion.

Only electric powerboats are authorized on Popolopen Lake during the period of Cadet Field Training.

f. In addition to the appropriate state boat registration, USMA Daily Powerboat Use Permits will be required for the operation of an internal combustion powerboat over ten horsepower. Daily permits will be issued by the Round Pond Registration Office during hours of operation on a first-come, first-serve basis. See Appendix F for Power Boat SOP.

g. DHPW may authorize appropriate West Point, Federal and State organizations to use internal combustion engines on all lakes and ponds during water quality, weed control, habitat management, and fisheries investigations.

h. Lusk Reservoir is limited to two non-power boats.

4-9. Community Recreation Division Boats

a. CRD may position boats and docks at any authorized fishing area.

b. No more than one CRD boat will be stationed on Beaver Pond, Cragston Lake, and Lake Georgina.

c. No CRD boat will be stationed at Lusk Reservoir.

CHAPTER 5 TRAPPING

5-1. Eligibility

Eligibility priorities are listed in appendix C

Guests are not authorized for those meeting eligibility priorities 1 through 15 in appendix C

5-2. Policy

Trapping is an important tool in wildlife management and it is permitted on the reservation primarily for the removal or control of problem and nuisance animals and, secondarily for recreation

5-3. General Procedures

a. Individuals who wish to trap on the West Point Military Reservation must make application to CRD for a USMA Trapping Permit by 28 October for that license year's trapping season.

b. West Point trappers must have a USMA trapping permit and a NYS Trapping License.

c. Upon determination that sufficient densities of furbearers exist to permit limited trapping, DHPW will determine the number of trappers needed for each season (not to exceed 15 individual trappers). Trappers will be selected through a lottery.

d. DHPW will assign trappers areas to trap. Authorized trapping areas will be listed on the trapper's permit along with the authorized harvest for each area, sign-out procedures, season restrictions and reporting requirements.

e. All traps will be marked with the owner's name and address. Traps will be checked IAW NYS Conservation Laws. Unmarked or unattended traps may be confiscated by USMA Natural Resources personnel, Military Police Game Wardens, or NYS Environmental Conservation Officers.

f. Beaver and otter trapping areas and harvest must be authorized by DHPW.

g. Legally trapped furbearers must be dispatched immediately after capture. Only .22 caliber firearms may be carried by the trapper to dispatch animals. Non-target animals, such as stray domestic animals or protected wildlife species, must be immediately released at the capture site.

h. Trapping will not be authorized during the Regular Firearms Big Game Season

i. Authority to trap live woodchucks, raccoons, skunks, and opossum on the Main Post may also be granted by DHPW. Animals captured on the Main Post in this program will be dispatched at an off-post location to be determined by the DHPW.

j. All harvested animals will be reported to the Natural Resource Branch, DHPW as stipulated on the trapping permit.

k. LEG HOLD TRAPS LARGER THAN SIZE 1-1/2 AND SNARES ARE NOT AUTHORIZED FOR USE ON THE RESERVATION.

(l). Should less than five (5) individuals eligible under paragraph 5-1 (appendix B) of this regulation

apply to CRD for a USMA trapping permit, DHPW is authorized to solicit up to five (5) other trappers that do not meet the eligibility requirements set forth in 5-1 to trap problem or nuisance animals. Potential persons will be located through written notice sent to local county trappers organizations. Selection will be made on a first-come/first-serve basis by designating the first five individuals that telephone the Natural Resources Branch at 0001 hours on 11 November. Selected individuals will be sold a USMA trapping permit. All other restrictions and/or guidance provided in this chapter will apply to the selected individuals. Access to the reservation shall be coordinated at all times with Range Control.

5-4. Land Sets

- a. Open area land sets will be restricted to box, cage traps (e.g., Havahart, Tomahawk) up to a size 1-1/2 leg-hold trap, and up to a #3 Soft Catch Trap.
- b. Body gripping traps (e.g., Conibear or similarly designed lethal body gripping traps) may not be used for any type of open land set.

