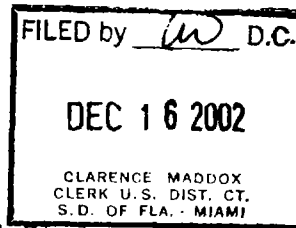


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2002-70

**IN RE: GENERAL LOCAL RULE 88.4;
AMENDMENT TO COLLATERAL
FORFEITURE SCHEDULE**



Pursuant to a vote of the United States District Judges of the Southern District of Florida, it is hereby

ORDERED that all previous Administrative Orders establishing Southern District of Florida "Collateral Forfeiture Schedules" for the violations of regulations enforced by the National Park Service, United States Fish and Wildlife Service, and United States Army Corps of Engineers including but not limited to Administrative Orders 87-17 and 2000-32, are hereby vacated and superceded. Effective from the date of this Order, all forfeiture of collateral on covered offenses shall be handled in accordance with General Local Rule 88.4 and the schedules attached hereto.

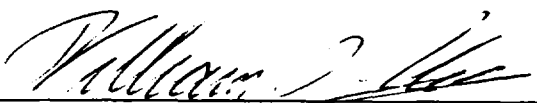
Under the attached schedules, collateral may be posted in lieu of the personal appearance of an individual charged with certain covered offenses under the laws and regulations of the United States. The posting of such collateral shall signify that the person accused does not wish to appear nor request a hearing. Collateral so posted shall be forfeited to the United States and the proceeding shall be terminated. Collateral may not be posted for any covered offense if the alleged violator has been previously convicted of any such offense.

If a person charged with a covered offense for which collateral is required fails to post and forfeit collateral, any punishment, including fine, imprisonment, or probation may be imposed within the limits established by law upon a conviction by guilty plea or after trial. No person shall be detained for failure to post collateral for a covered offense for which collateral may be posted unless the person is placed under arrest.

Nothing here shall prohibit a law enforcement officer from arresting an alleged violator for commission of any offense, including those for which collateral may be posted or mandatory appearance required, and forthwith notifying a United States Magistrate Judge for the purpose of appearance or setting bail.

Offenses for which collateral may be posted in lieu of appearance and the amounts of said collateral are shown on each of the three schedules attached hereto. Said schedules, which cover regulations enforced by the National Park Service, United States Fish and Wildlife Service, and United States Army Corps of Engineers, shall become effective upon the date of this Order and remain on file with the Clerk as a public record without the necessity for publication as part of the Local Rules.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this 13th day of December 2002.



WILLIAM J. ZLOCH
CHIEF UNITED STATES DISTRICT JUDGE

c: Copies furnished per attached

c: Chief Judge J. L. Edmondson, Eleventh Circuit Court of Appeals
All Southern District Judges
All Southern District Magistrate Judges
Clarence Maddox, Court Administrator • Clerk of Court
United States Attorney
Federal Public Defender
United States Marshal
Pretrial Services
Library

2002

**COLLATERAL SCHEDULE
UNITED STATES FISH AND WILDLIFE SERVICE
SOUTHERN DISTRICT OF FLORIDA**

**GENERAL FISH & WILDLIFE PERMIT REGULATIONS
(16 USC 704; 16 USC 668A; 16 USC 1538(D); 16 USC 3373)**

50 CFR 13: General Conditions of Permits

<u>Section Number</u>	<u>Offense</u>	
13.25-.26	General violation of permit requirements	\$250
13.41-.42	Violation of Humane Conditions Requirement	\$250
13.43	Alter permit	\$500
13.44-.45	Fail to display permit/Fail to file	\$100
13.46	Failure to maintain records	\$500
13.47	Failure to allow entry to premise for inspection as authorized by FWS permit	\$500
	All other permit violations	\$250

**GENERAL REGULATIONS FOR IMPORTATION, EXPORTATION &
TRANSPORTATION OF WILDLIFE**
(16 USC 3371, 16 USC 1538)

14.11	Import or Export of wildlife at a non-designated port	\$500
14.32 & 14.33	Violation of non-designated port permit conditions	\$500
14.51	Failure to allow detention/inspection of wildlife	\$500
14.52	Release from U.S. Customs without FWS clearance	\$500
14.61-.63	Failure to file completed Declaration as required	\$500
14.91	Engaging in business as an importer/exporter of wildlife without obtaining import/export license	\$500
14.103	Import, transport, cause or permit transport, to the U.S. of any wild mammals/birds in violation of Humane Transport Regulations	\$500+\$100 each add'l animal
	All other Section 14 violations	\$500

16 USC 4901
Wild Bird Conservation Act

16 USC 4901(a)(1)(A)-(C)

Import any exotic bird in violation of the prohibitions of the Act	\$250 +\$50 each add'l bird
--	--------------------------------

50 CFR 15: Wild Bird Conservation Act

15.11 (a)-(f) Import birds unlawfully	\$250 +\$50 each add'l bird
---------------------------------------	--------------------------------

18 USC 42
Lacey Act

18 USC 42(a) Import injurious species of wildlife	\$1000+\$100 per each specimen
---	-----------------------------------

18 USC 42(c) Importation of wildlife under inhumane or unhealthy conditions * Per each dead, crippled, diseased or, starved specimen	\$500 + \$50*
--	---------------

50 CFR 16: Regulations for the Importation or Shipment of Injurious Species

16.3-.15	Unauthorized import, transport, acquisition or release of prohibited wildlife species or their progeny	\$1000+100 per specimen
----------	--	----------------------------

16.22	General Violation of Injurious Wildlife Permit	\$500
-------	--	-------

16 USC 1538
Endangered Species Act

16 USC 1538(a)(1)(A) thru 1538(a)(1)(G)

Import or export any endangered species; take within the U.S. or territorial seas of the U.S.; take upon the high seas; deliver, carry, transport, or ship in interstate commerce in the course of a commercial activity, or sell in interstate or foreign commerce

\$1000+\$100
per specimen or item

16 USC 1538(a)(2)(A) thru 1538(a)(2)(D)

Import or export any endangered plant; remove and reduce to possession any such species from area under federal jurisdiction; deliver, receive, carry, transport or ship in interstate or foreign commerce, in the course of a commercial activity, any endangered plant; or sell in interstate or foreign commerce

\$1000+\$100
per specimen or item

50 CFR 17: Regulations Pertaining to Endangered Wildlife

17.21 (a)-(d)	General Endangered Species prohibitions: Commit, attempt, solicit, or cause to commit, the import, export, take, possess, transport of unlawfully taken wildlife.	\$1000+\$100 per specimen or item
(e)-(f)	Deliver, receive, carry, transport, or ship in the course of a commercial activity in interstate or foreign commerce; sale or offer for sale	\$1000+\$100 per specimen or item
17.21(g)	Captive bred wildlife violations	\$500+\$100 per specimen or item
17.22-.23	Endangered Species Permit violation	\$500+\$100 per specimen or item

50 CFR 17: Regulations Pertaining to Threatened Wildlife

17.31	Violate threatened wildlife prohibitions	\$500+\$50 per specimen
17.40 -.47	Violate special regulations pertaining to threatened wildlife	\$500+\$50 per specimen

50 CFR 17: Regulations Pertaining to Endangered Plants

17.61	General violation of endangered plant regulations	\$1000+\$100 per specimen
17.62-.63	Fail to comply with permit conditions	\$250

50 CFR 17: Regulations Pertaining to Threatened Plants

17.71	General violation of Threatened Plant regulations	\$500 +\$50 per specimen
17.72	Failure to comply with Permit Conditions	\$250

50 CFR 17: Other Endangered & Threatened Plant Populations

17.82-.83	Violation of experimental population regulations	\$250+\$100 per specimen
-----------	--	-----------------------------

