

DEPARTMENT OF THE ARMY INSTALLATION MANAGEMENT COMMAND HEADQUARTERS U.S. ARMY GARRISON FORT WAINWRIGHT 1060 GAFFNEY ROAD #7230 FORT WAINWRIGHT, ALASKA 99703-7230

IMFW-ESP

16 January 2020

MEMORANDUM FOR RECORD

SUBJECT: Standard Operating Procedure #23 – Conservation

1. References:

- a. AR 190-45, Law Enforcement Reporting, 27 September 2016
- b. AR 190-56, Army Civilian Police and Security, 15 March 2013
- c. AR 200-1, Environmental Protection and Enhancement, 13 December 2007
- d. DODI 5525.17 Department of Defense Conservation Law Enforcement Program (CLEP), 29 June 2018
- e. DODI 4715.03 Department of Defense Integrated Natural Resources Management Plan (INRMP) Implementation Manual, 05 October 2017
- f. DODI 5525.15 Department of Defense Law Enforcement (LE) Standards and Training in the DOD, 29 June 2018
- g. USARAK REG 185-1, All Terrain Vehicle and Snow Machine Safety Requirements
- h. USAGFWA 190-13, Outdoor Recreation, Conservation, and Natural Resources Policies and Enforcement on Fort Wainwright/Installation Lands and Waters, 12 October 2018
 - i. Fort Wainwright Integrated Natural Resource Management Plan
 - j. Fort Wainwright Integrated Cultural Resource Management Plan
 - k. Federal Natural Resources Laws and Regulations
 - I. Alaska Administrative Code (AAC)
 - m. Alaska Statute (AS)

- 2. <u>Purpose:</u> To establish guidelines for the conduct of personnel assigned to the Department's Conservation Enforcement Section.
- 3. <u>General.</u> It is the policy of the Department to maintain a pro-active Conservation Enforcement Section, which will enforce various Fort Wainwright regulations, the Fort Wainwright Integrated National Resources Management and Cultural Resources Plans, Alaska Administrative Code (AAC), Alaska Statute (AS), Code of Federal Regulations (CFR), and the Uniform Code of Military Justice (UCMJ) while patrolling the Fort Wainwright Military Installation. Conservation Officers will enforce criminal, natural, cultural, and environmental laws. Effective law enforcement is critical to natural resources conservation and the continuance of hunting, trapping, and fishing programs on a sustained basis.
- 4. Conservation Officers will employ a community-based policing approach. Conservation Officers serve the public and will use discretion in their enforcement of policies, regulations, and statutes. Education is the preferred method of correction for inadvertent violations; however, officers always have the discretion to select the appropriate action based upon their assessment of the individual(s) and situation.
- 5. Fort Wainwright is located in central Alaska, north of the Alaska Range in the Tanana River Valley. The Post lies 120 miles south of the Arctic Circle near the cities of Fairbanks and North Pole in interior Alaska in the Fairbanks North Star Borough (FNSB). The installation consists of the Main Post, Tanana Flats Training Area (TFTA), Yukon Training Area (YTA), Donnelly Training Area (DTA), Gerstle River Training Area, Black Rapids Training Area, Whistler Creek Training Area, and Dyke Range. Fort Wainwright is the fourth largest Army training area in the United States.
- a. <u>Main Post:</u> Main Post is two miles east of central Fairbanks on the Chena and Tanana rivers. It contains the cantonment area and small arms range complex. The Main Post occupies approximately 13,000 acres.
- b. <u>Tanana Flats Training Area:</u> The Tanana Flats Training Area (TFTA) is located south of the Tanana River from Fort Wainwright. This area contains approximately 630,000 acres of land and is bordered on the north and east by the Tanana River, on the west by the Wood River, and on the south by the 34° grid line.
- c. <u>Yukon Training Area:</u> The Yukon Training Area (YTA) is 16 miles east-southeast of Fairbanks, adjacent to Eielson Air Force Base. The YTA is roughly rectangular, stretching 28 miles east-to-west and 17.5 miles north-to-south. The YTA encompasses much of the land between the Chena and Salcha rivers, northeast of the Richardson Highway, and is approximately 260,000 acres in size. The Chena River State Recreation Area lies adjacent to YTA's northern boundary and is managed for public recreation. Eielson Air Force Base (AFB) adjoins the western boundary of the YTA. The Tanana Valley State Forest lies north of Fort Wainwright with private and FNSB-owned land parcels to the south. Parcels of native-owned land also border Fort Wainwright.

