

APPENDIX Q
BASE REGULATIONS

The following sections are excerpted from Camp Pendleton’s Base Order P5000.2J (*Base Regulations*). Page and section references referred to in the text correspond to pages and sections within that document unless otherwise noted.

BASE REGULATIONS

CHAPTER 13

ENVIRONMENTAL SECURITY

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BASE REGULATIONS

CHAPTER 13

ENVIRONMENTAL SECURITY

SECTION 1: NATURAL RESOURCES/CULTURAL RESOURCES

13000. DEFINITION. The term “natural resources” includes woodlands, riparian, area vascular and non-vascular plants, brushlands, grasslands, farmlands, undeveloped recreational areas, water resources, soils, minerals, fish, wildlife and domesticated animals on all land and water areas under the jurisdiction of the Commanding General, Marine Corps Base, Camp Pendleton, California. The term “cultural resources” includes historic structures, historic debris, prehistoric sites and features, and paleontological resources. Federal laws pertaining to the management of cultural resources, both historic and prehistoric/archaeological, direct that Federal agencies will identify, evaluate, and protect significant cultural resources on Federal lands.

13001. POLICY. It is the continuing policy of the Commanding General, Marine Corps Base, relative to management of natural/cultural resources to:

1. Restore, improve and preserve land, water, and other natural resources, and to prevent or control pollution of these resources, in the public as well as the military interest.
2. Identify, evaluate, and protect cultural resources eligible for inclusion onto the National Register of Historic Places.
3. Grant public access, within manageable quotas, to lands and waters for hunting, fishing and other recreational pursuits, to the extent that such access will not conflict with the mission of this Base.
4. Establish and carry out policy regarding the evaluation, management, and protection of endangered species, wildlife, vegetation, rare plants, wetland resources and habitat aboard Camp Pendleton, in accordance with Marine Corps Orders, Camp Pendleton’s Natural Resources Management Plans, and federal and state laws.
5. Establish and carry out policy regarding the evaluation, management, and protection of cultural resources aboard Camp Pendleton.
6. Provide Command oversight of implementation of natural and cultural resources laws to include the Endangered Species Act, Clean Water Act Section 404 and Section 10 wetland permits, Sikes Act, Migratory Bird Treaty Act, National Historic Preservation Act, Archeological Resources Protection Act, Native American Graves and Repatriation Act, Federal and State hunting and fishing laws and regulations and other applicable natural and cultural resources laws and regulations as appropriate.

7. Provide one central point of contact for conducting regulatory consultation with the California State Historic Preservation Officer, Advisory Council on Historic Preservation, U.S. Fish and Wildlife Service, U. S. Army Corps of Engineers and other agencies managing Natural Resources.

13002. RESPONSIBILITIES. The Assistant Chief of Staff, Environmental Security (AC/S, Environmental Security) is responsible for:

1. Implementing Presidential and Congressional mandates directed toward the various aspects of environmental monitoring, enhancement, fish, wildlife, vascular and non-vascular plants, vegetation, water, wetlands, soil, pollution abatement and environmental assessment.

2. Keeping current the Integrated Natural Resources Management Plan and the cooperative plans and agreements with federal, state and local agencies.

3. Managing all natural resources and supervising and/or coordinating all natural resources activities and acting as liaison with other state and federal agencies in such matters. Such natural resources activities would include but are not limited to:

a. Game and non-game management programs.

b. Endangered species management including compliance with the Endangered Species Act.

c. Natural Resources law enforcement.

d. Management of invasive exotic vegetation that could impact native natural resources.

e. Wetland management.

4. Making recommendations on the need for the functioning of: conservation C clubs or groups, i.e., rod and gun clubs, sportsmen clubs, archery clubs, etc., who wish cooperate on the Base, and supervising the activities of such clubs or groups as they pertain to the natural resources of the Base.

5. Initiating and conducting programs on conservation, hunting and fishing, and gun safety, for personnel of all groups aboard the Base.

6. AC/S, Environmental Security will provide “no effects,” “no adverse effects,” and “adverse effects” consultation and coordination with the State Historic Preservation Officer and the Advisory Council on Historic Preservation.

7. AC/S, Environmental Security will complete National Environmental Policy Act (NEPA) documentation review for Environmental Impact Statements, Environmental Assessments, and Categorical Exclusions. Section 106 of National Historic Preservation

Act compliance Section 7 of the Endangered Species Act and Section 404 of the Clean Waters Act will be addressed as part of the NEPA process for these documents.

8. AC/S, Environmental Security will work with the Director, CPAO to provide input on historic resource management, including temporary W.W.II structures, Cold War related structures, the Las Flores Adobe, and the Santa Margarita Ranch House.

13003. BASE GAME WARDEN

1. The Resource Enforcement and Compliance Branch (RECB) under the AC/S, Environmental Security is responsible for ensuring that fish and wildlife laws on Camp Pendleton are enforced in accordance with Federal and State laws and regulations, Marine Corps Orders, annual Base Bulletins, and regulations. The RECB provides personnel who are authorized as federal officers to enforce state and federal Fish and Game regulations and administer the Base hunting, fishing and sport-fish camping and other outdoor recreational programs.

2. The RECB (also known as Base Game Wardens) is an integral part of AC/S, Environmental Security. Personnel constituting this Branch are: Conservation Supervisor (OIC), Chief Game Warden (SNCOIC), Assistant Chief Game Warden/Administration NCO (NCOIC) and other enlisted Marines serving as Deputy Game Wardens. The office for this branch will be referred to as the Wardens Operations Building or Wardens Office Building (WOB). This branch operates within federal, state, local and military laws, regulations and current standing operating procedures (SOPs).

3. The RECB will publish annual Base Bulletins that outline specific hunting season, hours of operation and other specific requirements.

4. The Conservation Supervisor/Game Warden Supervisor is the Law Enforcement official for federal and state laws and regulations pertaining to fish, wildlife and natural resources. The Conservation Supervisor is authorized to appoint the Chief Game Warden, Assistant Chief Game Warden/Administration NCO and Deputy Base Game Wardens as required.

5. The Conservation Supervisor, Chief Game Warden, Assistant Chief Game Warden and Deputies are authorized to conduct searches pertinent to fish, wildlife and natural resources, in accordance with federal and state laws, Base Orders and other Base regulations, (BO 5821.1) Standing Operating Procedures for Legal Matters.

6. A Federal Citation (DD Form 1805) will be used for federal violations of Fish and Wildlife laws. A copy of form DD 1805 will be forwarded to the Staff Judge Advocate with a complete report prepared by the issuing officer describing the circumstances surrounding the alleged violation. Personnel will not be detained by Deputy Game Wardens after citations have been issued. Resource contraband will be seized and noted on the citation and in the report.

7. A Camp Pendleton Base Citation may also be used for violations by military personnel. A copy of the Base Citation will be forwarded to the Commanding Officer of the person being cited with a complete report prepared by the issuing officer (if requested) describing the circumstances surrounding the alleged violation. Personnel will not be detained by Deputy Game Wardens after citations have been issued.

13004. WILDLIFE

1. Stocking, trapping, or transplanting any form of wildlife must be approved by the Command General, Marine Corps Base, and under the supervision of the Base wildlife biologist. No new or exotic species of fish or wildlife will be introduced without approval of the Commanding General, Marine Corps Base.

2. Those who hold Base agricultural leases will not be permitted to take any form of wildlife. If wildlife is injuring crops or property, a report will be made to the Ads, Environmental Security who will initiate appropriate corrective measures. Leases are not authorized to grant permission for anyone to hunt, fish, or camp on leased property.

3. Handling, molesting or taking any living animal or bird from its native habitat is prohibited, except in lawful pursuit of game. Persons will notify the Duty Game Warden of road-killed deer, injured birds or animals, or young birds or animals of protected species which are incapable of taking care of themselves. Dead wild animals which constitute a nuisance and cannot be disposed of by routine police practices, will be reported to the Duty Game Warden.

4. Reptiles are protected aboard the Base, except when endangering a human life. Snakes near quarters or in housing areas should be left alone and the Duty Warden notified immediately for removal.

5. All eagles, hawks, and owls are protected; birds or nests will not be disturbed.

6. Wildlife found injured or abandoned will be reported to the Duty Warden immediately.

7. The protection of endangered species, nesting sites, etc., will be strictly enforced. Information on these species will be published yearly by Basegram.

8. Unnecessary disturbance of the bison or other wildlife by harassment such as chasing with vehicles, low-flying aircraft, etc., is prohibited.

9. Cutting or removing trees, or portions of trees, either standing or fallen is prohibited except as authorized by the AC/S, Facilities (within cantonment areas) or the AC/S, Environmental Security (outside cantonment areas).

10. For any problems pertaining to bees, ants, insects, moles, gophers, and other small rodents in housing areas, contact the Base Pest Control Office.