5-5. Water Sets

- a. Submerged body gripping traps with jaw spreads no larger than 10 inches (e.g., Conibear 110 through 330) may be used at designated wetland or open water sites during the mink, muskrat, otter, and beaver open seasons.
- b. Enclosed body gripping traps with jaw spreads no larger than 4.5 inches (e.g., Conibear 110, 120 or 126) may be used in cubby or den sets under the following conditions:
 - (1) The cubby or den sets must be no more than 15 feet from water at the designated wetland or open water sites.
 - (2) The opening of the cubby or den must be eight inches by eight inches or smaller.
 - (3) The bait or lure must be hidden well inside the cubby out of sight of predatory or scavenger birds.
 - (4) The conibear must be placed no less than eight inches from the opening of the cubby or den.
- c. No dam, den, or lodge belonging to beaver or muskrat may be disturbed by trappers.

CHAPTER 6 ENFORCEMENT

SECTION I RESPONSIBILITIES

6-1. Deputy Garrison Commander

Maintain rosters of individuals who have received letters of suspensions, or revocations, or hunting privileges, based on warnings and citations. Copies will be provided to PMO, 1-1 INF, Range Control and CRD who will maintain copies on site. Responds to appeals.

6-2. 1st Battalion/1st Infantry

Provide military police to assist USMA Game Wardens during the hunting and fishing season.

6-3. Range Control

- a. Maintain absolute control of access to all training areas, ranges and danger areas no matter what the hunting, fishing or trapping activity.
- b. Provide Game Warden to patrol the fishing, hunting, range and danger areas to enforce regulations and report violators to the USMA Provost Marshal.

SECTION II PROCEDURES

6-4. Warnings

- a. Military Police will respond to serious violations of New York law to issue DD Form 1805, United States District Court Violations Notice.
- b. Written warnings may be issued for infractions in Appendix D by the Game Wardens and/or Range Control Manager, acting as Chief Game Warden, based on the circumstances contributing to the incident (e.g., fail to sign in because someone removed sign-out sheet).
- c. USMA Game Wardens will be the primary enforcement officer to issue warnings for violations of USMA Regulations 215-5. The Game Warden will issue warnings on the Armed Forces Traffic Ticket (DA Form 1408). A copy of the ticket will be provided to the Provost Marshal.

6-5. Citations

- a. **Commander, 1st Battalion, 1st Infantry.** Will take administrative action of this regulation. Violations of State and Federal law discovered by Provost Marshal, wardens, range control manager, CRD and or DHPW personnel will be reported to the Provost Marshal, who will cite and coordinate enforcement with State and Federal authorities. USMA Game Wardens will be the primary enforcement officers to apprehend violators of this regulation. Persons apprehended will be turned over to the Provost Marshal and cited on DD Form 1805 for violation of State or Federal law and or given a DA Form 1408 (Armed Forces Traffic Ticket), for violation of this regulation.
- b. **Range Control.** Violators of this regulation, and/or Federal fish and wildlife laws apprehended by, or reported to, the Game Wardens will be cited by the Provost Marshal on the violation notice (DD Form 1805). The citation will be forwarded to the Range Control Manager, acting as Chief Game Warden, for administrative action. Violations of State fish and wildlife laws will be referred to the local NYS Environmental Conservation Officer. In areas of the reservation under exclusive or concurrent federal jurisdiction, violations of State and/or Federal law may be cited by the Provost Marshal on a Violation Notice (DD Form 1805). In areas of the reservation under proprietary jurisdiction, DA Form 1408 may be used. In addition to any criminal prosecution, copies of citations will be forwarded to Range Control Manager, acting as Chief Game Warden, for administrative action.

SECTION III PROCEDURES FOR SUSPENSIONS AND REVOCATIONS

Violators of this regulation will be notified of suspensions or revocations by a letter from the Range Control Manager acting as the Chief Game Warden.

6-6. USMA Military and Civilian Personnel

The notification of suspension or revocation letter will be sent to their organization or activity if the violator is a cadet, active duty military person, or civilian employee stationed at USMA.

6-7. Other Military and Civilian Personnel

The notification of suspension or revocation will be sent by registered mail (return receipt requested) if the violator is an immediate family member of USMA military personnel, civilian employee, guest, retired military person, military person not stationed at USMA, or from the general public.