Manatee Protection Areas

17.104(a)	Knowingly engage in any waterborne activity within a manatee sanctuary	\$250/MA
17.104(b)	Knowingly engage in any prohibited waterborne activity within a manatee refuge	\$150/MA
17.104(c)	Knowingly engage in any waterborne activity which is prohibited by state law or regulation for the protection of manatees	\$150/MA
17.107(a)- (d)	Knowingly fail to facilitate boarding and inspection of water vehicles operating in manatee sanctuary or refuge waters	\$250/MA

16 USC 1371 - 1372

Marine Mammal Protection Act

16 USC 1371 thru 1372

Take or import any marine mammal, marine mammal parts, or products made thereof	\$1000+\$100 per item
---	--------------------------

50 CFR 18: Regulations Pertaining to Marine Mammals

18.11	Unlawful take of marine mammals	\$1000+\$100 per animal
-------	---------------------------------	----------------------------

- | | | |
|-------|---|-------------------------|
| 18.12 | Unlawful import of marine mammals/marine mammal products | \$350+\$100
per item |
| 18.13 | Unlawful use of port, in connection with prohibited taking, possession, importation, transportation, or sale of marine mammal or marine mammal products | \$350+\$100
per item |

16 USC 742j-1
Airborne Hunting Act

- | | | |
|---------------|---|----------------------------|
| 16 USC 742j-1 | General Airborne Hunting Act Violations | \$1000+\$100
per animal |
|---------------|---|----------------------------|

50 CFR 19: Regulations Pertaining to Airborne Hunting

- | | | |
|-------------|---|---------------------------|
| 19.11(a)(1) | Shoot from an aircraft for purpose of capturing or killing wildlife | \$500+\$100
per animal |
| 19.11(a)(2) | Use of aircraft to harass wildlife | \$500 |
| 19.11(a)(3) | Participate in using aircraft to shoot or harass wildlife | \$500 |
| 19.32(a) | Failure to file annual report | \$250 |

16 USC 703-712
Migratory Bird Treaty Act

- | | | |
|----------------|--|--|
| 16 USC 703-712 | Taking, pursuing, hunting, capturing, killing or the attempt thereof, possess, sell, barter, purchase, ship, export, import, carry, transport, offer, or cause thereof migratory birds, their parts, nests, or eggs, without authorization | \$350+\$50
per item (parts, eggs or nests)
+\$100
per each bird |
|----------------|--|--|

- | | | |
|----------------|--|--|
| 16 USC 703-712 | Ship, transport, carry in interstate or foreign commerce, any bird, part, nest, or egg, thereof captured, killed, taken, shipped, transported, or carried contrary to the law of the place where captured, killed, taken, shipped, transported, or carried | \$350+\$50
per item (parts, eggs or nests)
+\$100
per each bird |
|----------------|--|--|

50 CFR 20: Migratory Game Bird Hunting Regulations

20.21(a)	Take with illegal device or substance		\$350+\$100 per each bird
20.21(b)	Take with shotgun capable of holding more than three shells		\$150+\$100 Per each bird
20.21(c)	Take by means, aid or use of a sink-box		\$350+\$100 per each bird
20.21(d)	Take from or by means, aid, or use of a motor driven conveyance, motor vehicle, or aircraft		\$350+\$100 per each bird
20.21(e)	Take by means of motorboat or other craft having motor attached and under power		\$350+\$100 per each bird
20.21(f)	Take by use or aid of live decoys		\$350+\$100 per each bird
20.21(g)	Take by use or aid of electronic or recorded calls		\$500+\$100 per each bird
20.21(h)	Take by means or aid of motor driven conveyance for concentrating, driving, or rallying, or stirring up waterfowl		\$500+\$100 per each bird
20.21(i)	Take by aid of bait		\$500+\$100 per each bird
20.21(j)	Take while possessing toxic shells		\$100+\$5 per shell
20.22	Take during closed season		\$500+\$100 per bird
20.23	Take before or after legal shooting hours	1- 15 min. 16-30 min. 30 + min. per bird	\$75 \$200 \$350 \$100
20.24	Take in excess of daily bag limit		\$350+\$100 per bird over limit
20.25	Wanton waste of migratory game birds		\$350+\$100 per bird

20.26(c)	Failure to comply with temporary closure regulations	\$350+\$100 per bird
20.31	Possession of birds taken in violation of 20.20 thru 20.26	\$350+\$100 per bird
20.32	Possess freshly killed migratory game birds during closed season	\$500+\$100 per bird
20.33	Exceed possession limit of migratory game birds taken in U.S.	\$350+\$100 per bird over limit
20.34	Possess in excess of daily bag limit on opening day	\$350+\$100 per bird over limit
20.35	Possess or transport in excess of daily field limit	\$350+\$100 per bird over limit
20.36	Violation of tagging regulations	\$150+\$100 per bird
20.37	Custody of untagged birds belonging to another	\$150+\$100 per bird
20.38	Live wounded birds in possession	\$350+\$100 per bird
20.40	Receive, possess, give to another untagged birds	\$150+\$100 per bird
20.41	Transport birds taken in violation of 20.20 thru 20.26	\$350+\$100 per bird
20.42	Transport untagged birds belonging to another	\$150+\$100 per bird
20.43	Transport migratory game birds with species ID removed	\$250+\$100 per bird
20.44	Transport unmarked or improperly marked package containing migratory game birds via postal service or common carrier (per package)	\$500+\$100 per bird
20.51	Export birds taken in violation of 20.20 through 20.26	\$500+\$100 per bird

20.52	Export birds with species identification removed	\$250+\$100 per bird
20.53	Export unmarked or improperly marked packages containing migratory game birds via postal service or common carrier (per package)	\$500+\$100 per bird
20.61	Import migratory game birds in excess of legal limits	\$500+\$100 per bird
20.62	Import migratory game birds belonging to another	\$250+\$100 per bird
20.63	Import migratory game birds with species ID removed	\$250+\$100 per bird
20.64	Import, possess, transport birds killed in foreign country without accompanying export permit or tags	\$250 +\$50 per bird
20.65	Import birds not drawn or dressed as required	\$500
20.66	Import unmarked or improperly marked package containing migratory game birds via postal service or common carrier	\$500 per package
20.71	Take, possess, transport, or export migratory birds, their parts, nests, or eggs in violation of any other federal law or regulations	\$350+\$100 per bird
20.72	Take, possess, transport, or export migratory birds, their parts, nests or eggs in violation of any applicable state law or regulations	\$350+\$100 per bird
20.73	Import, possess, or transport, migratory birds, their parts, nests, or eggs if taken, bought, sold, transported, possessed, or exported contrary to any law or regulation of any foreign country, state, or province	\$500+\$100 per bird
20.81	Commercial migratory bird preservation facility in possession of untagged birds of another	\$500+\$100 per bird
20.82	Violation of record keeping requirements	\$500
20.83	Failure to permit premises inspection	\$1000
20.91(a)	Purchase, sell, barter, or offer the feathers of migratory game birds for millinery or ornamental use	\$500

20.91(b)	Purchase, sell, barter, or offer mounted specimens of migratory game birds taken by hunting	\$500+\$100 per bird
20.100	Take of migratory game bird for which no season has been established	\$500+\$100 per bird
20.133	Violation of crow hunting regulations	\$100+\$25 per bird