- d. Donnelly Training Area: Donnelly Training Area (DTA) is located 107 road miles southeast of Fairbanks and six road miles south of the junction of the Alaska and Richardson highways. The training area lies within the central valley and hill area, bordered by the Brooks Mountain Range to the north and the Alaska Range to the south. The entire region lies within the Tanana River Valley. Donnelly Training Area is a sub-training area of Fort Wainwright. Donnelly Training Area consists of two large training areas. Donnelly West Training Area (approximately 531,000 acres) and Donnelly East Training Area (approximately 93,000 acres). The Donnelly West Training Area lies between the east bank of the Delta River and east bank of the Little Delta River. Northern and southern boundaries are two northwest-southeast diagonal lines varying from a little over twenty miles apart in the east to about thirty-five miles apart in the west. The Delta River flows northward along the eastern boundary of the Donnelly West Training Area. The Donnelly East Training Area is located from the eastern bank of the Delta River to Granite Creek on the west. The northern boundary roughly parallels the Alaska Highway, and the southern boundary is in the foothills of the Alaska Range, on a line between Granite Mountain and Donnelly Dome. The Black Rapids Training Area (approximately 4212 acres) and Whistler Creek Training Area (approximately 543 acres) are south of the Donnelly Training Area and east of the Richardson Highway. Neighboring Tribes include the Healy Lake Traditional Council, Dot Lake Village Council, and the Tanacross Village Council. These represent the nearest federally recognized Indian Tribes that have ties to the Fort Greely and Donnelly Training Area-associated lands. Other Upper Tanana Tribes are also affiliated with the area through familial relationships.
- e. <u>Gerstle River Training Area:</u> The 19,000-acre Gerstle River Training Area (GRTA) lies between the Granite Mountains and Gerstle River, about three miles south of the Alaska Highway; the rectangular area is oriented northwest to southeast and measures about five miles, north to south, and nine miles, east to west.
- 6. Chain of Command.
 - a. Director of Emergency Services
 - b. Chief of Police
 - c. Patrol Captain
- 7. The daily duties of the Conservation Officers are contingent on various hunting and fishing seasons, weather, special commitments, programs, and tasks.
- a. Responsible for the enforcement of all fish, wildlife, natural, cultural, and environmental incidents on Fort Wainwright in accordance with applicable laws, regulations, and policies. Other personnel working outside the Conservation Enforcement section should, when appropriate, take enforcement action when they observe a violation of any fish, wildlife, natural resource, or environmental law.

- b. Ensures compliance of applicable Federal, State and Military regulations, laws, and policies within the installations training areas and will provide a full range of police services with special emphasis on Conservation Law. However, in times of emergency the Desk Sergeant or dispatcher may dispatch a Conservation Officer to events or incidents where an additional patrol is needed. These rare calls will be responded to immediately.
- c. Enforcement activities include but are not limited to: harvested fish and game inspections, vehicle checks, weapon checks, USARAK recreational access permits and Alaska license checks, trap line inspections, black bear bait site inspections, installation perimeter inspections, search and rescue/recovery operations, and overt and covert operations and investigations. Additionally, Conservation Officers will investigate a multitude of trespassing incidents on ranges, training areas, and trespass structures.
- d. Patrol Fort Wainwright lands by means of 4WD vehicles, ATVs, snow machines, boats, and aircraft.
- e. Participate in local public outreach events to educate the public on regulations and policies governing the use of military training lands for recreational use.
 - f. Act as a patrol force in the training areas, remote areas, and waterways.
- g. Provide informational assistance to all hunters and fishermen, both civilian and military, in the identification of hunting/fishing areas.
- h. Dispatch diseased or injured animals and those animals that pose a threat to the environment or population of FWA. Responsible for ensuring the proper salvage of animals suitable for human consumption and coordinating release of salvageable and/or salvaged meat to the Alaska Wildlife Troopers or persons/charities designed by the troopers.
 - i. Serve as liaison to local, state, and federal fish and wildlife authorities
- j. Will notify the DPW Environmental/ Natural Resources office of information pertaining to but not limited to: injured wildlife, nuisance wildlife, unusual wildlife behaviors, trespass structures, hazardous material spills, unregistered trap lines, and unregistered black bear bait stations.
- k. Conservation Officers, during their normal performance of duties, should observe or enforce the following:
 - (1) Ranges and equipment for break-in, theft, or vandalism.
 - (2) Digging, theft, or damage to archeological sites.

