



DEPARTMENT OF THE ARMY
DEVENS RESERVE FORCES TRAINING
AREA 31 QUEBEC STREET DEVENS,
MASSACHUSETTS 01434-4424

16 October 2024

DEVENS RESERVE FORCES TRAINING AREA HUNTER STANDARD OPERATING PROCEDURE HUNTING PROGRAM

1) PURPOSE: The purpose of this hunting Standard Operating Procedure (SOP) document is to establish hunter specific policies and registration procedures for hunting access on Devens Reserve Forces Training Area ("RFTA").

2) REFERENCES:

- a. 16 USC §670, as amended (Sikes Act)
- b. AR 200-1, Environmental Protection and Enhancement, 2007
- c. Fort Devens Reg. 350-3, Sustainable Range Program, 2017
- d. MGL Chapter 140 §129C
- e. MGL Chapter 131 §36
- f. 321 CMR 3.00
- g. MGL Chapter 21 §17C
- h. AR 190-11 Physical Security of Arms, Ammunition and Explosives
- i. AR 190-13 The Army Physical Security Program
- j. DODI 4715.03

3) APPLICABILITY:

This SOP applies to all persons that hunt, or desire to hunt, on Devens RFTA property. This SOP shall remain in effect until formally revised or withdrawn notwithstanding any change to the Garrison's formal name (e.g., Fort Devens vs. Devens Reserve Forces Training Area) or organization (e.g., Army vs. Army Reserve). This SOP supersedes the previous hunting SOP dated Sep 26, 2018 as it applies to hunters.

4) Hunters and Prospective Hunters:

Hunters and Prospective Hunters ("hunters" or "participants") must acknowledge and appreciate that participation in the Hunting Program is a privilege, not a right, and always act accordingly. Specific duties include:

- a. Do not access, or attempt to access, Devens RFTA property without proper authorization.
- b. Obtain and maintain all permits, licenses, stamps, etc., required by MA and Devens RFTA hunting and gun laws/regulations.
- c. Submit a complete and accurate registration application in person to the DoD Police (47 Quebec Street, Devens, MA) by the date specified in the Letter of Instruction (LOI)

for the season in which the participant desires to hunt. **New applications are required each season.** Bring a government-issued photo ID, MA hunting license, all applicable documentation of firearm ownership (LTC, FID card, etc.), and, if applicable, a military ID. All weapons (firearms and bows) that will be used to hunt on the Garrison must also be present at the time of registration for serial number verification.

- d. Comply with the Garrison's process for authorizing participants to hunt on the available days (see **ACCESS**). Do not attempt to hunt on the Garrison without proper authorization.
- e. If you are a non-military ID bearing civilian: you must acquire an access pass by filling out the Request for Fort Devens Access Control, Visitors Pass which permits unescorted entry. This must be turned into the Main Post Access Control Point. This must be completed at least 48 hours prior to your authorized hunt(s).
- f. Check in with Range Control before each authorized hunting day, at the start time stated in the LOI, to receive a safety briefing and Training Area assignment. Comply with all requests from DOD-Police to verify your identity and weapon.
- g. Bring only one DOD Police-verified weapon (firearm or bow) onto South Post, hunt only within the assigned area, and park only in designated spots.
- h. Demonstrate courtesy and respect to all Garrison staff, the Command, law enforcement, and fellow hunters while participating in the Program.
- i. Know, understand, and adhere to all local, state, and federal hunting and gun laws/ regulations while participating in the Program.
- j. Follow all Program-specific rules described in this SOP and current LOI.
- k. Check out with Range Control after each hunting day no later than the end time stated in the LOI. Report harvested game to Range Control/Natural Resources and the state.

5) RESTRICTIONS:

Program participation is limited to adults 18 years and older. Authorized participants may bring one accompanying minor child aged 12 to 17, but they will observe a single bag limit and share a single firearm/bow. The accompanying minor child must be identified on the registration application. Children under age 12 are not permitted to accompany an authorized hunter.