SECTION IV APPEALS

Any individual cited for a violation of this regulation which results in the loss of privileges may appeal the decision providing the appeal is submitted in writing to the Deputy Garrison Commander within 10 working days of the notice of suspension. The DGC will respond to the appeal within 10 working days.

6-8. Failure to Comply with Suspension

Failure to comply with a suspension under this regulation may cause violators to be liable to further actions including proceedings barring personnel from access to the installation.

6-9. Violations Records

The following records will be prepared and maintained by the DGC.

- a. A list of individuals who have received a citation or warning for violations of this regulation.
- b. A list of individuals whose privileges have been suspended or permanently revoked.
- c. The suspension list will be periodically updated and distributed to the Provost Marshal, 1-1 INF Range Control and CRD.

APPENDIX A REFERENCES

- a. Title 16, United States Code, Section 670 et seq., Conservation Programs on Military Installations and Title 18, United States Code, Section 1382, Trespassing.
- b. Title 16, United States Code Section 718 et seq., Migratory Bird Hunting Stamp Act.
- c. Title 18, United States Code Section 1382, Trespassing.
- d. DoD Directive 4700.4, Natural Resource Management Program.
- e. AR 37-100, Account/Code Structure.
- f. AR 37-108, General Finance and Accounting for Finance and Accounting Office.
- g. AR 190-29, Military Police-Misdemeanors and Uniform Violation Notices Referred to US Magistrate of District Courts.
- h. AR 215-1, Morale, Welfare and Recreation.
- i. AR 200-3, Natural Resources - Land Forest and Wildlife Management.
- j. Environmental Conservation Law of New York State.
- k. Integrated Natural Resources Management Plan: 1998 through 2002, at the United States Military Academy.
- l. USMA Reg. 385-11, Range Regulation.
- m. Uniform Code of Military Justice (UCMJ).

APPENDIX B
RULES FOR USMA HUNTERS, TRAPPERS AND ANGLERS

- a. Have in their possession a valid New York State license for the activity they are engaged in (small game, turkey, big game firearms/deer management unit/archery big game/ muzzleloader big game, fishing, trapping) and a USMA hunting, fishing, or trapping permit or guest pass. In addition, personnel engaged in waterfowl hunting will possess a Federal Migratory Bird Hunting Stamp (duck stamp).
- b. Present on demand their licenses, permits, weapons and game for inspection to any USMA Game Warden, Military Police, NYS Environmental Conservation Officer, or any other duly appointed law enforcement official.
- c. Follow all sign-out/sign-in procedures, tagging procedures, and report all harvested fish and game as required by this regulation. Hunters must sign in at Range Control Building #1403 or the Hunt Control Center if they leave their hunting areas. Hunters signed out for hunting must be in their area or in transit to or from their area.
- d. Hunters and Fishermen are authorized no more than two guests. Hunters and Fishermen must remain with their guests while hunting or fishing and be no more than 200 yards away.
- e. Be permitted to be accompanied by one walker afield while hunting for instructional or learning purposes. The walker must be appropriately dressed, unarmed, and remain within five (5) meters of the hunter. USMA hunters who are already hunting with a junior hunter (a young hunter required to remain with a sponsor) are not eligible to be accompanied by a walker.
- f. Report the whereabouts of any unexploded ammunition (dud and misfires) to the Range Officer, USMA Game Warden or Chief, Game Warden.
- g. Not trespass into any woodlands bordering the West Point Military Reservation, into the impact areas, dud danger zones, into areas designated off limits or into any other area closed to hunting, fishing, or trapping.
- h. Not interfere with any military activities or disturb any training devices.
- i. Not discharge longbows or firearms within 500 feet of any occupied USMA dwelling. No weapon shall be discharged so that the path of the load, bullet, or arrow passes over any public highway or within 50 feet of Rt. 9W, Rt. 6, Rt. 293, Rt. 218, Mine Torne Road, Smith Clove Road, or Mineral Springs Road.
- j. Not possess firearms in areas designated as "bow only."
- k. Not target shoot or sight-in weapons in the hunting areas. Hunters will fire only at game. Free-ranging domestic animals may not be shot by hunters.
- l. Not park their vehicles so an established road, firebreak, or gate is blocked.
- m. Not consume or be under the influence of any alcoholic beverage and/or other drugs which may impair judgment or activity while hunting, angling, or trapping at West Point.
- n. Remove all spent fishing line, bait containers, lure packaging, ammunition boxes and other trash.
- o. Hunters and fishermen who check out gate keys from Range Control have three (3) days to check the keys back into Range Control.