50 CFR 21: Migratory Bird Permit Regulations

21.1-.27	Migratory Bird Permit Violations	\$500+\$100 per bird
21.28	General Violation of Falconry Permit requirements	\$250 +\$50 per bird
21.28(e)(1)	Take, possess, transport, golden eagle for falconry without permit	\$500
21.28(e)(2)(iii)	Unauthorized purchase, sale, or barter, of raptor for falconry	\$500
21.29	General Violation of Falconry Standards	\$250
21.29(e)(3)	Take, possess, transport raptor in violation of 21.29	\$250+\$50 per bird
21.29(e)(3)(v)	Unauthorized take of a threatened species	\$500+ \$50 per bird
21.29(g)	Failure to comply with facility & equipment standards	\$150
21.29(j)	General Violations of Misc. Falconry Regulations	\$150
21.30	General Violation of Raptor Propagation Permit	\$250+\$100 per bird
21.30(a)	Take, possess, transport, sell, purchase, barter, or transfer any raptor, raptor egg, or raptor semen, for propagation purposes without authorization	\$350+\$100 per specimen
21.41-.43	Violation of Depredating Bird regulations	\$100+\$25 per specimen or item

16 USC 718

Migratory Bird Hunting Stamp Act

16 USC 718a	Hunting migratory waterfowl without a federal waterfowl hunting stamp	\$150
16 USC 718b	Hunting migratory waterfowl with an invalid (unsigned) federal waterfowl stamp	\$50

16 USC 718e(a)	Loan or transfer of valid migratory stamp or use of stamp validated by another	\$250
16 USC 718e(b)	Alter, mutilate, imitate, or counterfeit migratory waterfowl stamp	Mandatory Appearance

16 USC 668

Bald and Golden Eagle Protection Act

16 USC 668	Take, possess, transport, sell, purchase, barter, trade, import, export any bald or golden eagle or parts, nests, or eggs thereof	Mandatory Appearance
------------	---	----------------------

50 CFR 22: Regulations Pertaining to Bald and Golden Eagles

22.11	Possess, transport, import/export bald or golden eagle, nest or eggs thereof	\$1000
22.12	Take, sell, purchase, barter, trade bald or golden eagle	\$1000
22.21-.32	Violation of eagle permit requirements	\$500

16 USC 1531 - 1543

Endangered Species Act - Convention on International Trade

16 USC 1538(c)-(d)	Violations of Convention on International Trade in Wildlife and Plants designated in Appendices I, II, and III	\$1000+\$100 per specimen or item
--------------------	--	--------------------------------------

50 CFR 23: Regulations Pertaining to the Import & Export of Protected Wildlife & Plants

23. 11 (a) - (e)	Unlawfully import, export, re-export, or possess any unlawfully imported, exported or re-exported species:	
	Appendices I, II, and III species	\$1000+\$100 per specimen or item

50 CFR 24: Regulations Pertaining to the Import & Export of Plants

24.11 Import, export, re-export plants at non-designated port \$250+ \$50
per specimen or item

16 USC 4201 - 4245
African Elephant Conservation Act

16 USC 4223

Import or export raw or worked ivory contrary to the provisions of the act:

non-commercial	\$500+\$50 per item
commercial	\$1000+\$50 per item

16 USC 668dd(c)
National Wildlife Refuge Act - Prohibited Acts

16 USC 668dd(c)

Knowingly disturb, injure, cut, burn, remove, destroy, or possess any real or personal property of the United States or take or possess any fish, bird, mammal, or other wild vertebrate or invertebrate animal or part or nests or egg thereof... or enter, use, or otherwise occupy any such area for any purpose without a permit or authorization.

Disturb, injure, cut, burn, remove, destroy, take, possess, enter, use, etc.

\$500+
the following amount
per animal/item:

Fish	\$10	per fish
Big Game	\$250	per animal
Small Game	\$10	per animal
Fur Bearer	\$25	per animal
Bird	\$100	per bird
Plant	\$10	per plant
Other	\$10	per species

Or Mandatory Appearance

16 USC 460L, 16 USC 668dd and 16 USC 721 - 731

Recreation Act

National Wildlife Refuge Administration Act

Upper Mississippi River Wildlife and Fish Refuge Act

Bear River Migratory Bird Refuge Act

50 CFR 25: Administrative Provisions

25.21	Enter a closed portion of a National Wildlife Refuge	\$100
25.31	Failure to comply with special regulations, etc.	\$100
25.42	Failure to display permit when requested	\$100
25.56	Enter a National Wildlife Refuge without payment of a user's fee	\$100
25.72	Failure to report all accidents	\$100
25.	All other administrative provisions regulations	\$50

50 CFR 26: Regulations Pertaining to Public Entry & Use

26.21(a)	Trespass on a National Wildlife Refuge (NWR)	\$100
26.21(b)	Permit unconfined domestic animals to enter or roam at large upon any NWR; Pets Off Leash	\$50+\$50 per animal
26.36	Conduct public assembly/demonstration without permit	\$100
26.	All other public entry and use regulations	\$100

50 CFR 27: Prohibited Acts

27.21	Take any animal or plant without authorization	\$250 +\$50 per item
27.31	Travel on other than a designated route of travel	\$100
27.31(a)	Operate a vehicle in violation of state law	\$100
27.31(b)	Operate a vehicle under the influence of drugs or intoxicating beverage	\$750/MA
27.31(c)	Operate a vehicle carelessly or heedlessly	\$750/MA
27.31(d)	Exceed 25 mph or posted speed limit	\$50
	11 - 15 MPH over limit	\$100

	16-20 MPH over limit	\$125
	21-25 MPH over limit	\$150
	26-30 MPH over limit	\$250
27.31(i)	Failure to obey orders of traffic control officer	\$250
27.31(k)	Moving of a vehicle involved in an accident	\$150
27.31(e)-(h), (j), (l), (m)	Violate all other established vehicle requirements	\$100
27.32(a)	Unauthorized use of a boat	\$100
27.32(b)	Operate boat in violation of either U.S. Coast Guard or state law	\$100
27.32(b)(2)	Operate a boat in a reckless or negligent manner	\$500
	Operate boat in manner that endangers person, property, or wildlife	\$250
27.32(b)(3)	Operate a boat under the influence of an intoxicant	\$750/MA
27.32(b)(4)-(8)	Other boating regulation violations	\$100
27.33	Unauthorized water-skiing on NWR	\$100
27.34	Unauthorized operation of an aircraft on or over a NWR	\$250
27.41	Possession or use of explosives	MA
	Possession or use of fireworks	\$250
	Possession of a firearm	\$200
	Discharge of a firearm	\$350
27.42	Firearms; other violations	\$150
27.43	Use of weapons other than firearms	\$150
27.51	Disturb, injure, damage animals/plants on NWR	\$250/MA +\$100 per animal/plant
27.52	Introduction of plants or animals to NWR	\$150/MA + \$75 per animal/plant
27.61	Destruction or removal of property on or from a NWR Where value of Property is \$300 or less	\$500
	Where value of Property exceeds \$300	MA
27.62	Search for or remove objects of antiquity	\$300/MA
27.63	Unauthorized search for valued objects; no permit	\$250
27.64	Unauthorized prospecting or mining on a NWR	\$300
27.65	Tamper with or enter vehicles or equipment	\$300
27.71	Take or film motion pictures for commercial use	\$250
27.72	Cause unreasonable disturbances with audio equipment	\$100
27.73	Use of artificial light to take wildlife	\$200
27.81	Enter a NWR under the influence of alcohol	\$250/MA
27.82(b)(1)	Deliver controlled substance	MA
27.82(b)(2)	Possess controlled substance on a NWR	\$500/MA
27.82(b)(3)	Under the influence of a controlled substance	\$500/MA

27.83	Indecency or disorderly conduct	\$500
27.84	Interference with persons engaged in authorized activity	\$500/MA
27.85	Gambling on a NWR	\$100
27.86	Begging or soliciting	\$50
27.91	Conducting field trials	\$100
27.92	Construct, install, or occupy private structure on a NWR	\$250
27.93	Abandon private property	\$300
27.94	Litter on a NWR	\$100
	Dumping refuse or waste	\$250/MA
	Depositing environmental contaminants	MA
27.95(a)	Setting an unauthorized fire on a NWR	\$500
	Setting an unauthorized campfire	\$100
27.95(b),(c)	Leaving fire unattended/throw burning cigarette	\$150
27.95(d)	Smoking violation	\$50
27.96	Unauthorized advertising	\$100
27.97	Conduct private commercial operation	\$350