- (3) Timber theft, illegal wood cutting, and woodcutting permits.
- (4) Isolated areas that may be used for growing marijuana or other drug operations.
- (5) All-Terrain Vehicle (ATV) and Off Road Vehicles (ORV) operation in closed/prohibited areas.
 - (6) Animal road kills.
 - (7) Trash dumping.
- I. During duty, Conservation Officers should be especially mindful of the environment; careful observations, written reports, and/or notifications to proper agencies should be given for:
 - (1) Downed trees on roadways.
 - (2) Hazardous Materials Spills.
 - (3) Roadway erosion.
 - (4) River or water pollution.
 - (5) Diseased Wildlife.
- 8. These areas of concern are not all encompassing. Conservation Officer's will enforce all observed violations whether or not they are related to fish and wildlife.
- 9. The Directorate of Public Works (DPW) Environmental Division will be notified of all incidents involving wildlife. During normal duty hours, the on duty Conservation Officer will notify the Desk Sergeant and the DPW Environmental Division. After duty hours, the on duty Conservation Officer will notify the SCO who will make the notification the following duty day. If the incident is an emergency/urgent the SCO will be notified and will notify the DPW Environmental Division immediately.
- a. The Conservation Enforcement Section should notify the DPW- Conservation Branch involving the following situations:
 - (1) Traffic accidents involving moose or bear.
 - (2) Incidents involving endangered or protected species.
- (3) Incidents involving potentially dangerous or nuisance wildlife situations (i.e., bear in the cantonment area, moose trapped in a motor pool, etc.).

- (4) Unregistered trap lines.
- (5) Unregistered bear bait stations.
- b. The Conservation Enforcement Section should notify Shaw-Pest Control involving the following situations:
 - (1) Nuisance varmints and non-domestic situations.
 - (2) Varmints trapped in buildings.
- c. The Conservation Enforcement Section should notify DPW-Environmental-Compliance Branch involving the following situations:
 - (1) Unlawful disposal of contaminates and waste.
 - (2) Hazardous material spills.
- d. The Conservation Enforcement Section should notify DPW-Cultural Resources involving the following situations:
 - (1) Damage to historical sites.
 - (2) Unlawful digging.
 - (3) Theft from historical/archeological sites.
- 10. Case Preparation for Civilian Offenders and Military Offenders.
- a. Cases involving civilian subjects will be processed through the JAG office. Civilian offenders of fish and wildlife crimes or minor misdemeanor crimes that are contacted in training areas will be processed in the field through a "paper arrest".
- b. Conservation Officers will collect a USARAK Form 430, a sworn statement, a DA Form 4137, relevant evidence, and any other applicable paperwork.
 - c. CVNs and/or 1408s will be issued for applicable violations.
 - d. Provide offenders with CVNs and/or 1408s for applicable violations.
 - e. Complete d. Complete the DA Form 3975 and an investigators statement.
- 11. Evidence Processing and Accountability.