APPENDIX C
ELIGIBILITY PRIORITIES

PRIORITY

ELIGIBLE PERSONNEL

1. Active duty military personnel and their families assigned to the installation or directly supported by it. This includes military personnel assigned to units attached to the installation for logistical support of MWR support who have been identified in the host-tenant agreement. This includes cadets of all service academies who are assigned to West Point and military personnel of foreign nations assigned to USMA and their dependents.
2. Active duty Army personnel and their families not assigned to the installation.
3. Active duty military personnel (and their families) of other services not assigned to the installation.
4. Military personnel retired with pay and their families.
5. Medal of Honor recipients and their widows or widowers and dependents. Honorably discharged veterans of the U.S. Armed Services with 100 percent service-connected disability.
6. Active drilling Military members assigned or attached to the Ready Reserve and National Guard Units.
7. Surviving spouses of military personnel who have not remarried and their dependents.
8. Cadets of Air Force Academy, U.S. Naval Academy midshipmen, officer candidates when in active duty training status, and NROTC midshipmen only when on active duty during college vacation periods. ROTC personnel training during summer seasons.
9. DoD civilian employees (appropriated and non-appropriated fund, contract, and AAFES) and their dependents stationed in Alaska, Hawaii, and all U.S. territories and possessions, and foreign countries, who are authorized unlimited exchange.
10. DoD civilian employees (appropriated and non-appropriated fund, contract, and AAFES) and their dependents who reside on the installation and are authorized unlimited exchange privileges.
11. Military personnel of foreign nations and their dependents when authorized unlimited exchange privileges.
12. Other U.S. personnel which include members of the Coast Guard, National Oceanic and Atmospheric Administration. Environmental Science Service Administration of the U.S. Public Health Service, and paid members of the Red Cross and other such organizations assigned to or serving Armed Forces and dependents of the aforementioned, and cadets of the Coast Guard Academy.
13. Surgeons under contract to the Army.
14. DOD civilian employees (appropriated and non-appropriated fund, contract, and AAFES) employed at West Point. Former Prisoners of War (POW) and their immediate family members.
15. Guests of military personnel, dependents of DoD civilian employees (appropriated and non-appropriated fund, contract, and AAFES) employed at West Point. Retired DoD employees from West Point and their dependents.

APPENDIX C (cont'd)
ELIGIBILITY PRIORITIES

PRIORITY

ELIGIBLE PERSONNEL

16. Immediate family members spouse, son, daughter, or father, mother, brother, sister who are not dependent but are currently residing with their sponsor. Sponsor must be eligible person under conditions of categories 1 thru 7 and 9 thru 14 above.

17. Guest of West Point DoD civilians. Guests may not fish or hunt without their sponsor.

18. Members of the general public other than those covered under 1 to 17 above, holding a valid NYS Department of Environmental Conservation Deer Management Permit for the NYS Deer Management unit that West Point is within.

**APPENDIX D
OFFENSES AND AUTHORIZED ADMINISTRATIVE ACTION**

a. Violations of this regulation or violations of State and Federal fish and wildlife laws need only be proven by substantial evidence in order to impose USMA administrative actions. Consequently, the USMA administrative actions listed in subparagraphs 6-6 and 6-7 may be taken against personnel whose civil or criminal prosecutions for violations of State and Federal fish and wildlife laws resulted in acquittals if substantial evidence nevertheless exists that the violations occurred.

b. Except in the instances where a written warning had been issued previously for a USMA violation, suspension periods may be reduced or rescheduled upon recommendation of the issuing USMA Game Warden, Chief Game Warden, Military Police person, Hunt Control Officer, or Natural Resources personnel. A violation of the same nature after a written warning has been issued, however, will result in the maximum USMA suspension being imposed.

c. Multiple violations may result in consecutive suspensions.

d. All penalties include hunting and fishing privileges.

e. USMA Regulation Offenses.