50 CFR 31: Regulations Pertaining to Commercial Fishing & Trapping

31.13	No NWR commercial fishing permit	\$300
31.16	Violation of federal trapping permit regulations, state trapping laws, or other special trapping laws, or other special trapping regulations	
	Violate state law	\$150
	Violate permit conditions, etc.	\$150
	Failure to inspect traps	\$150
	Unlawful sets, unlawful equipment	\$300
	Animal unlawfully trapped	\$300

50 CFR 32: Regulations Pertaining to Hunting and Fishing

32.2(a)	Hunt without a state license	\$100
32.2(b)(c)(e)(f)	Noncompliance with other federal laws or regulations	\$150
32.2(d)	Hunt in violation of state law	\$100
32.2(g)	Bow hunt with any drug on an arrow	\$250
32.2(h)	Unauthorized distribution of bait or hunting over bait	\$500
32.5(a)	Fish without a state license	\$50
32.5(b)-(d)	Noncompliance with State, other federal laws or regulations	\$150
32.5 (a)	Violation of special regulations on fishing	\$100
32.28	Violation of NWR specific regulations	\$100
32.	All other NWR Hunting and Fishing regulations	\$100

50 CFR 70: Regulations Pertaining to National Fish Hatcheries

70.2	Administrative provisions as adopted from Part 25	As Noted in 50 CFR 25
70.4(a)	Prohibited Acts as adopted from Part 27	As Noted in 50 CFR 27
70.4(b)	Unauthorized taking, or attempt to take fish amphibians, or other aquatic animals	\$250+\$50 per animal
70.4(c)	Unauthorized take of any animal	\$250 +\$50 per animal
70.4(d)	Disturbing spawning fish	\$100
70.6	Public Entry & Use as adopted from Part 26	As Noted in 50 CFR 26
71.2(a)	Hunt without a state license	\$100
71.2(b)(c)(e)(f)	Noncompliance with other federal laws or regulations	\$150
71.2(d)	Hunt in violation of state law	\$100
71.12(a)	Fish without a state license	\$100
71.12(b)(d)(e)	Noncompliance with other federal laws or regulations	\$150
71.12(c)	Fishing in violation of state law	\$100

OVERSIGHT PROVISION

All Regulatory Provisions of 50 CFR Not Heretofore Enumerated

Violations of Permits or permit requirements	\$250
Violations of taking, sale, purchase or barter provisions	\$300+\$50 per specimen/item
Violations of possession, transport, import or export	\$250+\$50 per specimen/part/item
All other violations or noncompliance	\$250

18 USC 13

Assimilative Crime Act

18 USC 13

Violations of state statutes on land administered by FWS	\$350
---	-------

10 USC 2671

Hunting, Fishing, Trapping on Military Reservations

10 USC 2671 (a)

Violation of state statutes for wildlife and plants
while on a military reservation

\$100

16 USC 431

American Antiquities Act

16 USC 431

Appropriate, excavate, injure, or destroy historic
or prehistoric ruins, or monuments, or any object of antiquity

\$500

16 USC 3372- 3378

Lacey Act Amendments of 1981 - Prohibited Acts

16 USC 3372(a)

(1) to import, export, transport, sell, receive, acquire, or
purchase any fish/wildlife/plant taken, possessed, transported,
or sold in violation of any law/treaty/regulation of the U.S. or
in violation of any Indian Tribal Law

(2) to import, export, transport, sell, receive, acquire, or purchase
in interstate commerce or foreign commerce

(A) Any fish/wildlife taken, possessed, transported, or sold
in violation of any law/regulation of any State or in violation
of any foreign law, or

(B) Any plant taken, possessed, transported, or sold in violation
of any law or regulation of any State

(3) within the special maritime and territorial jurisdiction of the U. S.

(A) to possess any fish/wildlife taken, possessed, transported, or
sold in violation of any law/regulation of any state, or in violation
of any foreign law or Indian Tribal law, or

(B) to possess any plant taken, possessed, transported, or sold in
violation of any law/regulations of any state

(4) Attempt to commit any act described in 3372(a)(1) through (a)(4)

Fish	\$500+ \$10	per fish
Big Game	\$1000 +\$250	per animal
Small Game	\$500+ \$10	per animal
Fur Bearer	\$500 + \$25	per animal
Bird	\$500+\$100	per bird
Reptile/Amphibian	\$500 +\$25	per animal
Plant	\$250+ \$10	per plant
Other	\$250+ \$10	per species
	Or Mandatory Appearance	where deemed appropriate

16 USC 3372 (d) (1) and (2)

Unlawful to make or submit any false record, account, or label for or identification of wildlife imported, exported, transported, sold, purchased, or received from any foreign country or transported in interstate or foreign commerce.

\$350

Wildlife/Property Forfeiture Order

Unless otherwise specifically ordered by a United States Court, any wildlife or property which has been seized under the authority of The Migratory Bird Treaty Act, 16 USC 703-711; The National Wildlife Refuge Systems Administration Act, 16 USC 668dd-668ee; The Upper Mississippi River Wildlife and Fish Refuge Act, 16 USC 721-1; The Bald and Golden Eagle Protection Act, 16 USC 668-668e; The Endangered Species Act, 16 USC 1531-1542; The Migratory Bird Hunting Stamp Act, 16 USC 718-718i; The Airborne Hunting Act, 16 USC 742j-1; The Marine Mammal Protection Act, 16 USC 1361-1407; The Lacey Act, 18 USC 42; The Lacey Act Amendments of 1981, 16 USC 3371-3378; The American Antiquities Act, 16 USC 431, The Wild Bird Conservation Act, 16 USC 4901, or The African Elephant Conservation Act, 16 USC 4201-4245, where the final disposition of the case has been made by either payment of a forfeiture of collateral or a judgment by the Court on behalf of the government and where so authorized by statute, such wildlife or property shall be forfeited to the U.S. government and disposed of by the U.S. Fish & Wildlife Service in the manner prescribed by Title 50, Code of Federal Regulations, Part 12.

#

2002 COLLATERAL SCHEDULE
 NATIONAL PARK SERVICE
 SOUTHERN DISTRICTS OF FLORIDA

**TITLE 36, CODE OF FEDERAL REGULATIONS:
 GENERAL PROVISIONS**

1.5	<u>Closures and Public Use Limits</u> (Based on the authority granted Park Superintendent's in 36 CFR 1.5. Closures found in the Superintendent's Compendium for each Park Unit.)	
(f)	Closure Violations	\$100
	Taking of Lobsters, Fish (Dry Tortugas National Park Only)	\$100 + \$50 ea add'l item
	Parking Lot Closures	\$25
1.6	<u>Permits</u>	
(g)	No Permit/Permit Violations (Special Use)	\$150
1.10	<u>Symbolic Signs</u>	
(a)	Engaging in Activity Symbolized by Sign Bearing Slash Mark	\$75