- a. Guns, traps, nets, fishing tackle, boats, aircraft, automobiles, other vehicles, sleds, and other paraphernalia used in or in aid of a violation of state or federal law may be seized under a valid search, and all fish and game, or parts of fish and game, or nests or eggs of birds, taken, transported, or possessed contrary to state or federal law shall be seized by any Conservation Officer or Police Officer. Upon conviction of the offender or upon judgment of the court having jurisdiction that the item was taken, transported, or possessed in violation, all fish and game, or parts of them are forfeited to the state and shall be disposed of as directed by the court. Guns, traps, nets, fishing tackle, boats, aircraft, or other vehicles, sleds, and other paraphernalia seized under state or federal law, unless forfeited by order of the court, shall be returned, after completion of the case and payment of the fine, if any.
- b. All evidence will be accounted for and documented on a DA Form 4137 and promptly turned into the evidence custodian.
- c. Fish and game or parts of fish and game that are taken in violation of a state or federal law will be seized and may be donated to a charity organization for salvage.
- d. If fish or game is to be donated, the Conservation Officer will call the local Alaska State Trooper's office and have the dispatcher coordinate with a charity or the Conservation Officer can directly contact the organization to coordinate pick up. If the fish or meat is in game bags, the game bags will be given to the charity organization along with the fish or meat. The Conservation Officer will record the name of the charity organization and the person whom received the meat. All information will be annotated in the Investigator's Statement and on the Military Police Report (MPR).
- e. Found Property will be accounted for and documented on a DA Form 4137 and promptly turned into the evidence custodian.
- f. Conservation Officers ensure that the chain of custody has not been broken and that the evidence is safeguarded in an area that will prevent it from being compromised by mishandling or over-handling.
- 12. Uniform Standards for Conservation Officers.
- a. Conservation Officers will wear a short or long sleeve Twill Class B in tan with brown trousers and a belt. Plain black or brown patrol boots will be worn with this uniform. Wear of the brown straw campaign hat and brown or black ball cap is authorized.
 - b. Conservation officers will wear cold and wet weather gear as appropriate.
- c. Hip waders or black muck boots will be worn in place of the black or brown Patrol boots when appropriate for terrain and conditions.

- d. Special cold weather gear will be purchased and provided by management.
- 13. Patrol Paperwork Requirements.
- a. Conservation Officers at times will process offenders through a "paper arrest" and release them on their own recognizance in the field, so it is important that Conservation Officers have in their possession all required paperwork to document and process violations and crimes.
- b. Minimum paperwork requirements include USARAK Form 430, DA Form 2823, DA Form 4137, CVNs, DD Form 1408, DA Form 3881, and abandoned vehicle notices.
- c. Conservation Officers will have current copies of the Alaska Department of Fish and Game fishing, hunting, waterfowl, and trapping regulations in their possession.
- d. Conservation Officers will have Fish and Wildlife violation, traffic violation, and criminal quick reference guides in their possession.
- 14. Conservation Officer Specialized Patrol Equipment.
- a. Specialized equipment is necessary to successfully and effectively perform Conservation enforcement functions. Equipment requirements are dependent upon the season, weather, mode of conveyance, length of time in the field, and terrain the Conservation Officer is performing in.
- b. Basic equipment requirements include binoculars, digital camera, maps, digital recorder, GPS system, Delorme InReach Satellite Communicator, insect repellant, tow straps, come-along, measuring tape, personal hygiene items, folding pocket knife, folding multi-tool, and bear spray deterrent.
- c. Conservation Officers will receive training before using specialized equipment. Specifically, conservation officers will be trained on:
 - (1) The use of tow straps, winches, and come-alongs during vehicle recovery.
- (2) The use of the Delorme InReach Satellite Communicator. Conservation Officers must be in possession of their assigned InReach at all times while on duty. The device must be fully charged and turned on, with tracking enabled, at all times. Devices will only be used for official communication.
 - (3) The use of tree stands and climbing devices.
- 15. Radios, Firearms, Ammunition, and Accountability.

- a. The Police Chief will designate call signs for the Conservation Officers that will consist of the W series: W-1, W-2, etc.
 - b. Firearms will be used IAW local Departmental policies and procedures.
- c. Any ammunition used in the dispatch of wildlife will be accounted for by collecting the spent shells or casings and returning them to the arms room. Conservation Officer will notify their supervisor and complete paperwork as directed.
- 16. All- Terrain Vehicles (ATV's) Requirements and Standards for Use.
 - a. ATV operators will complete an approved rider safety course.
 - b. Carrying of passengers is prohibited except in emergency situations.
- c. Operators will wear personal protective equipment to include gloves, boots, long sleeve shirt, trousers, eye protection, and helmet.
- d. Operators will not drive at excessive speeds. Always go at a speed that is proper for the terrain, visibility, operating conditions, and your experience.
- e. Any damage to ATV's during shift will be reported immediately to the Fleet Management NCOIC.
- 17. Snow machine requirements/standards.
- a. Operators will complete a safety course and familiarization instructed by FWA post safety or Outdoor Recreational Center.
- b. Operators will wear proper protective equipment to include gloves, boots, extreme cold weather clothing, eye protection, and helmet.
- c. Operators will ensure there is a spare belt, spark plugs, and tool kit on the snow machine prior to departure.
- d. Operators will not drive at excessive speeds. Always go at a speed that is proper for the terrain, visibility, operating conditions, and your experience.
- e. Any damage to snow machines during shift will be reported immediately to the Fleet Management NCOIC.
- 18. River Boat Requirements and Standards for Use.
- a. Operators will complete a boater's safety course offered at the Outdoor Recreational Center or by the US Fish and Wildlife Service before operation.