<u>Regulation Paragraph(s)</u>	<u>Offense</u>	<u>USMA Admin Action Period of Suspension</u>
3-5, Appendix B	Parking in unauthorized area	Up to 30 days
2-2,2-4,2-5,3-5, 6-4, Appendix B	Failure to sign in from a hunting area	Up to 30 days
3-5, 3-8, Appendix B	Failure to wear fluorescent orange clothing	Up to 90 days
3-2 , 3-5	Failure to display USMA back-tag or parking permit	Up to 30 days
3-2, 3-4	Construction and/or use of a permanent tree stand	Up to 30 days
1-3, 1-4, 2-2,2-3,2-4, 2-5,3-2,3-3,3-4,3-5, 4-2, 4-3, Appendix B	Hunting or fishing in wrong area	Up to 90 days
1-3,1-11, 6-1, 6-5, 6-8,6-9	Hunting, Fishing or Trapping with USMA privileges suspended	2-5 License years
1-13, 6-5, Appendix A	Loaded firearm in a motor vehicle	2 License years
1-3	Hunting or fishing in a closed area or area filled to capacity	Up to one full license year
1-3, Appendix B	Littering	Up to 60 days
4-8	Boating in an unauthorized area	Remainder of season and 3 license year

<u>Regulation Paragraph(s)</u>	<u>Offense</u>	<u>USMA Admin Action Period of Suspension</u>
1-3	Failure to report kill (other than turkey, deer, or bear)	Up to 90 days
1-16, 2-2, 3-2	Entering off limits/impact area	Remainder of season and 1-5 license years
5-3, 6-4, 6-5	Trapping in wrong area	30 - 90 days
2-3	Hunting in a waterfowl area without possessing non-toxic, non-lead shot	30 - 60 days
4-4 , 4-5	Possession of fish less than USMA length limits	Up to 90 days
4-4	Exceeding USMA fish possession limits	Up to 90 days
4-8, Appendix F	Failure to have required safety equipment on board boat.	1-30 days
4-8, Appendix F	Failure to comply with USCG and/or Federal Boating Laws regarding lifejacket wear for young children.	1-30 days
4-8	Operation of a motor boat while intoxicated.	120 days to 5 years
4-8, Appendix F	Reckless operation of a motor boat	30 days to 2 years
4-8B, Appendix F	Boating in an off limits or closed lake for training.	14 - 180 days
4-8, Appendix F	Failure to obtain daily boating permit for boats over 10HP.	7 – 180 days
Appendix F	Failure to have permit on file.	30 days
Appendix F	Improper registration.	1 – 18 months
Appendix F	Skier without lifejacket or PFD	7 – 30 days

<u>Regulation Paragraphs</u>	<u>USMA Admin Action Offense</u>	<u>Period of Suspension</u>
1-3	Unauthorized target shooting	30-90 days
2-2, 3-4	Failure to accompany junior	60 - 90 days
3-8, Appendix B	Failure to accompany guest while hunting or fishing (guest privileges cease immediately)	60 - 90 days
	Killing a domestic animal	Permanent USMA Admin Action
1-10	Failure to comply with key Procedures.	1-6 months
3-4, 3-5	Failure to accompany junior archer, young small game hunter or beginning firearms big game hunter	Up to 90 days
1-14, 5-3, Appendix B	Hunting/Fishing/Trapping without West Point permit	Remainder of season and up to 5 license years
5-3	Use of a body gripping trap or leg-hold traps in an open land set	Remainder of season and one license year
3-2, 3-6	Hunting without Special Buck Pass	Remainder of season and 2-5 license years
	Failure to comply with the requirements stipulated on USMA Trapping Permit.	Remainder of season and one license year.
1-3, Appendix B	Hunting/fishing/trapping under the influence of intoxicants	Remainder of season and 5 license years
1-11,6-5,6-6, 6-7,6-8,6-9	Habitual violators (accumulation of three citations during a 365 day period)	Remainder of season and 1-3 license years
1-3, Appendix B	Failure to comply with a law enforcement official's reasonable and proper order including, but not limited to, orders to produce license or	Remainder of season and 1-3 license years