RESOURCE PROTECTION, PUBLIC USE & RECREATION

2.1	<u>Preservation of Natural, Cultural, Archeological Resources</u>	
(a)(1)	Possessing/Injuring/Removing/Disturbing	\$150 or MA
(a)(2)	Introducing Wildlife/Fish/Plants	\$150 or MA
(a)(4)	Using/Possessing Wood (does not include dead & down wood where permitted)	\$100
(a)(6)	Possessing/Destroying Archaeological or Cultural Resources	\$150 or MA
(a)(7)	Possessing/Using Metal Detectors	\$100
(c)(3)	Gathering/Possessing/Removal of Natural Products	\$150
2.2	<u>Wildlife Protection</u>	
(a)(1)	Illegal Taking of Wildlife	\$500
(a)(2)	Bothering/Molesting/Feeding	\$100 or MA
(a)(3)	Possession of Illegally Taken Wildlife	\$100 + \$50 ea add'l item
(b)(4)	State Law applicable – Florida Administrative Code (FAC)/Florida Statutes (FS)	
	68A-4.001 FAC Possession of Gun & Light	\$250
	68A-12.002 FAC General Methods of Taking Game	\$150
	68A-12.003 FAC Protected Animals	\$250
	68A-23.002 FAC General Methods of Fishing	\$100
	68A-23.005 FAC Bag Limits for Freshwater Fish	\$100 + \$50 ea add'l item
	FS 372.9903 Illegal Possession of Freshwater Fish in Commercial Quantities	MA
(e)	Use of Spotlight in Closed Area	\$200

2.3	<u>Fishing Violations</u>	
(a)	State Fishing Laws Applicable	
	License Violations	\$50
	Taking Species During Closed Season	\$100 + \$50 ea add'l item
	Bag Limit or Size Limit	\$100 + \$50 ea add'l item
	Prohibited Species	\$250
	Other State Fishing Laws	\$75
(d)(1)	Fresh Water-Other Than By Hook and Line	\$100
(d)(2)	Fresh Water-Possessing/Using Live or Dead Bait	\$50
(d)(3)	Fresh Water-Chumming	\$50
(d)(4)	Unauthorized Commercial Fishing	MA
(d)(5)	Fishing by Use of Drugs/Poisons/Explosives/Etc.	MA
(d)(6)	Digging for Bait	\$50
(d)(7)	Failing to Return Illegally Obtained Fish	\$100 + \$50 ea add'l item
(d)(8)	Fishing From Bridge or Swim Beach	\$75
2.4	<u>Weapons, Traps and Nets</u>	
(a)	Possessing, Carrying Weapon, Trap, or Net	\$150
(a)	Using /Discharging weapon	\$300
(b)	Carrying/Possessing Loaded Weapon in Vehicle/Vessel/Conveyance	\$150
(c)	Using Weapon, Trap or Net In Manner That Endangers Persons/Property	MA
(f)	Carrying/Possessing Weapon in Violation of Applicable Federal/State Laws	\$150 or MA
2.5	<u>Research Specimens</u>	
(a)	Collecting Without Permit	\$200
(h)	Collecting in Violation of Terms of Permit	\$150
2.10	<u>Camping and Food Storage</u>	
(b)(1) thru (3)	Camping Violations	\$75
(b)(4)	Creating Unreasonable Noise Between 10 p.m. and 6 a.m. in Campgrounds	\$100
(b)(8)	Backcountry Permit Violations	\$75
(b)(9)	Conditions Established by Superintendent	\$50
(d)	Improper Food Storage	\$50
2.11	<u>Picnicking</u>	
	All Picnicking Violations	\$50
2.12	<u>Audio Disturbances</u>	
(a)	Excessive Noise/Device	\$100

2.13	<u>Fires</u>	
(a)(1)	Fire In Undesignated Area	\$100
(a)(2)	Using Stoves/Lanterns in Violation of Established Conditions	\$100
(a)(3)	Using Fire in Manner that Threatens or Causes Damage or Hazard	\$500
(a)(4)	Leaving Fire Unattended	\$250
(a)(5)	Throwing/Discarding Lighted Material	\$500
(b)	Fire Not Extinguished After Use	\$500
(c)	Fire in Closed Area During High Fire Danger	\$1000
2.14	<u>Sanitation and Refuse</u>	
(a)(1)	Littering	\$100
(a)(1)	Dumping of Household Refuse (MA if large quantity)	\$250
(a)(1)	Dumping of Commercial/Business/Industrial Refuse	\$1500
(a)(2)	Disposing Household/Commercial Refuse in Government Facilities	\$200
(a)(3)	Depositing Trash Refuse in Toilet	\$100
(a)(4)	Draining Refuse From Trailer/Vehicle	\$200
(a)(5)	Bathing/Washing Food/Property at Undesignated Public Water Outlet	\$50
(a)(6)	Polluting or Contaminating Water	\$500
(a)(7)	Disposing Fish Remains - Undesignated Area	\$50
(a)(8)	Disposing Human Waste in Developed Areas Outside of Restrooms	\$250
(a)(9)	Disposing Human Waste Within 100 Feet of Water or Trail	\$100
(b)	Violating Conditions of Human Waste Carry-out Policy	\$100
2.15	<u>Pets</u>	
(a) thru (f)	All Violations	\$50
2.16	<u>Horses and Pack Animals</u>	
(a) thru (g)	All Violations	\$50
2.17	<u>Aircraft and Air Delivery</u>	
(a)(1)	Landing or Air Delivery on Undesignated Land/Waters by Parachute Helicopter and Other Airboat Means	\$500
(c)(2)	Failure to Remove Downed Aircraft or To Comply with Removal Procedures/Conditions	\$500
(e)(3)	Using Hovercraft	\$150
2.20	<u>Skating, Skateboards and Similar Devices</u>	
	Use In Undesignated Area	\$30
2.21	<u>Smoking</u>	
(a)	In Closed Area	\$50

2.22	<u>Property</u>	
(a)(1)	Abandoning Property	\$300
(a)(2)	Unattended Over 24 Hours	\$100
(a)(3)	Failing to Turn in Found Property	\$100
2.23	<u>Recreation Fees</u>	
(b)	Entering Fee Area Without Paying	2 times daily rate (rates vary \$5-\$10)
2.30	<u>Misappropriation of Property and Services</u>	
(a)	Where Total Value is Less or Equal to \$300	\$300
2.31	<u>Trespassing, Tampering, Vandalism</u>	
(a)(1)	Trespassing	\$100
(a)(2)	Tampering	\$150
(a)(3)	Vandalism	\$150
2.32	<u>Interfering With Agency Functions</u>	
(a)(1)	Interfering/Resisting/Threatening	\$250 or MA
(a)(2)	Disobey Lawful Order	\$250
(a)(3)	False Information	\$250
(a)(4)	False Report	\$250
2.33	<u>Report of Injury or Damage</u>	
(b)	Fail to Report Injury/Damage (Intentionally or Recklessly causing)	\$150
2.34	<u>Disorderly Conduct (Intentionally or Recklessly Causing)</u>	
(a)(1)	Fighting/Threatening/Violent Behavior	\$500 or MA
(a)(2)	Obscene Language or Act/Menacing Behavior	\$250
(a)(3)	Unreasonable Noise	\$100
(a)(4)	Hazardous/Physically Offensive Condition	\$250
2.35	<u>Alcoholic Beverages and Controlled Substances in the Park</u> [See 4.14, 4.23 for alcohol in vehicle and 3.6 for alcohol and boating]	
(a)(2)(i)	Sale/Gift Alcohol to Minor	\$250
(a)(2)(ii)	Minor in Possession of Alcohol	\$100
(a)(3)(iii)	Consumption/Open Container in Closed Area	\$75
(b)(1)	Delivery of Controlled Substance	\$500
(b)(2)	Possession of Controlled Substance (grams-not residue)	\$300
(c)	Public Intoxication/Under Influence of Controlled Substance	\$300
2.36	<u>Gambling</u>	
(a)	All Violations	\$100