6) ACCESS:

Specific registration instructions will be included in each LOI, which will be posted on the Garrison website and distributed directly to prospective program participants via mail or email as appropriate. Registration for a hunting season is an expression of interest and does not guarantee access to hunt Devens RFTA. The Garrison Commander and his/her authorized representatives reserve the right to refuse entry to any person at any time and for any reason.

- a. Authorization to hunt on Devens RFTA property shall be equitably and impartially allocated each season by the Environmental Division in accordance with the lottery system described below. At least five calendar days prior to the first general hunt, Environmental Division will notify participants of their authorized day(s) for the given season. Total allotted hunters and slots are subject to change each season dependent on days available, acreage, safety, training, and wildlife management.
- i. 40% of slots in any given hunt will be made available to current service members, military retirees and veterans (any former service member of U.S. Armed Forces discharged under favorable conditions) on a first-come, first-served basis.
- ii. 40% of slots in any given hunt will first be made available to the general public on a first-come, first-served basis.
- iii. Any remaining slots available will be drafted through a lottery system.
- iv. Max 100 hunters authorized per season. Max may vary depending on personnel available to staff program. If max is hit priority will be given to hunters who have hunted Devens in the last 3 years over new hunters to Devens.

7) Specific References to allow for public access:

- a. "In developing facilities and conducting programs for public outdoor recreation at military installations, consistent with the primary military mission of the installations, the Secretary of Defense shall ensure, to the extent reasonably practicable, that outdoor recreation opportunities (including fishing, hunting, trapping, wildlife viewing, boating, and camping) made available to the public (Sikes Act sec. 101)."
- b. "Subject to safety requirements and military security, public access to military installations to facilitate the use (Sikes Act sec. 101)."
- c. "Membership in any installation club or organization will not give members priority in participating in hunting, fishing programs, or other consumptive and non-consumptive outdoor recreation opportunities (DoDI 4715.03)."
- d. "DoD lands, waters, and coastal resources shall be made available to the public for the educational or recreational use of natural resources when such access is compatible with military mission activities, ecosystem sustainability, and with other considerations such as security, safety, and fiscal soundness (DoDI 4715.03)."
- e. "DoD installations shall be available to the public for hunting where such programs exist and when not in conflict with mission or environmental and natural resources conservation program goals. Opportunities for public access shall be equitably and impartially allocated consistent with the parameters outlined herein (DoDI 4715.03)."

8) Violations and Penalties

- a. Information. All federal and state laws concerning the harvest of fish and wildlife

apply to all persons on Devens RFTA regardless of the purpose of entry onto the Garrison. In addition, the Garrison Commander has prescribed special regulations for persons using government lands and facilities.

- b. Authority. Law enforcement personnel may detain, issue summons or arrest persons suspected of violating federal, state, or Devens RFTA regulations. Accounts will be suspended, and privileges revoked (Administrative Suspension), until the incident is resolved. Personnel operating the game checking station are authorized to take temporary custody of illegal wildlife brought to the game check station until law enforcement personnel arrive.
- c. Violations of Federal and State Laws. Law enforcement personnel may detain, arrest, or issue a Federal Court Violation Summons (DD Form 1805) to any persons suspected of violating federal and/or state fish and game laws. Summons may require a mandatory court appearance or may provide for a collateral forfeiture (fine) to be paid in lieu of coming to court to contest the charge(s). In addition, persons are subject to other administrative actions. All recreational privileges will be temporally suspended pending final adjudication of any matters referred to the US Attorney's Office.
- d. Administrative Actions. Persons who violate Devens RFTA laws and regulations are subject to administrative actions including permanent barring from and/or having their recreational privileges at Devens RFTA permanently revoked. Table 6 will be used as a general guide in determining the length of a persons' suspension. Suspensions may vary due to circumstances and severity. Repeated violations will also be factored in from prior seasons. In addition, if violations occur at the end of the season suspensions will carry over to the following season.