- b. Operators will go through an extensive on the job training (OJT) program. The OJT period is dependent upon the experience, skills, knowledge, and abilities of the trainee on swift waterway operations, shallow waterway operation, fen and swamp operations, recovery and emergency repair procedures, river reading skills, navigational skills, etc.
- c. Operators and all passengers will wear a Coast Guard approved personal flotation device (PFD).
- d. Operators will inspect the boat for a rescue throw bag, a throw personal flotation device, oars, fire extinguisher, tool kit, and sound producing devices prior to launching.
 - e. Operators will observe maritime navigational guidelines.
 - f. Operation will require a minimum of two personnel on board.
- g. All damages found during inspection or incurred during operation will immediately be reported to the fleet management NCOIC.
- 19. Air Boat Requirements and Standards for Use:
- a. Operators will complete a boater's safety course offered at the Outdoor Recreational Center or by the US Fish and Wildlife Service before operation.
- b. Operators will go through an extensive on the job training (OJT) program. The length of the OJT period is dependent upon the experience, skills, knowledge, and abilities of the trainee on swift waterway operations, shallow waterway operations, fen and swamp operations, recovery and emergency repair procedures, river reading skills, navigational skills, etc.
- c. Operators and all passengers will wear a Coast Guard approved personal flotation device (PFD).
- d. Operators will inspect the boat for a rescue throw bag, high lift jack, oars, ear protection, fire extinguisher, tool kit, and sound producing devices prior to launching.
- e. Operators will at all times be cognizant of the propeller and the potential hazards of the propeller.
 - f. Operators will observe maritime navigational guidelines.
 - g. Operation will require a minimum of two personnel on board.
- h. All damages found during inspection or incurred during operation will immediately be reported to the SCO and the Fleet Management NCOIC.

20. Aviation assets are vital in providing responsive, effective, and efficient police services to remote training areas including the Tanana Flats Training Area and the Donnelly Training Area. All requests for air assets will be routed through the Fort Wainwright Police Operations Officer.

- 21. Department of the Army Civilian Police Officers will attend an approved Department of the Army Civilian Police (DACP) Academy, to include Federal Law Enforcement Training Center (FLETC) and Land Management Police Training (LMPT) in accordance with DODI 5525.17. The training process is intended to familiarize new Conservation Officers with law enforcement procedures on and off the main cantonment area.
- 22. Field Training Program Completion Requirements:
- a. The Conservation FTO will conduct field training with each new Conservation Officer encompassing all areas of law enforcement on and off of the main cantonment area with a primary focus on conservation enforcement. The field training program will include emphasis on the following areas:
 - (1) Completion of the department's field training program checklist.
- (2) Recognition of hunting, fishing, trapping, natural resource, cultural resource, and environmental violations and crimes.
 - (3) Traffic and criminal violations and crimes.
- (4) Familiarization with Fort Wainwright including the main post, the Tanana Flats Training Area, the Yukon Training Area, Donnelly Training Area, Gerstle Training Area, and Black Rapids Training Area.
 - (5) Required paperwork.
 - (6) Search and seizure.
 - (7) Evidence handling and documentation.
 - (8) Custodial and non-custodial interviews.
 - (9) Officer safety.
 - (10) Installation Regulations and SOP.
 - (11) Wildlife Rehabilitation.
 - (12) Migratory Bird Treaty Act.