2.37	<u>Non-commercial Soliciting</u> Soliciting/Demanding Gifts/Money/Goods	\$50
2.38	<u>Explosives</u>	
(a)	Using/Possessing Explosives	MA
(b)	Using/Possessing Fireworks	\$250
2.50	<u>Special Events</u> Violation of Conditions of Permit	\$250
2.51	<u>Public Assemblies, Meetings</u>	
(h)	Obstructing/Impeding Pedestrians/Vehicles or Harassing Visitors	\$200
2.52	<u>Sale or Distribution of Printed Matter</u>	
(h)	Obstructing/Impeding Pedestrians/Vehicles or Harassing Visitors	\$200
2.60	<u>Livestock Use and Agriculture</u>	
(a)	Livestock Running at Large/Grazing or Agriculture Violations	\$100 + \$50 ea add'l item
2.61	<u>Residing on Federal Lands</u>	
(a)	Residing Without Authorization	\$250
2.62	<u>Memorialization</u>	
(b)	Scattering of Human Ashes Without Permit	\$150

BOATING AND WATER USE ACTIVITIES

3.1	<u>Applicable United States Coast Guard, State, and Other Regulations</u>	
(a)	Adopting sections of the United States Coast Guard Regulations, found in 33 CFR and 46 CFR, as indicated below:	
33 CFR 87.3	Improper Use of Distress Signals	\$150
33 CFR 159.7	Lack of Marine Sanitation Device	\$200
33 CFR 173	Numbering, Lack of, Incorrect or Misplacement	\$50
33 CFR 173	Certificate of Numbers, Lack of, Incorrect or Misplacement	\$50
33 CFR 175	Personal Flotation Device (PFD) Violations (rec. & rental vessels)	\$50 for each PFD
33 CFR 175.110	Visual Distress Signals Required	\$50
33 CFR 177.05	Fail to Terminate Voyage	\$500
33 CFR 177.07	Navigational Lights, Lack of or Improper	\$50
33 CFR 177.07	Fuel in Bilge	\$250
33 CFR 177.07	Fuel Leak into Park Lands or Waters	\$500
46 CFR 25.25	PFD Violations (commercial vessels)	\$200 for each PFD
46 CFR 25.30	Fire Extinguisher, Lack of or Improper	\$50
46 CFR 25.35	Flame Arrestor	\$50
46 CFR 25.40	Ventilation, Lack of or Improper	\$50

(a)	Other 3.1 Violations	\$50
(a)	Adopting sections of the Florida Statutes (FS), as indicated below:	
FS 327.10	Operation of Unregistered Vessel in Excess of 30 days	\$50
FS 327.25	Operation of Vessel with Expired Registration	\$50
FS 327.33	Inland Navigational Rules	\$150
	Rule 5 Failure to Maintain Adequate Lookout	\$150
	Rule 6 Exceed Safe Speed	\$150
	Rule 8 Fail to Take Action to Avoid Collision	\$150
	Rule 33 Sound Producing Devices	\$50
	Other State and Federal Navigational Rules	\$150
FS 327.44	Interference with Navigation/Anchoring	\$100
FS 327.53	Marine Sanitation Device Violations	\$150
FS 328.07	Operation of Vessel w/out Hull Identification Numbers	\$200
3.24	<u>Personal Watercraft Prohibited</u>	\$100
3.4	<u>Accidents</u>	
(b)	Failure to Report Incident	\$150
3.5	<u>Inspections</u>	
(c)	Fail to Obey Directions of Boarding Officer	\$500
3.6	<u>Prohibited Operations</u>	
(a)	Reckless/Negligent Operation	\$500
(b)	Boating Under the Influence (BUI)	\$750 or MA
(c)	Failure to Obey Regulatory Markers	\$100
(d)(1)	Failure to Obey Designated No Wake Zone	\$100
(d)(2)	Within 100' of Diver's Marker/Downed Water Skier or Swimmer	\$100
(e)	Operating a Vessel Within 500 Feet of Swim Beach	\$250
(f)	Bow Riding	\$150
(g)	Attaching Vessel to Navigation Marker	\$100
(h)	Using Trailers to Launch/Retrieve Vessels in Undesignated Site	\$100
(i)	Launching Vessel Propelled by Machinery at Undesignated Site	\$100
(k)	Launching/Operating Airboats	\$500
3.7	<u>Noise Abatement</u>	
	Excessive Noise	\$100
3.20	<u>Water Skiing</u>	
(a)	Towing of Persons by Vessel Prohibited	\$75
(b)(1)	Other Towing Violations	\$50

3.21	<u>Swimming and Bathing</u> Swimming Violations	\$50
3.22	<u>Surfing</u> Surfboards Within Designated Swimming Beaches	\$50
3.23	<u>SCUBA and Snorkeling</u>	
(a)	Within Designated Swimming/Docking Areas	\$50
(b)	Without Displaying Diver Flag	\$100

VEHICLES AND TRAFFIC SAFETY

4.2(b) Adopting Florida Statutes (FS) as indicated below:

FS 316.081	Travel Out of Proper Lane	\$75
FS 316.085	Unsafe Passing	\$100
FS 316.0875	Passing in No Passing Zone	\$100
FS 316.0895	Following Too Closely	\$75
FS 316.121	Unsafely Entering Unsigned Intersect.	\$75
FS 316.122	Unsafe Left Turn	\$75
FS 316.123	Unsafely Entering Signed Intersect.	\$75
FS 316.192	Reckless Driving (depends on drivers history)	\$750 or MA
FS 316.1935	Fleeing/Attempting to Elude (depends on drivers history)	\$750 or MA
FS 316.1945	Parking Violations	\$30
FS 316.1955	Parking in Handicapped Spot	\$250
FS 316.211(1)	Motorcycle Helmet Required	\$50
FS 316.217(1)	Lights Required-Night	\$50
FS 316.220	Head Lamp Defective	\$50
FS 316.221	Tail Lamp Defective	\$50
FS 316.222	Stop Lamp/Turn Signal Defect.	\$50
FS 316.405	Motorcycle Headlights	\$50
FS 316.646	No Proof Of Insurance (depends on drivers history)	\$250 or MA
FS 320.07	Expired Tag (6 months or less)	\$50
FS 320.07	Expired Tag (over 6 months)	\$250
FS 322.03	Expired Driver's License (4 months or less)	\$100
FS 322.03	Expired Driver's License (over 4 months)	\$250
FS 322.03(1)	Failure to Have Any Drivers License(No DL on record)	\$500
FS 322.34	D/L Suspended/Revoked (depends on history)	\$500 or MA
FS 322.212	Counterfeit or Stolen Drivers License	\$500 or MA
	Other 4.2 (b) violations	\$50
4.4	<u>Report of Motor Vehicle Accident</u>	
(c)	Failure to Report Within 24 Hours	\$150
4.10	<u>Travel on Park Roads and Designated Routes</u>	
(a)	Travel Off Road/Parking Area	\$100
4.11	<u>Load, Weight and Size Limits</u>	
	Any Load, Weight, Size Violation	\$100
4.12	<u>Traffic Control Devices</u>	\$75
4.13	<u>Obstructing Traffic</u>	
(a) thru (b)	All Violations	\$75

4.14	<u>Open Container of Alcoholic Beverage</u>	
(b)	Open Container in a Motor Vehicle	\$150
4.15	<u>Safety Belts/Child Restraint Systems</u>	
	Failure to Use Safety Belts	\$50
	Failure to Use Child Restraint Systems	\$100
4.20	<u>Right of Way</u>	
	Fail to Yield to Pedestrian	\$75
4.21	<u>Speed Limits</u>	
(c)	05 - 09 Over Limit	\$75
(c)	10 - 15 Over Limit	\$100
(c)	16 - 20 Over Limit	\$125
(c)	21 - 29 Over Limit	\$150
(c)	30 or Higher Over Limit	\$250
4.22	<u>Unsafe Operation</u>	
(b)	All Violations	\$100
4.23	<u>Operating Under the Influence of Alcohol or Drugs</u>	
(a)(1)	Driving Under the Influence of Alcohol/Drugs	\$750 or MA
(a)(2)	Driving Under the Influence of Alcohol/Drugs (Blood Alcohol Concentration .08 or Greater)	\$750 or MA
(c)(2)	Refusal to Submit to Test to Determine Blood Alcohol and Drug Content	\$750 or MA
4.30	<u>Bicycles</u>	
(a)	Bicycling on Non-Designated Route	\$25
(d)(1)	Possession of a Bicycle in a Designated Wilderness Area	\$50
(d)(2)	Operating a Bicycle in Periods of Low Visibility	\$50
(d)(3)	Operating a Bicycle Abreast of Another Bicycle	\$25
(d)(4)	Operating a Bicycle While Consuming Alcoholic Beverages	\$100
(d)(4)	Carrying in Hand an Open Container of Alcohol While Bicycling	\$100
	FS 316.2065(3)(d) No Bicycle Helmet (Adopted under 4.2(b))	\$25
4.31	<u>Hitchhiking</u>	
	Hitchhiking in Undesignated Area	\$25