Table 1: Violation of State law, Federal law, Letter of Instruction or local directive with associated Administrative Action

Violation	Administrative Action
Discharging a firearm from a vehicle or an unauthorized road	Permanent Revocation
Driving under the Influence (DUI) or possession of illegal substance	Permanent Revocation
Recreating while under the influence of intoxicants	Permanent Revocation
Hunting with unauthorized weapon or ammunition	Permanent Revocation
Unauthorized trapping	Permanent Revocation
Taking or attempting to take game illegally or hunting out of season	Permanent Revocation
Hunting with or over bait	Permanent Revocation
Failure to obey law enforcement officer or submit to legal search or inspection	Permanent Revocation
Making a false statement to obtain permit and/or area assignment	Permanent Revocation
Recreating in an off limits, restricted area, or impact area	Permanent Revocation
Unauthorized use of permit or automated system	Permanent Revocation

Spotlighting	Permanent Revocation
Trespassing on Federal property	Permanent Revocation
Collection of historical artifacts	Permanent Revocation
Illegal take of state or federally protected species	Permanent Revocation
Purposely failing to retrieve harvested game (Wanton waste)	Permanent Revocation
Harassing of any authorized persons on Devens RFTA	Permanent Revocation
Failure to check in big game	Permanent Revocation
Drive hunting or use of dogs for deer	Permanent Revocation
Transporting loaded weapon in vehicle or a Hunting Safety Buffer	Permanent Revocation
Unauthorized photography to include trail cameras	Permanent Revocation
Recreating in area closed to recreation	Permanent Revocation
Failure to register weapon(s)	Permanent Revocation
Discharging or having a loaded weapon before or after legal shooting hours	Permanent Revocation
Discharging a weapon within/into a Hunting Safety Buffer	Permanent Revocation
Bag limit violation	2 Year Suspension
Recreating/Parking outside of assigned area	Permanent Revocation
Bypassing roadblock, cable or gate in a vehicle	Permanent Revocation
Recreating without valid permit or license	Permanent Revocation
Unauthorized use of any vehicle	6 Month Suspension
Unauthorized driving/parking on non-recreational roads	3-7 Hunt Day Suspension
Littering or dumping	Permanent Revocation
Failure to wear blaze orange/pink	1 Year Suspension
Failure to report required game harvest	7 Hunt Day Suspension
Failure to properly tag game prior to transportation	3-5 Hunt Day Suspension
Unsportsmanlike or disruptive conduct	3-5 Hunt Day Suspension
Parking more than 15yds (14 meters) from any authorized road.	1-3 Hunt Day Suspension
Failure to remove treestands or blinds	3-7 Hunt Day Suspension
Failure to complete check-in/out procedures (1st offense)	2 Hunt Day Suspension
Failure to complete check-in/out procedures (2nd offense)	3 Hunt Day Suspension
Failure to complete check-in/out procedures (3rd and subsequent offense)	7 Hunt Day Suspension
Failure to hunting pass on vehicle dash (1st offense)	Issued Warning
Failure to hunting pass on vehicle dash (2nd and subsequent offense)	3 Hunt Day Suspension

9) Hunting, Fishing, and Trapping Review Board (HFTRB)