<u>Regulation Paragraph(s)</u>	<u>Offense</u>	<u>USMA Admin Action Period of Suspension</u>
	wildlife for inspection, and orders to cease firing, hunting, or trapping.	
4-3	Persons failing to properly sign out of a training area or lake for fishing and obtain a key for access.	6 months suspension of fishing privileges.
4-4, 4-5	Failure to report fish catch	Up to 90 days
Appendix B	Failure to return gate keys in 3 days	Up to one (1) full years Suspension
1	Failure to report deer, bear, or turkey kill	Remainder of season + license year
	Firing weapon within 500 ft from dwelling	Remainder of season + 1 license year
	Firearm hunting in a bow only area	Remainder of season + 3 license years
	Firing at a domestic animal	Remainder of season + 3 license years
	Exceeding trapping quota	1 calendar year
	Use of a cubby dr den set body in excess of 4.5"	30 – 60 days
	Use of a cubby dr den set body in excess of 15' from water	30 – 60 days
Appendix B 2-2	Failure to properly fill out hunting sheets	Up to 30 days
	Returning later than posted time at Range Control	Up to 90 days

APPENDIX E
NYS ENVIRONMENTAL CONSERVATION LAW OFFENSES

Violations below will also be referred to the local NYS Environmental Conservation Officer.

<u>ECL Paragraph</u>	<u>Offense</u>	<u>Actions Taken By the State of New York</u>
11-0110	Interference with the lawful taking of wildlife	Up to 120 days
11-0705	Failure to carry NYS license or stamp	Up to 90 days
11-0905	Exceeding daily bag limit for small-game	Up to 90 days
11-0911	Failure to transport deer in the prescribed manner	Up to 30 days
11-1101	Use of a trap within 5 feet from a beaver den or house	Up to 60 days
11-1203	Hunting while intoxicated or ability impaired by drugs	Remainder of season and 1 license year
11-1303	Exceeding the daily bag limit for fish; taking fish below the size limit	Up to 90 days
11-1307	Failure to mark tip-ups with name and address	Up to 120 days
11-1913	Failure to tag fish from a fishing preserve	Up to 30 days
11-0503	Use of salt lick	Remainder of season and 5 license years
11-0503	Disturbing a beaver dam, den or house	Remainder of season and 5 license years
11-0931	Loaded weapon in motor vehicle	Remainder of season and 1 license year
11-0931	Discharge of a firearm or bow so that the load or arrow passes over a public highway	Remainder of season and 1 license year
11-0931	Discharge of a firearm or bow within 500 feet of an occupied dwelling, school, or playground	Remainder of season and 1 license year

ECL Paragraph	Offense	Actions Taken By the State of New York
11-0031	Possession of a firearm while bowhunting during the archery season	Remainder of season and 1 license year
11-1321	Use of explosive to take fish	Remainder of season and 1 license year
11-0901	Hunting deer or bear with a shotgun less than 20 gauge	Remainder of season and 1 license year
11-0901	Hunting deer or bear with shotgun shells other than shells carrying a single ball or slug	Remainder of season and 1 license year
11-0901	Hunting deer or bear with aid of a pre-established bait pile	Remainder of season and 5 license years
11-0901	Taking raccoons by cutting den trees	Remainder of season and 1 license year
11-0901	Taking a protected species for which no open season is established or for which the season is closed	Up to 1 license year
11-0901	Taking water fowl or upland game birds with the aid of baiting or over any baited area	Remainder of season and 1 license year
11-0507	Stocking fish without a permit	Remainder of season and 1 license year
11-0901	Hunting from a motor vehicle	Remainder of season and 5 license years
11-0901	Taking wildlife from or on a public highway	Remainder of season and 1 license year
11-0901	Taking wildlife with a crossbow	Remainder of season and 1 license year
11-0901	Hunting deer or bear with the aid of a light	Permanent Revocation