COMMERCIAL AND PRIVATE OPERATIOS

5.3	<u>Unauthorized Business Operations</u>	
	All Violations	\$500

ARROWHEAD AND PARKSCAPE SYMBOLS

11.4 Unauthorized Use of NPS Arrowhead Symbol \$250

SPECIAL REGULATIONS

7.45 Everglades National Park Special Regulations

(b)	Motorized Vehicle in Wetlands/Marsh/Glades	\$75
(d)(3)	Fishing in Closed Area	\$100
(d)(4)	Guide Fishing Without Permit	\$500
(d)(5)	Taking/Possession/Disturbing Aquatic Life	\$100 + \$50/ea add'l item
(d)(6)	Unattended Fishing Activities	\$50
(d)(6)(i)	Recreational Crabbing Violations	\$75
(d)(6)(ii)	Bait Violations	\$50
(d)(6)(iii)	Dragging/Trawling Dipnet or Cast Net Prohibited	\$75
(d)(7)	Tagging Without Permit	\$100
(d)(8)	Fish Filet Restriction	\$100+\$25/ea add'l filet
(d)(9)	Possession/Use of Nets/Traps Commercial	\$2500 or MA
(e)(3)	Boating in Closed Area	\$100
(e)(4)	Motor Boats in Prohibited Area	\$100
(e)(5)	Coastal Waters Closed to Vessels	\$100
(e)(6)	Landing on Closed Keys	\$100
(e)(7)	West Lake Closure	\$100
(e)(9)	Vessels/Living Quarters/14 day limit	\$50

7.27 Dry Tortugas National Park

(a)	Taking Ornamental Fish Prohibited	\$100+\$25 ea/add'l item
(a)(1)	Disturbing Turtles or Nests	\$750 or MA
(a)(2)	Commercial Lobstering Prohibited	MA
(a)(3)	Commercial Taking of Conch Prohibited	MA
(a)(4)	Commercial Fishing or Shrimping Prohibited	MA
(a)(5)	Bait Violations	\$100
(a)(6)	Fishing in Closed Areas	\$100
(a)(7)	Use or Possession of Spears, Gigs, Grains Prohibited	\$150
(b)	Anchoring Outside Designated Area	\$100
(b)	Violating Docking Policy	\$100
(c)	Aircraft Landing Restrictions	\$150

7.86 Big Cypress National Preserve

(a)(2)(ii)(A)	Motorized Vehicles between Loop Road and the Tamiami Trail	\$150
(a)(2)(ii)(B)	Motorized Vehicles on the Big Cypress Florida Trail	\$150
(a)(2)(iii)	Motor Vehicles in Other Closed Areas	\$150
(a)(3)(i)(A)	Vehicle Permits Required	\$150
(a)(3)(i)(B)	Use of Vehicles to Cause Damage	\$250
(a)(3)(ii)(B)	Spark Arrestor Required	\$50

(a)(3)(ii)(C)	Vehicle Lights Required	\$50
(a)(3)(ii)(D)	Airboat Light/Flag Required	\$50
(c)(1)	Landing/Use of Airstrip Without Permit	\$150
(c)(2)	Rotorcraft Use Without Permit	\$150

Forfeiture of Collateral Schedule
 Title 36, Code of Federal Regulations Part 327
 Rules and Regulations Governing Public Use Of
 Corps of Engineers Water Resources Development Projects

327.1 Policy

(d) All water resource development projects open for public use shall be available to the public without regard to sex, race, color, creed, age, nationality or place of origin. No lessee, licensee, or concessionaire providing a service to the public shall discriminate against any person because of sex, race, color, creed, age, nationality or place of origin in the conduct of operations under the lease, license or concession contract. \$50

327.2 Vehicles

(b) Vehicles shall not be parked in violation of posted restrictions and regulations, or in such a manner as to obstruct or impede normal or emergency traffic movement or the parking of other vehicles, create a safety hazard, or endanger any person, property or environmental feature. Vehicles so parked are subject to removal and impoundment at the owners expense. \$50

(c) The operation and/or parking of a vehicle off authorized roadways is prohibited except at locations and times designated by the District Commander. Taking any vehicle through, around or beyond a restrictive sign, recognizable barricade, fence or traffic control barrier is prohibited. \$50

(d) Vehicles shall be operated in accordance with posted restrictions and regulations. \$50

(e) No person shall operate any vehicle in a careless, negligent or reckless manner so as to endanger any person, property or environmental feature. \$100

(f) At designated recreation areas, vehicles shall be used only to enter or leave the area or individual sites or facilities unless otherwise posted. \$50

(g) Except as authorized by the District Commander, no person shall operate any motorized vehicle without a proper and effective exhaust muffler as defined by state and local laws, or with an exhaust muffler cutout open, or in any other manner which renders the exhaust muffler ineffective in muffling the sound of engine exhaust. \$50

327.3 Vessels

- (b) The placement and/or operation of any vessel or watercraft for a fee or profit upon project waters or lands is prohibited except as authorized by permit, lease, license, or concession contract with the Department of the Army. This paragraph shall not apply to the operation of commercial tows or passenger carrying vessels not based at a Corps project which utilize project waters as a link in continuous transit over navigable waters of the United States. \$50
- (c) Vessels or other watercraft may be operated on the project with posted regulations and restrictions, including buoys. \$50
- All vessels or watercraft so required by applicable Federal, state and local laws shall display an appropriate registration on board whenever the vessel is on project waters. \$50
- (d) No person shall operate any vessel or other watercraft in a Careless, negligent, or reckless manner so as to endanger any person, property, or environmental feature. \$100
- (e) All vessels, when on project waters, shall have safety equipment, including personal flotation devices, on board in compliance with U.S. Coast Guard boating safety requirements and in compliance with boating safety laws issued and enforced by the state in which the vessel is located. Owners or operators of vessels not in compliance with this section may be requested to remove the vessel immediately from project waters until such time as items of non-compliance are corrected. \$50
- (f) Unless otherwise permitted by Federal, state or local law, vessels or other watercraft, while moored in commercial facilities, community or corporate docks, or at any fixed or permanent mooring point, may only be used for overnight occupancy when such is incidental to recreational boating. \$50
- Vessels or other watercraft are not to be used as a place of habitation or residence. \$75
- (g) Water skis, parasails, ski-kites and similar devices are permitted in non-restricted areas except that they may not be used in a careless, negligent, or reckless manner so as to endanger any person, property or environmental feature. \$100

(h) Vessels shall not be attached or anchored to structures such as locks, dams, buoys or other structures unless authorized by the District Commander. All vessels when not in actual use shall be removed from project lands and waters unless securely moored or stored at designated areas approved by the District Commander. The placing of floating or stationary mooring facilities on, adjacent to, or interfering with a buoy, channel marker or other navigational aid is prohibited. \$100