13005. ENDANGERED SPECIES

1. There are many endangered and threatened species aboard the Base. These animals and plants are protected by the Endangered Species Act.
2. Programmatic Instructions for activities conducted in riparian areas (streams and rivers), beach areas and estuary areas have been developed through formal consultation with the U.S. Fish and Wildlife Service (Biological Opinion 1-6-95-F-02). Contact the AC/S, Environmental Security office prior to conducting any activities in these areas that are not authorized by the Base Range and Training Regulations (BO P3500.1J).
3. All training activities should be conducted in accordance with Chapter 2 of the Base Range and Training Regulations (BO P3500.1J).
4. Consult the Environmental Constraints Map available from the AC/S, Environmental Security for the most current locations of areas occupied by endangered species.
5. For all locations occupied by or managed for any endangered or threatened species the following procedures must be observed:
 - a. Operation of all vehicles is restricted to established roadways and established stream crossings.
 - b. Earth moving activities (grading, excavating, filling) are prohibited without prior approval from the AC/S, Environmental Security and AC/S, Facilities.
 - c. Vegetation removal is prohibited without prior approval from the AC/S, Environmental Security.
 - d. Direct actions to threatened and endangered species (to kill, trap, shoot, injure, chase, harass, or attempt to do so) are prohibited.
 - e. Within riparian areas (streams and river bottoms) foot traffic is restricted to existing roads and trails during the period 15 March to 31 August.
6. For the Coastal Zone, beaches, estuaries and lagoons, the following additional procedures must be observed:
 - a. Normal training traffic is authorized to move north and south along Camp Pendleton beaches outside of posted areas. Vehicles shall travel as close to the waterline as possible. Traffic is authorized to use established inland access routes at 'White and Red Beaches.
 - b. Vehicle traffic is prohibited in all estuaries, lagoons, marshes, creeks, rivers, and any other wetlands. Vehicles traveling along beaches should cross the Santa Margarita River mouth and all lagoons as close to the surf line as possible.

7. Special precautions are required in the following locations:

a. All posted nesting areas are off limits to vehicles and foot traffic at all times. Vehicles and personnel should remain a minimum of 5 meters (15 feet) back from fences at nesting areas. Fence material may be either permanent or temporary. With the exception of vehicle beach transit, all training activities are prohibited within 300 meters of fenced nesting areas during the breeding season (1 March - 15 September).

b. Santa Margarita River (SMR) Endangered Species Management Zone - Beach Area. The beach area from the southern edge of White Beach south to Club Del Mar on the southern edge of the SMR Estuary (594795 to 621758) including the outlets of Cocklebur Creek and the SMR. Amphibious vehicles should transit this area with tracks in the water whenever possible. During the breeding season (1 March - 15 September) Vehicle use is limited to transit through the area and should be limited to Assault Amphibious Vehicles. Maneuvers, stopping, recovery training, and similar activities are not authorized.

c. Santa Margarita River Endangered Species Management Zone - Lagoon, Estuary and River Area, and the SMR Estuary inland to Stuart Mesa Road. Vehicle and foot traffic off maintained roads is prohibited at all times unless prior approval is granted by the AC/S, Environmental Security office. Small boat training is allowed during the non-breeding season (16 September - 28 February).

d. Cocklebur Sensitive Area. This area includes the non-beach area west of Interstate 5, north of MCTSSA, and south of French Creek Lagoon, except for the LCAC facility. This area is off limits to all personnel. No foot traffic or vehicle traffic is allowed at any time. (Area boundaries: MG 606794, 596807, 592803, 599789)

13006. HUNTING AND FISHING

1. General

a. All hunting and fishing will be in accordance with applicable Federal Regulations. Title 14 of the State of California administrative Code as adopted by the Fish and Game Commission under authority of the Fish and Game Code and these regulations.

b. The number of personnel permitted to hunt or fish aboard Camp Pendleton will be determined by the quantity of fish and game available for each year and by the size of the areas available that are not required for military or other official use. Quotas and application procedures will be published annually by the Commanding General, Marine Corps Base, in the news 4 media and by Base Bulletin.

c. Special hunting and fishing requirements or limitations may be announced on occasion. Persons interested are advised to check Base Bulletins and the Base newspaper for updated information.

d. Only the following may be hunted aboard Camp Pendleton, within bag limits and seasons established by the California Fish and Game Commission: quail, cottontail rabbit, dove, band—tailed pigeons, squirrel, jackrabbit, deer, and waterfowl. Additions, deletions or modifications will be announced by Base Bulletin.

e. No hunter, fisherman, camper, etc. shall block any ground wells and equipment, out buildings, or other structures on Base which might require daily maintenance.

2. Hunting and Fishing Areas

a. Hunting and fishing area assignments and authorizations to enter such areas will be on the basis of the designations and boundaries shown on the Camp Pendleton Hunting and Fishing Map. A copy of a specific area of this map will be given to recreational users upon request when they purchase their base permit at the Duty Wardens. An enlarged copy will be maintained for reference at the Duty Wardens. All range buildings and structures are off limits to hunters and fishermen.

There is no parking or discharging a deadly weapon within 150 yards of any range buildings or structures. It is the responsibility of all personnel to have a clear understanding of areas off limits to hunting, and area boundary limits into which they are authorized entry before they take to the field. Lack of familiarity with the Base or inability to recognize boundary limits will not be accepted as an excuse for being in an unauthorized area. A map denoting parking, camping areas and access routes to the beach will be provided to each individual obtaining a public access permit.

b. The Base Operations and Training Range Control Officer (RCO) will maintain a current listing of all areas of the Base which are closed to outdoor recreational activities and will furnish this information daily to the Base Game Warden upon request. Every Thursday at 1300, during the hunting season (Wednesday during deer rifle season); the RCO will also provide a listing of areas which will be closed to hunting on the following weekend and/or holidays.

c. All vehicles, except those being used for official purpose, are forbidden on the beach. Vehicles are prohibited in wetland and riparian areas except at established crossings.

d. Vehicles will not be operated off maintained roads unless performing official duties. Firebreaks and trails do not qualify as maintained roads and are, therefore, considered out-of-bounds.

e. Float tubes are authorized in certain bodies of water (see Fishing Base Bulletin).

f. Hunting, fishing or other access is allowed in specific wildlife areas only with the written permission of AC/S, Environmental Security Resource Management Division. The following are specific wildlife areas:

(1) The Santa Margarita Estuary. From Stuart Mesa Road west to the beach, bounded on the north by the base of the bluffs (road) and on the south by Camp Del Mar.

(2) Las Flores Marsh. From Stuart Mesa Road west to the railroad, bounded on the north by the Boy Scout Camp and on the south by Red Beach Road.

(3) Windmill Lake.

(4) All sewage treatment ponds.

3. Fishing

a. Personnel Authorized. The following personnel may be authorized fishing privileges:

(1) All active duty and retired military personnel may be authorized fishing privileges on an unrestricted basis by applying in person at the Duty Warden.

(2) All civilian employees assigned to units at Camp Pendleton, Naval Weapons Station, Fallbrook, and Camp Pendleton Mountain Warfare Training Center, Bridgeport, may be authorized fishing privileges on an unrestricted basis by applying in person at the Duty Warden.

(3) All dependents of active and retired military personnel and dependents of civilian employees at Camp Pendleton may be authorized fishing privileges on an unrestricted basis by applying in person at the WOE building. Dependents under 12 must be accompanied by an adult while fishing.

(4) Individuals on reserve status with the military (salt water), when activated (salt/fresh water).

(5) House guests. Bona fide house guests (who are not guests for the sole purpose of fishing) may be authorized fishing privileges on a day-to-day basis.

(6) Youth/Other Groups. Boy Scouts, Girl Scouts, and other youth/regular groups may be authorized fishing privileges on a unit basis. Their sponsors may be authorized fishing privileges if they are military, active or retired, or Camp Pendleton civilian employees. Permits are issued by the Duty Warden.

(7) General Public. Members of the general public are authorized surf-fishing privileges within a set annual quota. Members of the general public who want to fish inland waters can request authorization during the month of May by contacting the Duty Warden. The number of general public inland fishing permits issued will be decided each year based on environmental, biological reasons, and the natural resources of this Base. Issuance of an inland fishing permit is based on a first come, first served basis.

(8) Military personnel, active and retired, civilian employees at Camp Pendleton, and their dependents (16 years old and over) and guests may be assessed an annual fee as authorized by the Commanding General, Marine Corps Base.

(9) Licenses/Permits are required for all persons 16 years of age and older. They must have in their immediate possession a current California Department of Fish and Game fishing license and Base fishing permit (or group permit) while fishing aboard Camp Pendleton. Anglers must present a valid California fishing license to obtain a Camp Pendleton fishing permit from the Duty Warden. A small fee is charged for the Base permit. As required by law, the fishing license/permit must be displayed at or above the waistline and in plain view.