<u>ECL Paragraph</u>	<u>Offense</u>	<u>Actions Taken By the State of New York</u>
11-0901	Hunting deer or bear with a pistol, revolver or rifle using rimfire ammunition	Permanent Revocation
11-0931	Possession of slug or single ball shotgun shells during the deer season by a person without a valid deer permit or license	Remainder of season and 1 license year
11-0901	Failure to wear back tag	Up to 90 days
11-0901	Hunting and/or taking a species outside of an open season, permitted hours, or by permitted methods.	Up to 90 days

APPENDIX F

STANDARD OPERATING PROCEDURES (SOP) POWER BOATING LAKE STILWELL AND POPOLOPEN LAKE

1. PURPOSE: This SOP sets forth the rules and regulations for the operation of power boats and jet skis on Lake Stilwell and Popolopen Lake.

2. RESPONSIBILITY:

a. Both the Chief, Community Recreation, and Range Control game warden are responsible to make periodic checks to insure compliance with the provisions of this SOP, US Coast Guard (USCG) rules and that New York State Marine Safety requirements are met.

b. DHPW is responsible for repairs and maintenance IAW AR 210-55, AR 420 and USMA Regulations 420-1 and 420-11.

c. DOPS and 1-1 INF Range Control will provide dates of availability to the AG for inclusion in Daily Bulletin.

3. POLICIES AND PROCEDURES:

a. Eligibility: Active duty military personnel assigned to or stationed at West Point and their family members have priority and may obtain boat permits up to 72 hours, and other category of personnel may make reservations on a first-come, first-serve basis.

b. Program will be conducted 1 May through 30 October from 0800 to 2000.

c. Permits are required for power boats 10 horsepower or more and all jet skis. Permits will be issued at the Round Pond Registration Office. Only five permits will be issued at a time for Stilwell Lake and two for Popolopen Lake. Permits are to be returned to Round Pond as soon as individuals are finished. Permits will be issued on a first-come, first served basis. Only one permit will be issued to an individual.

d. All personnel who wish to use Lake Stilwell must have a registration card on file at Round Pond. The registration card will have the following information: Owner's name, address, work and home phone numbers, boat make, color and serial number, and motor make and serial number. Primary tow car for boat.

e. All boats must be properly registered.

f. Safety rules in paragraph 4 below will be followed.

g. Policing (keeping areas clean) rules in paragraph 5 below will be followed.

h. Restrictions: Personnel bringing pets to Popolopen Lake or Lake Stilwell area will not allow them to swim in the lake. Pets should be kept in cars or on a leash.

i. Lake Stilwell is not an authorized beach or swimming area. Water skiers are the exception to this rule.

4. SAFETY RULES:

Individuals desiring the use of Lake Stilwell water for water skiing will be required to comply with the following rules:

- a. At least two persons must be in the boat, one driving and one facing the rear of the boat watching the skier(s).
- b. Boats will be operated in a counter-clockwise direction around the lake
- c. Boat operators will not zigzag or cut across the path of other boats. Operators will operate their craft at a safe distance behind other boats towing skiers (approximately 150 feet minimum). In the event a skier should fall into the water, boats following will use extreme caution going around the fallen skier.
- d. All boats will have the necessary safety equipment aboard in compliance with current USCG rules. There shall be one USCG approved life preserver for each person in each boat. This applies to all types of boats authorized on the lakes.
- e. All skiers will wear a life preserver (approved USCG design).

5. Policing:

- a. Personnel using the area will not deposit litter or waste material in the water. Personnel observing any infractions of the rules outlined above are required to pass particulars on as quickly as possible to the Range Control.
- b. Of particular concern is the potential spillage of oil and gasoline mixtures. The presence of hydrocarbon residuals imparts severe tastes and odors to drinking water. If a petroleum spill occurs it must be reported to the West Point Fire Department at 911.
- c. Violations of safety rules and their resulting administrative actions are covered in Appendix D.