- (13) Endangered Species Act/Lacy Act.
- (14) Archeological Resources Protection Act.
- (15) Wildlife handling procedures.
- (16) Safety courses will be scheduled.
- (17) Processing military and civilian subjects.
- (18) Medical evacuation training.
- 23. Required Safety Training.
- a. Training will be scheduled during the field training process and will include ATV and boat training.
- b. Additional safety training will be administered by the Conservation FTO and will include snow machine operations, cold weather operations, and airboat operations.
- c. Other required safety training will be administered by the Department training officer.
- 24. Required Medical Evacuation Training.
- a. Training will be administered as part of the field training process and will include emphasis on the following areas:
 - (1) Methods of evacuation.
 - (2) Radio procedures.
- (3) Agency resources including the Alaska State Troopers, Eielson Fire Department, and the Fort Wainwright Fire Department.
 - (4) Use of hypothermia bags.
 - (5) Use of Delorme InReach device.
 - (6) Emergency shelter locations.
- 25. The DES has overall responsibility for all domestic animal related problems on Fort Wainwright and will assist on all other animal related problems after normal duty hours and weekends. Animal control operations will primarily be conducted by patrols,

however if a patrol requires assistance with a domestic animal issue Conservation Officers may respond to assist.

- 26. Aggressive or Injured Wildlife procedures.
- a. Upon the receipt of a report or upon the discovery of an aggressive or injured animal the Desk Sergeant and/or Patrol Officer on-scene will take no action other than to monitor the activities of the animal pending dispatch of a Conservation Officer to the scene. Pending the arrival of a Conservation Officer, the on-scene Officer shall ensure all non-essential personnel are removed from the vicinity of the distressed animal. Upon arrival, the Conservation Officer will assess the conditions that exist and/or the behaviors of the animal and if time permits contact the Fort Wainwright Wildlife Biologist and the Alaska Department of Fish and Game to determine the best course of action in dealing with the animal. If the wildlife is federally protected the Conservation Officer will notify the US Fish and Wildlife Service.
- b. If it is determined the appropriate course of action is the lethal dispatch of the animal, the Conservation Officer shall contact the Senior Conservation Officer. SCO will contact the Chief of Law Enforcement Operations prior to contacting the Desk Sergeant who will make all necessary notifications. Upon Approval by Chief of Law Enforcement, SCO will provide authority to the on-scene Conservation Officer who will affect the dispatch. Before dispatching the animal, Officers shall make notifications to residents or employees living or working within the impacted area to alert them to the impending actions of the Conservation Officer.
- c. If meat is salvageable, the CO will call the local Alaska State Troopers office and have the dispatcher coordinate with a charity or the Conservation Officer can directly contact the organization to coordinate pick up.
- d. The Conservation Officer will record the name of the charity organization and the person whom received the meat and all information will be annotated in an Investigator's Statement and Report of Incident (ROI) MPR.

27. Defense of Life or Property.

a. If an Officer is faced with a situation where they or the public face imminent danger to life or property involving a distressed and aggressive animal and time does not permit the obtaining of authority to dispatch the animal, the officer shall carefully consider the risks associated with the discharge of a firearm in comparison to the risk(s) being posed by the distressed animal before taking action. The Officer must consider the down-range hazards posed by discharging a round as well as the likelihood of successfully dispatching the animal. Officers must consider that the wounding of an animal may pose additional and more severe hazards.

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b. If the Officer determines this is the appropriate course of action given the circumstances, the Officer shall dispatch the animal and notify the shift supervisor who will make all necessary notifications.

- c. If meat is salvageable, the Conservation Officer will call the local Alaska State Troopers office and have the dispatcher coordinate with a charity or the Conservation Officer can directly contact the organization to coordinate pick up.
- d. The Conservation Officer will record the name of the charity organization and the person whom received the meat and all information will be annotated in an Investigators statement and ROI MPR.
- 28. Conservation Officers will report all nuisance wildlife incidents to the Fort Wainwright Wildlife Biologist, Alaska Department of Fish and Game, and US Fish and Wildlife Services for appropriate action.
- 30. The point of contact for this SOP is the Fort Wainwright Police Department Operations Officer at 907-353-7889.

Jonathan S. Enlow Chief of Police Fort Wainwright Police Department