(10) Fishing Dates/Times. Fishing dates and times are broken down into two classifications, winter and summer. Winter dates will be from 16 October to 14 April each year. Summer dates will be from 15 April to 15 October. During the winter months the regular fishing times apply (half hour prior to sunrise to half hour after sunset). During the summer months the extended fishing times apply (0500 to 2200/5:00 a.m. to 10:00 p.m.).

b. Authorized fishing areas are located throughout Camp Pendleton. Fishing areas are broken down into three groups: (1) established recreation areas, (2) non-utilized training areas, (3) training areas. Fishing areas may be further restricted on a moment's notice by Game Warden due to enforcement, biological, or training reasons. AC/S, Operations and Training reserves the right to close training areas on a moment's notice, or not open fishing areas which are in training areas dependent upon the needs of this Base's training mission.

Angling in fishing areas located within training areas is limited to weekends, established holidays, and regularly scheduled days off next to holiday weekends where the Base provides multiple days off for military personnel. Areas can open and close on a moment's notice. If closed when fishers are in the field, the Duty Warden will notify fishers.

The following are authorized fishing areas:

- (1) Established Recreation Areas (Fresh-inland water)
 - Lake O'Neill (GC 700875)
- (2) Non-Utilized Training Areas
 - Pilgrim Creek Pond (Lima GC 715820), Limit 4 fishermen, total 4 people in 2 groups
 - Broodmare Pond commonly called "Horse Lake" (Lima GC 705820)
 - Windmill Lake (GC 690790)
 - Santa Margarita River 1 (upriver from Stuart Mesa Road to Rifle Range Road)
 - Santa Margarita River 2 (upriver from GC line 860 to India training area)
 - Drainage from Lake O'Neill to the Santa Margarita River
- (3) Training Areas
 - Santa Margarita River (India training area)
 - Santa Margarita River (Hotel training area)
 - French Creek Lagoon (also "White" Beach GC 568834) (closed 1 April to 1 September of each year)
 - Las Flores Creek (east of I-5 in Oscar Two training area)
 - Pulgas Lake (GC 594894) *Catch and release only*
 - Case Springs (Echo larger pond GC 609011)
 - Little Case Springs (Echo smaller pond GC 615002)
- (4) Established Recreation Areas (Salt-Ocean waters)
 - Del Mar Harbor Shoreline
 - Del Mar Harbor north jetty (beyond recreation swim/use area, GC 625750)
 - Del Mar Boat Basin (from a legal registered vessel)
 - Beach along ocean (north of Del Mar "MCCS" recreation beach to San Onofre State Park boundary)

(5) The beach area extending from the northern boundary of MCCA Del Mar recreation beach to the south bank of the Santa Margarita River. This area is not available for use from 15 March to 1 September due to endangered species habitat.

(6) The beach area extending from the north bank of the Santa Margarita River to the southern boundary of San Onofre State Park. Anglers must call Base Game Wardens for check-out prior to accessing beach. This area is available only during authorized weekends/holidays, not to impact training.

(7) The beach area from Del Mar Recreation Beach to Red Beach training area is not available for use from 15 March to 1 September due to endangered species using this habitat.

(8) Anglers must call Base Game Wardens to check out the beach area of Red Beach and Uniform training areas prior to accessing the beach. This area is available only during authorized weekends/holidays, and will not impact training.

(9) The following rules apply:

a. A valid State of California sport fishing license is required for authorized surf-fishing, clamming and diving for fish, mollusks, and crustaceans in the following beach areas:

1 The beach area extending from the southern boundary of San Onofre State Beach to the northern bank of the Santa Margarita River which is open to all personnel, military or civilian.

2 The waterfront extending from the Santa Margarita River to the north groin of the Del Mar Boat Basin, excluding the recreation beach. This is open only to military personnel, their dependents and bona fide house guests. Fishing from the northern jetty is permitted. Fishing in the Del Mar Boat Basin during LAV and AAV operations is prohibited. (See the current edition of BO P3500.1 for further information).

3 Grunion fishing is permitted on all beaches open to fishing and on the recreation beaches at San Onofre and Del Mar for military personnel. Fishing with hook and line is prohibited on recreation beaches.

4 Access for surf-fishing from Camp Pendleton beaches is authorized when the beach is not being used for training and has been approved through the Duty Warden. At times, fishermen may be required to leave or move from the beach on short notice.

5 Access to the northern beaches is authorized only through the Las Flores underpass and the Stuart Mesa/MCTSSA overpass. Parking will be authorized in posted parking areas only. Operation of private motor vehicles is prohibited west of Interstate 5 except enroute to and from approved camping or parking areas. Foot traffic will be limited to the beach frontage only. Vehicle or foot traffic is prohibited within the agricultural lease areas. No civilian vehicles or civilian foot traffic will be allowed on the

bluff areas. Cocklebur Canyon, adjacent to the Cocklebur camping area, is off-limits to all foot and vehicular traffic.

6 Because of the proximity of the beach areas to training areas, the possibility exists that a person could remove ordnance materials from training areas and move them to the beach areas. If users of the beach area discover any such ordnance or potentially dangerous materials, they are cautioned not to disturb or handle it, but to notify the military police immediately by dialing 911.

7 Areas posted for the protection of endangered species are off limits to all vehicular and foot traffic. Cocklebur bluff/beach is restricted from foot vehicle/traffic (except authorized military training) from 1 March to 15 September each year.

b. The following restrictions apply:

1 Persons of the general public are not authorized to fish inland (fresh) waters, unless they are being escorted by an authorized sponsor or request a freshwater fishing permit. Restrictions are placed on the general public inland fishing permits due to limited resources available on Base.

2 Permits for the public are only good in inland waters (training areas) during the non-rainy season. Due to safety concerns, the Conservation Supervisor will decide when the raining season commences/ends. Limitations can be placed on these permits at any time depending on military training, biological, environmental, or enforcement issues. These permits will be issued on a first come, first served basis.

3 If a member of the general public already possesses a Base salt water permit, no other fee will be incurred to add fresh water fishing to their permit.

4 Freshwater (inland) fishing is authorized only at the following locations: Horse Lake, Case Spring Ponds, Santa Margarita River, Lake O'Neill, Whitman Pond, Pilgrim Creek Pond, Broodmare Ponds, and Wildcat Ponds. Angling is allowed at Pulgas Lake for catch and release only.

5 Anglers desiring to fish in an area other than an established recreation area (except Lake O'Neill, and the Del Mar Basin/Jetty) must first contact the Base Game Warden's office. With the exception of established recreation areas, all fishing will only be available on a not to interfere basis with Marine Corps training.

6 Fishing on Base is designated to mean angling only for the taking of fish.

7 No firearms will be carried while fishing.

8 Swimming or surfing is prohibited in the surf-fishing area. This, however, does not apply to licensed fishermen using a self-contained underwater breathing apparatus and who must display proper flags and buoy.

9 Wading while ocean fishing from the shoreline is authorized.

10 Collecting bait is authorized while complying with Base, State, and Federal regulations.

11 Diving for fish, mollusks, and crustaceans is available in authorized areas.

12 Use of boats is authorized at Del Mar Boat Basin, Lake O'Neill, Case and Little Case Springs, and Pulgas Lake. Boat size is limited to a small size row type boat which could be transported in the back of a pickup and unloaded/loaded by two people. Trailered vessels can be used at Lake O'Neill and the Del Mar boat basin only. Only small electric trolling motors are allowed outside of established recreation areas. Boat speed is no more than 5 mph or slower, so as not to create a wake behind the vessel. Float tubes are authorized as fishing equipment in all fishing areas.

13 While fishing in the field, park vehicles at least 150 feet away from buildings, pumps or pipes, or other structures. Such structures are maintained at different times throughout the day/year. Do not block roads or other passageways. No off-road driving is allowed. Park on bare earth only.