- a. Purpose
 - i. The HFTRB reviews major hunting, fishing, and trapping offenses and violations of (to include, but not limited to) Devens RFTA policies, memoranda, and all local, state, and federal laws. The HFTRB is comprised of representatives from DPW, DES and Range Control (optional).
 - ii. The HFTRB may recommend changes to the status of a participant's privileges on the Devens RFTA military installation. The Garrison Commander has the authority to take those actions necessary to maintain morale, welfare, and safety on Devens RFTA. The Garrison Commander's authority includes the power to restrict or deny on-post privileges to participants who commit offenses and/or violations on Devens RFTA. In this regard, the Garrison Commander delegates his/her decision authority to the DPW and the Directorate of Emergency Services. The HFTRB will review offenses and violations and make a written recommendation on privilege restriction and/or status change to the acting DES Director, DPW Director or Natural Resources Manager (NRM) who will then make the final decision and notify the participant.
 - iii. DPW and DES are authorized to suspend participants on the spot for violations and/or offenses. DPW will assign suspensions verbally or via email and prohibit access.
- b. Minor Violation/Offense
 - i. Minor violations/offense include, but are not limited to, violations of regulations; parking vehicles in an unauthorized area; failing to display properly a hunting pass; failing to sign in or out from a slot by the required time; failing to provide current information for registration; failing to report promptly and accurate fish and game harvest data.
 - ii. Minor violations/offenses may warrant automatic suspensions and length of the suspension will vary based on the circumstances of the minor violation and/or offense. The DPW- Natural Resources Branch and the DES may suspend participants for minor violations and offenses without involving the HFTRB process.
 - iii. Participants may request that a minor violation be reviewed by the HFTRB. If this request is granted, the HFTRB process would start at phase three (see section d. Process).
- c. Major Violations and or Offenses:
 - i. Major regulation violations and or criminal offenses include, but are not limited to, any criminal act; Two minor offenses in a 24-month period; but not limited to: Trespassing in closed/restricted areas and/or aiding unauthorized trespass of others; or any conduct that would question the integrity of the commanders hunting program, conduct that is known or should be known to be counter to good order and discipline and/or Unsafe.
- d. Process Major Violations
 - i. PHASE 1: Participant Notification - The DPW- Natural Resources Branch

and/or the Conservation Law Enforcement will provide notice of the alleged major violation and/or offense to the participant, at which time the participant will be placed on **administrative suspension and suspended indefinitely**. The participant will be notified via email electronic message of the nature of their violation and/or offense. The participant may submit a written rebuttal within 15 days of notification to the Hunting Trapping Fishing Review Board (HFTRB). The HFTRB can be bypassed for safety or OPSEC.

- ii. PHASE 2: HFTRB Notification - The DPW-Natural Resources Branch and/or the Conservation Law Enforcement will notify the HFTRB that a major violation and/or offense has been committed and a rebuttal may be submitted for consideration and adjudication.
- iii. PHASE 3: The Written Rebuttal – Submit written rebuttal to via email to drftaenvironmental@army.mil. The rebuttal must be received by the HFTRB within 15 calendar days of notice. Rebuttals received outside the 15-day window will not be considered during the adjudication process. If a rebuttal is not provided to the HFTRB by the participant within 15 calendar days of official notice, the HFTRB will proceed in making a final recommendation to the acting DES Director, DPW Director or NRM.
- iv. PHASE 4: HFTRB Discussion - All members of the HFTRB (or their representatives) will meet to discuss the received written rebuttals, as needed. The HFTRB will review all facts, documents, statements and evaluate mitigating and aggravating factors prior to voting. To determine if a major violation or offense has been committed, the HFTRB will use a preponderance of the evidence standard.
- v. PHASE 5: Written Recommendation - Upon a majority vote the recommendation of the HFTRB will be submitted to the DES Director, DPW director or NRM.
- vi. PHASE 6: Final Decision - The DES Director, DPW director or NRM will render a final decision within 10 days of the HFTRB recommendation. Command if needed can also review remediations and render a final decision if needed. The participant will be notified of the final decision in writing via US Mail or email address on file.
- vii. PHASE 7: The Appeal - The participant may appeal the final decision of the HFTRB by appealing in writing to the Garrison Commander Headquarters 31 Quebec Street, Devens, 01434-4424, within 15 days of receipt of the final decision.
- viii. The participant may reappeal after 3 years to the Garrison Commander if their revocation of privileges is upheld and longer than 3 years.

10) Additional Hunting Program Information:

This SOP supersedes all previous Hunter SOP's, and the latest SOP dated 16, October 2022. For general questions about the program, please contact Kyle Crafts, Natural Resources Manager, via email DRFTAEnvironmental@army.mil, or by phone at 978- 615-6551. For firearm registration-specific questions or to set-up an appointment, contact the DoD Police Lieutenant, 978-615-6848.