14 Dogs/cats must be on a leash at all times. Owners are responsible to clean up after their pet.

4. Personnel Authorized for Hunting

a. Military personnel on active duty and their dependents and retired military and their dependents may be authorized hunting privileges within an annual quota. Dependents under 12 are not eligible to hunt. Active duty and retired military hunters may be authorized to sponsor a civilian hunter for small game hunting. Sponsors must apply in writing to the Duty Warden for permission for dependents to hunt without a sponsor. Applications for deer hunting can be exchanged for one G-10 Tag for Camp Pendleton at the Duty Warden's building, contact the Duty Warden in late August for further information.

b. Bona fide registered house guests, military and civilian, who are not guests for the sole purpose of hunting. House guests of military personnel and civilian employees may be authorized hunting privileges when accompanied by their sponsor upon application in person at the Duty Warden's building. House guests are not eligible to hunt deer. This permit will be valid for no longer than 10 days from date of issue. House guest privileges may only be used twice per year per house guest. House guests must hunt with sponsors. Any fees shall be paid prior to permit being issued.

c. Military reservists are categorized as general public for purpose of obtaining hunting privileges. Military reservists assigned to active duty are authorized active duty hunting privileges during their tour on base. The standard fee applies.

d. Civilian personnel employed (DoD) at camp Pendleton and their dependents may be allowed to hunt within annual quotas. Civilian employees selected for small game hunting permits may hunt waterfowl. Application must be made in person at the Duty Warden's building. Applications for deer hunting can be exchanged for one G-10 Tag for Camp Pendleton at the Duty Warden's building. Contact the Duty Warden's Office in late August for further information.

e. The general public may be authorized deer hunting privileges within quota restrictions when selected on a special permit basis by the State Department of Fish and

Game. Small Game hunting may be authorized within the annual quota. Individuals under the age of 12 are not eligible to hunt. Applications for small game hunting permits must be made in writing to the Duty Warden, AC/S, Environmental Security, during May. Applications that are mailed in must have a May postmark. The drawing is held no later than the fourth week in June. Applications for deer hunting on Camp Pendleton must be submitted directly to the California Department of Fish and Game.

f. Hunters under 18 years of age must be accompanied by a responsible adult.

g. An annual fee shall be required of persons authorized to hunt on Camp Pendleton, and will be used only for the protection, conservation and management of fish and wildlife, including habitat improvement and related activities aboard Camp Pendleton. Fees will be collected on a hunting year basis (1 July to 30 June). Special rules and regulations governing hunting will be given to the hunter prior to hunting.

h. All persons must obtain authorization from the Base Game Wardens by physically checking in with the Duty Game Warden immediately before entering any area of the Base to hunt. This safety precaution is necessary to preclude any possible conflict between hunting and other uses of the area. Personnel must also physically check back with the Game Wardens upon completion of hunting. In no case will check out be delayed more than one and one half hours (1 1/2) after legal shooting time. If any person has not checked back in within the prescribed time limit, the Base Game Warden or SNCOIC of the Base Game Wardens will initiate a search for the missing person, first by telephoning (collect, if long distance) the persons place of residence or duty, and then by a physical search of the area where the person was authorized entry.

i. Failure to comply with the check in and check out provisions of this order will result in automatic suspension of all hunting or fishing privileges for a minimum of 90 days from date of such violation. Failure to comply a second time will result in automatic suspension of all hunting or fishing privileges at Camp Pendleton for six months. Failure to comply a third time will result in a revocation of one's hunting or fishing permit. Citations will be forwarded to the hunter's commanding officer.

j. Any person who while hunting kills, wounds, or witnesses the killing or wounding of any human being or domestic animal belonging to another person, shall immediately report the complete facts relating to the incident to the Conservation Supervisor, Chief Game Warden or Duty Deputy Game Warden at telephone 725-3360. A complete written report of the incident will be required within 48 hours, along with following the minimum requirements of the Fish and Game Code Section 12151.5., to the Duty Warden, contact Conservation Supervisor or Chief Game Warden.

k. The only authorized shooting at Camp Pendleton is regularly scheduled range firing, MCCS skeet and trap and rifle range, authorized hunting of game, wardens euthanizing injured/problem wildlife, and actions by the federal trapper in the performance of their duties. The firing of any weapon for any other purpose is forbidden unless otherwise specified.

l. Weapons will not be fired within range or in the direction of any dwelling or structure, the Golf Course, Lake O'Neill, any area occupied by personnel, or within the boundaries of leased land.

m. Only shotguns and bows and arrows will be permitted for small game hunting in Bravo Three, Mike, November, Talega creek and Santa Margarita river areas. Only bows and arrows will be permitted in Juliet area. During rifle deer season, rifle hunting can be allowed within Bravo Three area. Hunting is not allowed in Lima Area. It is the responsibility of the hunter to be aware of the hunting regulations before entering any area to hunt.

n. Weapons commonly referred to as side arms are not authorized to be carried in the field except by persons so armed in the performance of official duties. Use of wheel lock, matchlock, flintlock, or percussion type muzzle-loading rifles/shotguns will not be permitted due to their fire hazard.

o. All hunters except waterfowl and archery hunters are required to wear a hunter safety orange vest while in the field. The orange vest shall cover the front, sides and back portion of the upper body, from waist line to top of shoulders.

p. Waterfowl hunters are required to use steel shot when pursuing game.

q. Each shotgun hunter will not carry more than 25 shot shells or rounds on his/her person while in the field hunting. Extra rounds can be kept/staged in the hunter's vehicle.

5. Hunting and Fishing Violations

a. The penal laws of the State of California relative to fish and game are operative on Camp Pendleton and are applicable to military personnel and civilians. These laws are enforced by federal officials, including the Conservation Supervisor, Chief Game Warden, Assistant Chief Game Warden and Deputy Game Wardens. Officers of the U.S. Fish and Wildlife Service and enforcement agents of the State Department of Fish and Game who are federal officers (i.e., deputized federal agents) shall have authority to enforce, search and seize to utilize state and federal fish and game laws against military personnel and civilians.

b. All citations issued to military personnel and civilians for violating 17 fish and game laws at Camp Pendleton will be referred to the U.S. Magistrate for the Southern District of California for disposition. Unless the law enforcement official designates the violator must appear before the magistrate, the citation may be disposed of by paying a fine using the mail-in, pre-addressed envelope furnished as part of the violation notice. A copy of all citations issued for fish and game violations will be sent to the Staff Judge Advocate. Loss of hunting and fishing privileges at Camp Pendleton may accompany the citation.

c. Persons guilty of an act or omission which violates a requirement under these regulations which would be punishable if committed or omitted within the jurisdiction of the State of California, by the laws thereof in effect at the time of that act or omission, are guilty of like offense and are subject to punishment by the U.S. Magistrate for the Southern District of California.

d. A citation issued to military personnel for violating Base Regulations not covered by state or federal laws will be submitted to the Commanding Officer having jurisdiction over the individual involved for prompt and appropriate disciplinary action. A citation issued for violation of Base Hunting, Fishing, Camping and other recreational Regulations may be cause for suspension of all such privileges.

e. Any person who has knowledge of a violation of fish and game laws will report the circumstances immediately to the Conservation Supervisor, Chief Game Warden, Assistant Chief Game Warden or Deputy Wardens.

f. Base hunting and/or fishing privileges can and will be suspended and the permit(s) surrendered to the Conservation Supervisor, Chief Game warden of other designees upon issuance of a citation or from violations of laws or regulations.

6. Enforcement Procedures

Violations of Base, State and Federal regulations relating to resource recreational users on Marine Corps Base, Camp Pendleton will be evaluated by the Conservation Supervisor or Chief Game Warden on Camp Pendleton. This action will be in addition to any other fines or punishment. Any action taken by Duty Warden which is not listed within this Order will be consistent with this Order and past practices of this Branch. Some basic guidelines are listed below:

<u>Hunting Violations</u>	<u>1st offense</u>	<u>2nd offense</u>	<u>3rd Offense</u>
(1) Taking or possession of threatened or endangered species on State or Federal list.	Revoke		
(2) Taking or possession of protected birds or animals.	Revoke		
(3) Taking deer with the use/aid of artificial light.	Revoke		
(4) Taking birds or mammals by the use or placement of salt, grain, fruit, or other foods (Baiting).	Revoke		
(5) Taking birds or mammals which belong to another, or from another's vehicle.	Revoke		
(6) Taking of birds or mammals during closed season.	Revoke		
(7) Unlawfully taking birds or mammals by the use of traps, nets, snares or other prohibited devices.	Revoke		
(8) Hunting while intoxicated with alcohol or drug.	Revoke		
(9) Hunting with no license or While under suspended license or permit.	Revoke		
(10) Unlawfully buying or selling birds or mammals.	Revoke		
(11) Shooting signs or other property.	Revoke		
(12) Failure to report game kills to proper authority.	Revoke		
(13) Taking deer without proper tag.	Revoke		
(14) Hunting migratory waterfowl without obtaining proper stamps.	Revoke		
(15) Illegal method of take.	Revoke		
(16) No hunter shall waste game bird/mammal	Revoke		
(17) Possessing or transporting loaded firearm(s) in vehicle while hunting	Suspend 12 months	Revoke	
(18) Hunting within 150 yards of closed buildings, shooting over roads etc	Suspend 12 months	Revoke	
(19) Hunting migratory game birds with unplugged shotgun.	Suspend 3 months	Suspend 6 months	Revoke
(20) Failure to wear hunter orange vest	Suspend 3 months	Suspend 6 months	Revoke
(21) Exceeding the daily bag/possession limit.	Suspend	Suspend	Revoke

<u>Hunting Violations</u>	<u>1st offense</u>	<u>2nd offense</u>	<u>3rd Offense</u>
	6 months	12 months	
(22) Violation of any other hunting regulations	Suspend up to 6 months	Suspend up to 12 months	Revoke
(23) Failure to check out or in at the Wardens office prior to or after hunting, within 1 1/2 hours after sunset or hunting in the wrong area.	Suspend 3 months	Suspend 6 months	Revoke
(24) Littering while hunting.	Suspend 3 months	Suspend 6 months	Revoke
(25) Introduce any species onto Base without permission.	Revoke		
(26) Shotgun hunters possessing more than 25 shot shells on person	Suspend 3 months	Suspend 6 months	Revoke

<u>Fishing Violations</u>	<u>1st offense</u>	<u>2nd offense</u>	<u>3rd Offense</u>
(1) Illegal method of take.	Revoke		
(2) Offer to buy or sell game fish.	Revoke		
(3) Possession of protected species.	Revoke		
(4) Introducing any exotic species of fish into Base waters	Revoke		
(5) Deliberately introducing any pollutant into Base waterway	Revoke		
(6) Take fish from another	Revoke		
(7) Wasting fish.	Suspend 3 months	Suspend 6 months	Revoke
(8) Littering while fishing.	Suspend 3 months	Suspend 6 months	Revoke
(9) Fishing without proper fishing license or Base permit, or failing to display	Suspend 1 month	Suspend 6 month	Revoke
(10) Possession of undersize fish or exceeding daily bag limit by one bag limit	Suspend 2 month	Suspend 6 months	Suspend 1 year
(11) Possession of multiple bag limits	Suspend 6 months	Revoke	
(12) Failure to check in or out with the Duty Warden	Suspend 1 month	Suspend 3 months	Suspend 6 months
(13) Violation of any other Fishing regulations	suspend up to 6 months	Suspend up to 12 months	Revoke 1 year

13007. OUTDOOR FIELD ACTIVITIES

1. Camping

a. There is a limit of 1000 permits for issue on a first come, first served basis. Camping permits are valid from 1 February of each year (or date of issue) to the following 31 January. Personnel authorized to use Camp Pendleton campsites are:

(1) Personnel Authorized Camping Privileges. Personnel authorized camping privileges include active duty military stationed on Camp Pendleton, Naval Weapons Station, Fallbrook, and Mountain Warfare Training Center, Bridgeport; Retired military personnel; Dependents of active duty and retired military; Guests of active duty or retired military (for the period they are a guest); Civilian employees at Camp Pendleton, Naval Weapons Station, Fallbrook, or Mountain Warfare Training Center, Bridgeport; Dependents of civilian employees; Dependents camping within training areas must be accompanied by their legal representative. Dependents under 12 years of age must be accompanied by an adult. Members of the general public are authorized surf-fishing/camping privileges within a set annual quota. Members of the general public who want to camp inland can request authorization. The number of general public inland camping permits issued by the Duty Warden will be based on available resources and first come, first served.

(2) Camping Youth and/or other Groups. Permission must be obtained from the AC/S, Environmental Security through the Conservation Supervisor. Groups should also work with the Base Public Affairs Office, if needed. Groups must be sponsored by a qualifying adult(s). Sponsors must be at least 21 years of age. Group permits are good for four days total (primarily weekends and holidays) and can be purchased in advance. A list of names of those camping with the group is required. Group camping permits include from eight to 20 persons with no more than four recreational vehicles. Ask Game Wardens for current prices on group permit. Larger groups may purchase more than one permit.

(3) Permits. All persons 21 years of age and older shall have while camping aboard Camp Pendleton a valid Base sport-fish camping permit (or group permit) affixed to the inside of their front windshield (displaying information to the outside of the vehicle.) A valid Base camping permit must be presented upon entering Camp Pendleton. A fee is charged per each Recreational vehicle (RV) or tent camper. A half-off price for senior citizens (65 or over) and/or legally handicapped individuals (must possess identification of age and/or handicap placard) is authorized.

(4) Checkout procedures. All persons wanting to camp must first call the Base Game Wardens after 1730 (5:30 p.m.) each Thursday. This is to ensure that the training area within the Base is not being utilized for training. Failure to properly check out can/will result in the suspension/revocation of your Base sport-fish camping permit.

(5) Camping Places Dates/Times. Camping dates for Cocklebur bluffs (military, retired military, Camp Pendleton employees and dependents) is 1 September to 15 March each year, weekends and holidays only (w/h). Camping at Red Beach is available year-round (w/h). Camping at Pulgas Lake is available all year-round (w/h), when training permits.

(6) Available camping Areas. Camping is authorized at different locations throughout Camp Pendleton. Camping areas can be restricted by the Duty Warden at any time. Camping areas are broken down into three groups: 1) established recreation areas; 2) non-utilized training areas; 3) training areas. Camping areas may be further restricted on a moment's notice by the Duty Warden due to weather, enforcement, biological, environmental or training reasons- AC/S, Operations and Training reserves the right to close training areas on a moment's notice, or not open camping areas which are in training areas dependent upon the needs of this Base's training mission. Camping in areas located within training areas is limited to weekends, established holidays, and regularly scheduled days off to holiday weekends where the Base provides multiple days off for military personnel.

b. Non-Utilized Training Areas

- Cocklebur (bluff) Beach, (GC 602788), (w/h) RV's only, (1 September to 15 March)
- Uniform (bluff) Beach (GC 534884), Thursday 4:30 p.m. to Tuesday 3:00 p.m.
- RV's and/or one tent self supporting/S feet high or less

c. Training Areas

- Red Beach (GC 567836), (w/h), five hundred sites available
- Pulgas Lake (GC 594894, (w/h), five sites, two RV, three tents
- Case Springs (GC 609011), larger pond, (w/h), three sites, three tents
- Little Case Springs (GC 615002), smaller pond, (w/h), two sites, two tents
- San Mateo Creek (GC 563034), (w/h), two sites, two tents

d. The beach area extending from the northern boundary of MCCA Del Mar recreation beach to the south bank of the Santa Margarita River. Area is not available for use from 15 March to 1 September due to endangered species habitat.

(1) An individual must call the Base Game Warden to check out the beach area extending from the north bank of the Santa Margarita River to the southern boundary of San Onofre State Park prior to accessing the beach. This area is available only during authorized weekends/holidays (not to impact training). The beach area from north of the river mouth to Victor training area is not available for use from 15 March to 1 September due to endangered species habitat.

(2) To use the beach area of Red Beach and Uniform training area, campers must call the Base Game Warden for check-out prior to accessing the beach. This area is available only during authorized weekends/holidays. Use is not to impact training.

(3) All camping areas, with coordination through Operations and Training, are controlled through the AC/S, Environmental Security. The Duty Warden will issue all camping permits. Permits may be obtained at the Duty Warden's building.

(4) Campsites may be closed on a moment's notice due to training, weather, high fire risk, adverse road conditions, or other reasons when required. Most inland camping areas will not be available during winter months.

(5) Only self-contained recreational vehicles or vehicles with tents or portable toilets may be used at beach camping areas. Tent camping is limited to self supporting type tents with a height of 5' or less. No more than one tent per vehicle is authorized.

(6) The Conservation Supervisor and appointed wardens will enforce all camping regulations and other applicable regulations concerning wildlife and the environment within Camp Pendleton.

(7) Fires are restricted to certain areas, and then, only within contained devices. The Base Fire Chief and/or designated representatives are authorized to enforce all fire regulations within the area. Check with Game Wardens for specific details relating to the use of fires. Due to the Base Fire Danger Ratings during certain times of the year, the Duty Warden reserves the right to limit or restrict fire use at any time. Coleman type/or single burner stoves can be used while camping. Stoves shall be elevated off the ground or operated on bare earth only, to reduce possible fire hazards.

(8) Violations of any camping regulations while camping can result in the suspension/revocation of your camping permit.

2. Hiking. Hiking is authorized throughout the base under the following conditions:

a. Military personnel on active duty and their dependents, retired military and their dependents, military reservists on active duty at Camp Pendleton can hike on established trails and fire breaks. Designated hiking trails may be used in all areas except impact areas, restricted areas, range firing and hunting areas when in use for those purposes, areas closed to protect wildlife, and/or areas where troops are maneuvering, or other closed areas as required.

b. Clearance must be obtained from the Duty Game Warden, before entering any hiking areas located outside of established recreation areas. Personnel authorized to camp may hike within their designated camping area without a separate permit. Failure to check out or in with the Duty Warden can result in suspension and or revocation of your hiking privilege.

c. Hikers are cautioned to keep within the authorized hiking route and walk facing traffic when hiking along road areas.

d. Bonafide clubs or similar organizations off—base must obtain clearance from the Combined Public Affairs Office (CPAO) and AC/S Operations & Training. If approval is granted, these organizations must comply with paragraph 13007, 2b above. Fees for hiking or group hiking may be established.

3. Picnicking

a. Picnicking is authorized in the following areas:

- (1) Lake O'Neill Aquatic Park.
- (2) Rodeo Grounds Picnic Area.
- (3) San Onofre Beach Recreation Park.
- (4) Del Mar Beach Recreation Area.

b. Authorization to use these areas may be obtained from the MCCS Semper Fit Division.

c. To access training areas for the purpose of picnicking, first contact the Duty Warden prior to entering the field.

4. Hunting Dog Training and Dog Field Trials. Active duty/retired military personnel and their dependents and persons possessing a valid Camp Pendleton hunting permit may break, train or practice dogs (which have been admitted on the base in accordance with all regulations) on any wild or domestic game bird, with prior approval from the Duty Warden between 1 July and 31 March and between the hours of sunrise and sunset provided such birds are not killed, captured, or injured, and no weapon is carried or used as part of the training. Owners must check in with the Duty Game Warden as to the time and area where such training will be conducted. When dogs are no longer being used for training or hunting purposes, the owner shall comply with the Bases leash regulations at all times. At no times are dogs authorized to run freely off a leash, except as authorized.

5. Mountain Biking/Horseback Riding

a. Mountain bike riders and horseback riders must first check in with the Duty Game Warden before going to the field. The Warden will check to make sure the area one plans to bike or ride in is clear of range fire, scheduled training, hunting, environmental, biological, or other reasons for closure. Failure to check-in and/or check-out with the Duty Warden will result in the suspension or revocation of your off paved-road biking or horseback riding privileges.

b. Riders may use maintained trails for travel. However, riders must be considerate and will not travel over existing vegetation or create ruts on firebreaks.

c. Horseback riders (for the purpose of hunting) may go off trail to take and retrieve game. However, hunters must be considerate of environmentally sensitive areas (see Game Wardens for specific information).

d. Riders will not travel along creek and river beds. Instead, they will use maintained crossings and cross perpendicular to the normal flow of water.

e. Riders will not harass wildlife (except hunters in the lawful pursuit of legal game) or livestock permitted for grazing on the Base.

f. Riders will respect all areas posted “off limits” such as firing ranges and environmentally sensitive areas (see Game Wardens for specific information).

g. Riders will yield to pedestrians encountered on trails.

h. Riders will not smoke in the field due to the potential fire danger.

13008. LAND MANAGEMENT

1. AC/S, Environmental Security is responsible for overseeing the Agriculture Outlease Program including outleases for agriculture (tomatoes, cucumbers and potatoes), sheep grazing and native seed collection. Any changes or modifications to such operations must receive prior approval from AC/S, Environmental Security.

2. AC/S, Environmental Security is responsible for monitoring rare plants, non-vascular plants and long term trend plots throughout the base. Disturbance of any permanent stakes and/or markers is prohibited.
3. Rare and federally listed plant species are not to be harmed or removed at any time without prior approval from AC/S, Environmental Security. Consult the Environmental Security Environmental Constraints map for locations.
4. Any weed eradication projects outside of developed areas on the Base must be coordinated with and approved by AC/S, Environmental Security.
5. Large training exercises, facilities maintenance/operation projects and MILCON projects must be reviewed by AC/S, Environmental Security, for impacts to vegetation, wetlands water quality and erosion.
6. All Endangered Species Act Section 7 consultations with the U.S. Fish and Wildlife Service for listed plant species and fairy shrimp are conducted by AC/S, Environmental Security.
7. All controlled burns conducted on Camp Pendleton must be reviewed by AC/S, Environmental Security.

13009. WETLANDS

1. Wetlands are found throughout camp Pendleton. They are characterized by soil types, vegetation and hydrology. However, they may not be wet all year round. Wetlands can be found on the Environmental Security Environmental Constraints map and the Camp Pendleton Special Map.
 - a. Any activity which would disturb soil or vegetation in wetlands must receive prior approval from AC/S, Environmental Security. Such work may require a Clean Water Act Section 404 or Section 10 permit from the U. S. Army Corps of Engineers. If such a permit is necessary, AC/S, Environmental Security will prepare the permit application package once complete information regarding the activity is received. Permit approval from the U.S. Army Corps of Engineers can take over 90 days, depending on type of permit required.
 - b. Vehicles are to remain on existing roads and creek crossings all year-round in wetland areas.
 - c. Foot traffic in wetlands is authorized all year-round on existing roads, trails and crossings. Foot traffic off existing roads, trails and crossings is authorized between 1 September and 14 March.
 - d. Off-road vehicle traffic in wetlands must receive prior approval from AC/S, Environmental Security.

2. Isolated Ephemeral Wetlands (vernal pools) are wetlands which hold pond water for only one to four months during the rainy season and are known to host endangered plant and animal species. Isolated Ephemeral wetlands can be found on the Environmental Security Environmental Constraints map.

a. No plants or animals are to be removed from any pools throughout Camp Pendleton.

b. Pools which are posted or fenced are off-limits to all activities.

c. No disposal of gray water is allowed in or near any pool.

d. Permanent impacts to any pool are not allowed without prior approval from AC/S, Environmental Security. A U.S. Army Corps of Engineers permit or biological opinion from the U.S. Fish and Wildlife Service may be necessary.

13010. SOIL EROSION

1. Proper utilization, protection, and restoration of land resources is of primary importance to all personnel at Camp Pendleton. Efficient utilization of the land protects and conserves water resources, protects and improves wildlife, and provides a wholesome atmosphere for recreation and living.

2. It is recognized that military activity/operations are inherently destructive or disturbing to land resources and that during such operations some damage cannot be avoided. However, personnel should make every effort to minimize damage and to repair such damage when it occurs. Some of the preventive/corrective actions that must be taken are:

a. Cutting, damaging and/or removing trees, shrubs, or other vegetation will not be done without prior approval of the AC/S, Environmental Security.

b. Use of pesticides and vegetation control chemicals must be approved by the Pest Control Section of the Facilities Maintenance Department and then only in *areas* approved by AC/S, Environmental Security. This includes programmed pest and vegetation control projects.

c. Ensure that operations are conducted to prevent range fires by compliance with the Fire Danger Rating System administered by the Camp Pendleton Fire Department.

d. Tactical vehicle operators must utilize existing roads and truck/tank trails except when it is necessary to support specific tactical operations and so directed by the unit/area commander. Any damage to road shoulders, drainage ditches, culverts, and/or embankments must be repaired by the personnel/unit responsible. If the damage is extensive and requires more expertise/equipment/materials than are available to the individual or unit, such incidents must be reported to the AC/S, Environmental Security.

e. Soil displaced during field training operations/exercises, such as for gun emplacements, foxholes, bulk fuel containers, command bunkers, etc., will be restored to its original condition by the using unit at the conclusion of each operation/exercise.

f. Training of engineer personnel in earth-moving operations will be restricted to specific areas assigned by the Commanding General, Marine Corps Base, except for approved troop training projects assigned by the AC/S, Facilities. During such operations, only the minimum amount of earth required to perform the function will be moved.

g. Training and all other activity is prohibited in any area where training land restoration and erosion control work is ongoing. These areas will be marked with appropriate signs, posts or fences by Environmental Security, Land Management Branch.

h. Vehicles will use secondary roads [dirt or decomposed granite (DG)] within training areas whenever possible.

i. Vehicular traffic should remain on hard surface roads following significant rainfall, to the maximum extent practical. Off-road vehicular traffic during periods of peak soil moisture conditions frequently results in severe gullying and training land degradation. This leads to decreased training opportunities and hazardous conditions that create safety concerns.

3. All re-vegetation work (seeding, planting etc.) in natural areas must be coordinated with and reviewed by AC/S, Environmental Security Land Management Branch.

4. No new dirt, decomposed granite or paved roads will be created without prior consultation with AC/S, Environmental Security Land Management Branch.

5. All ground-disturbing activities must take measures to eliminate and/or reduce soil erosion through the use of Best Management Practices (BMPs) (including silt fences, sandbags, straw bales, etc.). In addition, all construction projects over 5 acres must develop and implement an erosion control management plan which complies with the U.S. Environmental Protection Agency National Pollutant Discharge Elimination System permit requirements.

13011. NATIONAL ENVIRONMENTAL POLICY ACT

1. The National Environmental Policy Act (NEPA) requires federal agencies to consider, as part of their decision-making process, all ecological and natural resource impacts likely to occur as a result of their proposed action. This requirement includes construction and military training conducted on board Camp Pendleton. As part of this required review for incidental as well as cumulative effects, the action-sponsor and decision maker must determine applicability and requirements of such laws as the Endangered Species Act, National Historic Preservation Act, Clean Water Act, Clean Air Act and Coastal Zone Management Act and factor those requirements in the overall decision to conduct an action.

2. To be an effective decision-making tool, the NEPA process should be integrated with project planning at the earliest possible opportunity. The legal documentation and mitigation may vary greatly, depending upon the anticipated degree of impact. Actions listed in MCO P5090.2, Environmental Compliance and Protection, of no significant environmental effect may be categorically excluded from further consideration. Projects or

actions which are not included in the list of Categorical Exclusions will require an environmental assessment signed by the Commanding General or an environmental impact statement signed by the Assistant Secretary of the Navy, if the action is likely to have a significant impact on the environment or have potentially controversial environmental impacts.

3. BO P3500.IJ, Range and Training Regulations, is the primary governing directive for Range training and operations conducted aboard the Base. Chapter 2, when used in conjunction with the current Environmental Constraints Map, will assist commanders in understanding, analyzing and avoiding significant impacts to the environment. For major operations and those actions with potential for unavoidable significant impacts to the environment, additional analyses and documentation are required.

4. BO P5090.2, National Environmental Policy Act (NEPA) Compliance, assigns responsibility and direction to the action sponsor, lead department, two review panels and the Base environmental staff for Environmental Compliance and Protection. As described therein, the action sponsor prepares and funds the NEPA documentation and, in some cases, approves the action; specified staff sections review and approve identified categories of actions; the two environmental review panels advise the environmental staff and the Commanding General on effects of decisions; and the Base environmental staff provides technical guidance, review of NEPA documentation and determination of significance, approves specified categories of actions, coordinates with outside agencies, and advises the command staff of environmental impacts and recommended action.

BASE REGULATIONS

CHAPTER 13

SECTION 2: ENVIRONMENTAL COMPLIANCE AND PROTECTION

13100. DEFINITION. The term “environmental compliance” refers to compliance with all environmental regulatory requirements established by appropriate Department of Defense, Department of the Navy, U.S. Marine Corps, and Marine Corps Base Camp Pendleton orders, directives, and regulations as well as all applicable Federal, state, and local laws and regulations.

13101. POLICY. It is the continuing policy of the Commanding General, Marine Corps Base, to comply with all applicable environmental compliance requirements. The major environmental statutes contain waivers of sovereign immunity that require compliance with Federal, state, and local substantive and procedural requirements. Additionally, environmental quality and cleanup programs enhance readiness, protect the health of military and civilian personnel living and working on the base, and protect the environmental quality of the base and adjacent communities to support future activities. Environmental programs strengthen relationships with the public and regulators and reduce the long-term costs of maintaining and operating the base by avoiding penalties, cleanup costs, and the risk of future liability.

13102. RESPONSIBILITIES. The Assistant Chief of Staff, Environmental Security (AC/S, Environmental Security) is responsible for advising the Commanding General of the policies and practices required to:

1. Protect human health and the environment.
2. Comply with appropriate laws and regulations.
3. Remediate past pollution.
4. Develop a pollution prevention program.

13103. WATER QUALITY MANAGEMENT

1. Water resources available to Camp Pendleton are severely limited and only marginally adequate to support operational needs. Water is of such critical importance that its economical use must be of continuing concern to all personnel. It is the policy of the Commanding General, Marine Corps Base, to restore, improve and preserve water resources and to prevent or control pollution of these resources in the public as well as the military interest.

2. The Base is committed to providing high quality water to the users of the Base. This is facilitated by the Base's commitment to comply with all regulatory requirements for wastewater and storm water quality. Camp Pendleton's responsibilities for water quality management are shared by the AC/S, Facilities, AC/S, Environmental Security, and legal staffs, to ensure that current and future demands are met in accordance with mission and quality of life requirements.

3. Camp Pendleton is required by law to comply with all rules and regulations under the Federal Clean Water Act, Safe Drinking Water Act, and Coastal Zone Management Act. The AC/S, Environmental Security is responsible for ensuring that the following Base operations comply with the federal regulations:

- a. Potable water storage and distribution systems.
- b. Sanitary wastewater treatment and conveyance systems.
- c. Storm water runoff.

4. The AC/S, Environmental Security ensures Base potable water, wastewater distribution and treatment systems, and storm water conveyance systems are properly permitted; advises the Base operations officers of the regulatory permitting requirements for the specific facilities operations; and negotiates with local, state, and federal regulatory agencies for water quality compliance issues.

5. The AC/S, Environmental Security develops comprehensive forward plans and programs to comply with current and projected treatment requirements, reduce water pollution, and sustain the quality and quantity of Base drinking water supply.

6. The AC/S, Environmental Security conducts periodic and random inspections of potable water and wastewater facilities and programs, including random water quality sampling and review of sample results conducted by facility operators, to assure compliance with permit conditions and other applicable regulatory requirements. Additionally, AC/S, Environmental Security examines Base potable water, wastewater, and storm water sampling results for trends in the quality of water and ensures instances of noncompliance with established standards, variances, exemptions and permits are reported to the cognizant regulatory agencies and persons served by the system, if applicable.

13104. AIR QUALITY MANAGEMENT

1. Camp Pendleton is required by law to comply with all rules and regulations under the Federal Clean Air Act (CAM). These regulations are complicated and strictly enforced by air pollution regulatory agencies. The Federal CAA covers all equipment, facilities, and functions that discharge smoke, fumes, gases, dust, or other pollutants into the air. A permit from the appropriate Air Pollution Control District is required before placing such equipment on-line or into operation. The following is a partial listing of such equipment, facilities or functions:

- a. Steam or hot water boilers.
 - b. Concrete/asphalt batch plants.
 - c. Fuel storage and dispensing equipment (tankers, bulk fuel facilities, gas stations, etc.)
 - d. Spray painting or abrasive blasting equipment.
 - e. Fire fighter training (crash crew/Fire Department).
 - f. Solvent cleaning tanks utilizing solvents or other chemicals.
 - g. Internal combustion engines (military and nonmilitary).
 - h. Jet and internal combustion engine test cells.
2. AC/S, Environmental Security has been tasked to monitor and coordinate operation of all equipment, facilities, or functions that are covered by the CAA.
 3. Federal, state and county environmental department personnel are on the Base periodically to monitor/inspect such operations and are authorized to cite individual violators and/or unit commanders. Citations can result in court actions leading to confinement and/or severe fines.
 4. Anyone observing a CAA violation, or who received a citation, must report such incidents immediately to the AC/S Environmental Security to ensure that prompt official corrective/reporting actions are initiated.
 5. Anyone maintaining an air permit must comply with the conditions listed on the permit. Units/facilities must notify AC/S, Environmental Security of any changes in equipment operations or the loss or gain of permitted units which would require a permit modification. Daily records shall be kept of the usage of solvents, materials containing solvents (i.e., paints), and other materials emitting volatile organic compounds. The quantity and method of disposal of any waste containing these substances must also be documented in a daily log. Record keeping requirements vary depending on emission source type; contact AC/S, Environmental Security for the specific requirements. The records shall be made available to the AC/S, Environmental Security Office and to air pollution regulatory agencies upon request.

13105. INSTALLATION RESTORATION PROGRAM

1. Camp Pendleton is required by law to comply with all rules and regulations under the Comprehensive Environmental Restoration Compensation Liability Act. Additionally, the Base must adhere to the conditions stipulated in the Federal Facilities Agreement; this document stipulates the roles and responsibilities to the parties of the agreement. The Installation Restoration Program includes the development and execution of remedial investigations, feasibility studies and cleanup activities for the sites aboard the Base that have been impacted by hazardous substances due to past disposal and handling practices. This program is managed by the AC/S, Environmental Security.

2. The AC/S, Environmental Security has been tasked to monitor and coordinate the development and execution of the Installation Restoration Program. Duties include conducting and coordinating technical reviews of all reporting documents to ensure compliance with current regulations, Marine Corps policies and acceptable engineering practices. AC/S, Environmental Security also ensures that field activities are conducted in a manner which supports the Base's Resource Management Program.
3. The AC/S, Environmental Security administers the Installation Restoration Programs Community Relations Activities by conducting technical review committee and public meetings, developing fact sheets, maintaining the Administrative Record, and ensuring current documents are provided at the information repositories.

13106. HAZARDOUS MATERIAL/WASTE MANAGEMENT

1. All hazardous wastes will be managed in accordance with and as required by the Base Hazardous Waste Management Program. In general, all hazardous waste will be stored in authorized locations only, not to exceed 60 days, and the person responsible for the hazardous waste must be properly trained in accordance with MCO 5090.2, Environmental Compliance and Protection Manual. Contact the Hazardous Waste Program Manager, for detailed policy and guidance on proper Hazardous Waste Management Policies, Programs, and Turn-in Procedures.
2. All Underground Storage Tanks containing petroleum, oils or lubricants (POL) or other hazardous materials will be managed in accordance with and as required by the Base Underground Storage Tank Program. Contact the Underground Storage Tank Program Manager at AC/S, Environment Security for information and guidance on Underground Storage Tank Management policies and procedures.
3. All Aboveground Storage Tanks containing POLs or other hazardous materials will be managed in accordance with and as required by the Base Aboveground Storage Tank Program. Contact the Above Ground Storage Tank Manager, for information and guidance on Above Ground Storage Tank Management policies and procedures.

13107. ENVIRONMENTAL COMPLIANCE INSPECTIONS

1. Inspections are one of the most important tools of command, and serve three primary purposes: first, to reinforce the importance of combat readiness; second, to enable commanding officers or department heads the opportunity to assess readiness of an organization; and third, to impart to an (organization the standards required of it).
2. Multimedia Environmental Compliance Inspections. This inspection is an internal evaluation of installations, Fleet Marine Force commands, Reserve units, and other units, including tenant commands. This program is an internal control and is integrated into the Commanding General's Inspection Program, incorporating and documenting required testing, monitoring, measuring, and/or reporting required by either permits or regulating

authorities. Additionally, this program serves as an official environmental evaluation of a unit, command or activity where the results are reported in writing to higher authority. Inspections normally include media areas, such as hazardous materials/waste, air quality, storage tanks, etc.

3. Environmental Compliance Evaluations (ECEs). An ECE is an evaluation similar to a Marine Corps Inspector General or Field Supply and Maintenance Analysis Office (FSMAO) evaluation, designed to provide the commander with an assessment of the command's environmental compliance status. The ECE is a systematic, official, independent and objective examination of an installation's environmental management programs. ECEs are highly formalized reviews which must be performed in accordance with Generally Accepted Inspection/Evaluation Standards, and by professionally qualified auditors. The ECE covers a broad spectrum of environmental laws, such as the Resource Conservation and Recovery Act, Clean Air Act, Clean Water Act, Endangered Species Act, etc. The evaluation is conducted in accordance with the guidelines outlined in MCO 5040.6F, Marine Corps Inspections and BO 5040.IJ, Commanding General's Inspection Program.

4. Compliance Assistance Visits. These visits are an unofficial environmental evaluation of a unit, command or activity, similar to a FSMAO assistance visit, designed to mirror a formal environmental compliance inspection. It is a useful tool to gauge environmental compliance progress and serve as a training tool in maintaining a quality compliance program. A Compliance Assistance Visit is normally requested by the unit commander, department head or environmental coordinator. The results are provided only to the commander, department head or environmental coordinator of the visited unit or facility.

5. Non-Department of Defense (DoD) Compliance Inspections. These inspections are an authorized environmental compliance inspection conducted by a federal, state or local regulatory agency. With the passage of the Federal Facilities Compliance Act of 1992, Federal, State, and local regulatory agencies have authorization to conduct unannounced environmental compliance inspections of all units, commands and activities aboard Marine Corps Base, Camp Pendleton. In some instances, inspections are conducted weekly, monthly, quarterly, annually, or as deemed necessary by the specific regulatory agency.

6. Environmental Inspection Teams. In order to conduct environmental compliance inspections and ECE 5, the AC/S, Environmental Security has established Inspection Teams composed of civilian and Marine Corps inspectors qualified to assess environmental compliance throughout the installation.

7. All commands, organizations, units, and activities operating aboard Marine Corps Base, Camp Pendleton shall:

a. Allow Base, federal, state and local inspectors reasonable access to units and activities to conduct inspections and provide compliance assistance where necessary.

b. Appoint an environmental coordinator trained in hazardous materials/waste management, air quality compliance, NEPA compliance and other related regulations to coordinate compliance with this Order.

c. Ensure that assigned environmental coordinators attend Marine Corps Base, Camp Pendleton's monthly Environmental Coordinator's meetings.

d. Maintain liaison with the AC/S, Environmental Security's office to coordinate inspections, assistance visits and to obtain compliance checklists.

e. Per MCO P5090.2, Environmental Compliance and Protection Manual, retain on file for a period of not less than five years, copies of all environmental records and documents, hazardous waste training records, and 1348-1 forms and manifests used for turn-in of hazardous wastes.

f. Ensure that prompt action is taken to correct deficiencies identified during inspections and evaluations.

g. Per SO 5040.IJ and when required, submit a Corrective Action Report to the Commanding General, via the AC/S, Environmental Security within thirty days of a completed inspection.

8. The Marine Corps and regulatory agencies also use inspections to assess compliance with environmental laws, regulations and policies. At a minimum, commanders and department heads should consider the following when preparing for and conducting inspections:

a. General

(1) At any time, or within 60 days of a scheduled inspection, request an environmental assistance visit from the AC/S, Environmental Security.

(2) Conduct a self-inspection of your unit or facility.

(3) Attend or host the inspector's in-brief on the scope of the inspection, and the out-brief on any findings or discrepancies found.

(4) Take the opportunity to brief the inspector on unit/facility operations.

(5) Ensure that personnel do not discuss security issues, "dirty laundry," or challenge the inspector.

(6) Review the results of previous inspections.

(7) Ensure that your environmental coordinator, or other appropriate level of leadership, is available as spokesperson during regulatory inspections.

(8) Ensure that facility support equipment, such as USTs are properly maintained (e.g., spill buckets clean; working monitoring equipment; and operation logs/records maintained).

(9) Reference 80 5090.2, National Environmental Policy Act (NEPA) Compliance for NEPA Compliance requirements.

(10) Observe the environmental requirements contained in the BO P3500.IJ, Range and Training Regulations.

b. Hazardous Waste (HW)

(1) Ensure that required HW permits are available for review and posted where required.

(2) Ensure that personnel training records for HW and emergency response training are current and available for review.

(3) Ensure that facility hazardous materials/waste emergency response plans (i.e., San Diego county Business Plan) are current, and available for review.

(4) Ensure that HW management records and documentation (i.e., weekly HW inspection, personnel training, business plan, etc.) are kept in the Site Administration Book, and available for review.

(5) Ensure that any areas (e.g., HW container areas) that could be visited or inspected are in a good state of police.

(6) Ensure that HW is being accumulated in appropriate type containers that are marked, labeled and in good condition.

(7) If possible, make an effort to have HW properly removed from your unit prior to a formal inspection.

(8) Ensure that HW is not being stored at your unit 60-day site in excess of 60 days.

(9) Ensure that your 60-day site personnel conduct and document weekly HW container inspections.

(10) Ensure that safety standards are maintained throughout the inspection (e.g., no smoking, eye wash stations working, fire extinguishers inspected, etc.).

c. Air Quality

(1) Ensure compliance with all issued permits (i.e., solvent degreasers, emergency generators, paint booths, etc.).

(2) Ensure permits are posted (e.g., solvent degreasers within 25 feet of the tank).

(3) Ensure all containers containing volatile organic compounds (VOC) are closed when not being used.

(4) Ensure Daily Usage Logs are maintained for all coating operations.

(5) Ensure all solvent degreaser lids are closed, unless in use.

(6) Ensure that use of emergency equipment is accurately documented (i.e., hours and reasons for the use).

(7) Ensure the Operating Instructions required for solvent degreasers are posted within 25 feet of the tank.

(8) Ensure the Material Safety Data Sheet (MSDS) for the material within solvent degreasers and/or coating operation is kept on file and easily accessible.

(9) Ensure that all coatings stored and used meet the maximum volatile organic compound (VOC) requirements established by the applicable air permit.

(10) Ensure the maximum allowable usage at each coating site is not exceeded (i.e., 20 gallons per consecutive 12 month period or permit condition requirements).

d. Biomedical Waste

(1) Ensure that a current Biomedical Waste Management Plan is on file.

(2) Properly label sharps containers and red bags.

(3) Use sharps containers and red bags for biomedical waste only.

(4) Ensure that red bags are stored in puncture-proof containers.

(5) Do not exceed waste storage limits (i.e., seven days for putrescible waste; six months for non-putrescible).

(6) Ensure that trash dumpsters used to store medical solid waste are locked to prevent unauthorized access.

(7) Ensure that tracking logs are maintained on file.

(8) Retain personnel training records on file for at least five years.

(9) Remove sharps containers that are 3/4 full and properly dispose within seven days.

(10) Ensure that storage areas are clearly identified and secured.

13108. COMPREHENSIVE ENVIRONMENTAL TRAINING AND EDUCATION PROGRAM (CETEP). Camp Pendleton is required to observe all training requirements outlined in environmental laws and regulations at the federal, state and county level.

Where practical, the unit commander shall attend the Environmental Commanders Orientation course provided by the AC/S, Environmental Security.

Unit Commanders shall designate an Environmental Coordinator who will serve as liaison between the Base and the Unit. The Environmental Coordinator shall inform the chain of command of information promulgated through Base regulations and information passed at the Base sponsored monthly Environmental Coordinator's meeting.

Unit Commanders shall ensure environmental training needs of subordinates are identified, properly addressed, and documented in accordance with MCO P5090.2 Environmental Compliance and Protection Manual.

All environmental training aboard Camp Pendleton shall be coordinated through the AC/S, Environmental Security CEPEP Coordinator. Environmental training to be conducted using an off base provider without prior curriculum approval from the CETEP Coordinator is not authorized.

Unit Commanders shall select appropriate candidates for centrally sponsored environmental training classes and forward names through the chain of command in accordance with CMC course announcement directions. AC/S, Environmental Security, Training Division will host all centrally sponsored environmental training courses.

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