(i) The use at a project of any vessel not constructed or maintained in compliance with the standards and requirements established by the Safe Boating Act of 1971 (Public Law 92-75, 85 Stat. 213), or promulgated pursuant to such act, is prohibited. \$50

(j) Except as authorized by the District Commander, no person shall operate any vessel or watercraft without a proper and effective exhaust muffler as defined by state and local laws, or with an exhaust muffler cutout open, or in any other manner which renders the exhaust muffler ineffective in muffling the sound of engine exhaust. \$50

327.4 Aircraft

(b) The operation of aircraft on project lands at locations other than those designated by the District Commander is prohibited. This provision shall not be applicable to aircraft engaged on official business of Federal, state or local governments or law enforcement agencies, aircraft used in emergency rescue in accordance with the directions of the District Commander or aircraft forced to land due to circumstances beyond the control of the operator. \$75

(c) No person shall operate any aircraft while on or above project waters or project lands in a careless or reckless manner so as to endanger any person, property or environmental feature. \$125

(e) Except in extreme emergencies threatening human life or serious property loss, the air delivery or retrieval of any person, material or equipment by parachute, balloon, helicopter or other means onto or from project lands or waters without written permission of the District Commander is prohibited. \$75

(f) In addition to the provisions in paragraph (a) through (e) of this section, seaplanes are subject to the following restrictions:

(2) Seaplane operations contrary to the prohibitions or restrictions established by the District Commander (pursuant to part 328 of this title) are prohibited. The responsibility to ascertain whether seaplane operations are prohibited or restricted is incumbent upon the person(s) contemplating the use of, or using, such waters. \$75

(3) All operations of seaplanes while upon project waters shall be in accordance with U.S. Coast Guard navigation rules for powerboats or vessels and Sec. 327.3. \$75

(4) Seaplanes on project waters and lands in excess of 24 hours shall be securely moored at mooring facilities and at locations permitted by the District Commander. Seaplanes may be temporarily moored on project waters and lands, except in areas prohibited by the District Commander, for periods less than 24 hours providing: \$50

(i) The mooring is safe, secure, and accomplished so as not to damage the rights of the Government or members of the public, and

(ii) The operator remains in the vicinity of the seaplane and reasonably available to relocate the plane if necessary.

(5) Commercial operation of seaplanes from project waters is prohibited without written approval of the District Commander following consultation with and necessary clearance from the Federal Aviation Administration (FAA) and other appropriate public authorities and affected interests. \$75

(6) Seaplanes may not be operated at Corps projects between sunset and sunrise unless approved by the District Commander. \$75

327.5 Swimming

(a) Swimming, wading, snorkeling or scuba diving at one's own risk is permitted, except at launching sites, designated mooring points and public docks, or other areas so designated by the District Commander. \$50

(b) An international diver down, or inland diving flag must be displayed during underwater activities. \$50

(c) Diving, jumping or swinging from trees, bridges or other structures which cross or are adjacent to project waters is prohibited. \$50

327.6 Picnicking

Picnicking and related day-use activities are permitted, except in those areas where prohibited by the District Commander. \$50

327.7 Camping

(a) Camping is permitted only at sites and/or areas designated by the District Commander. \$50

(b) Camping at one or more campsites at any one water resource resource project for a period longer than 14 days during any consecutive 30-day period is prohibited without the written permission of the District Commander. \$50

(c) The unauthorized placement of camping equipment or other items on a campsite and/or personal appearance at a campsite without daily occupancy for the purpose of reserving that campsite for future occupancy is prohibited. \$50

(d) The digging or leveling of any ground or the construction of any structure without written permission of the District Commander is prohibited. \$50

(e) Occupying or placement of any camping equipment at a Campsite which is posted or otherwise marked or indicated as "reserved" without an authorized reservation for that site is prohibited. \$50

327.8 Hunting, fishing and trapping

(a) Hunting is permitted except in areas and during periods where prohibited by the District Commander. \$50

(b) Trapping is permitted except in areas and during periods where prohibited by the District Commander. \$50

(c) Fishing is permitted except in areas and during periods where prohibited by the District Commander. \$50

327.9 Sanitation

(a) Garbage, trash, rubbish, litter, gray water, or any other waste material or waste liquid generated on the project area and incidental to authorized recreational activities shall be either removed from the project or deposited in receptacles provided \$100

for that purpose. The improper disposal of such wastes, human and animal waste included, on the project is prohibited.

(b) It is a violation to bring onto a project any household or commercial garbage, trash, rubbish, debris, dead animals or litter of any kind for disposal or dumping without the written permission of the District Commander. For the purposes of this section, the owner of any garbage, trash, rubbish, debris, dead animals or litter of any kind shall be presumed to be responsible for proper disposal. Such presumption will be sufficient to issue a citation for violation. \$150

(c) The spilling, pumping, discharge or disposal of contaminants pollutants or other wastes, including but not limited to, human or animal waste, petroleum, industrial and commercial products and by-products, on project lands or into project waters is prohibited. \$100

(d) Campers, picnickers and all other persons using a water resources development project shall keep their sites free of trash and litter during the period of occupancy and shall remove all personal equipment and clean their sites upon departure. \$50

(e) The discharge or placing of sewage, galley waste, garbage, refuse, or pollutants into the project waters from any vessel or watercraft is prohibited. \$100

327.10 Fires

(a) Gasoline and other fuels, except that which is contained in storage tanks of vehicles, vessels, camping equipment, or hand portable containers designed for such purpose, shall not be carried onto or stored on the project without written permission of the District Commander. \$50

(b) Fires shall be confined to those areas designated by the District Commander, and shall be contained in fireplaces, grills, or other facilities designated for this purpose. Fires shall not be left unattended and must be completely extinguished prior to departure. The burning of materials that produce toxic fumes, including, but not limited to, tires, plastic and other flotation materials or treated wood products is prohibited. The District Commander may prohibit open burning of any type for environmental considerations. \$75

(c) Improper disposal of lighted smoking materials, matches or other burning material is prohibited. \$50

327.11 Control of animals

- (a) No person shall bring or allow dogs, cats or other pets into developed recreation areas or adjacent waters unless penned, caged, on a leash under six feet in length, or otherwise physically restrained. No person shall allow animals to impede or restrict otherwise full and free use of project lands and waters by the public. No person shall allow animals to bark or emit other noise which unreasonably disturbs other people. Animals and pets, except those properly trained animals assisting those with disabilities (such as seeing-eye-dogs), are prohibited in sanitary facilities, playgrounds, swimming beaches and any other areas so designated by the District Commander. Abandonment of any animal on project lands or waters is prohibited. Unclaimed or unattended animals are subject to immediate impoundment and removal in accordance with state and local laws. \$50
- (b) Persons bringing or allowing pets in designated public use areas shall be responsible for proper removal and disposal of any waste produced by these animals. \$50
- (c) No person shall bring or allow horses, cattle, or other livestock in camping, picnicking, swimming or other recreation areas or on trails except in areas designated by the District Commander. \$50
- Note: \$35.00 per one head \$50
\$15.00 each additional head \$25
- (d) Ranging, grazing, watering or allowing livestock on project lands and waters is prohibited except when authorized by lease, license or other written agreement with the District Commander. \$50
- (g) Wild or exotic pets and animals (including, but not limited to cougars, lions, bears, bobcats, wolves and snakes), or any other pets or animals displaying vicious or aggressive behavior or otherwise posing a threat to public safety or deemed a public nuisance, are prohibited from project lands and waters unless authorized by the District Commander, and are subject to removal in accordance with Federal, state and local laws. \$100

327.12 Restrictions

- (a) The District Commander may establish and post a schedule of visiting hours and/or restrictions on the public use of a project or portion of a project. The District Commander may close or restrict the use of a project or portion of a project when necessitated by reason of public health, public safety, maintenance, and resource \$50

protection or other reasons in the public interest. Entering or using a project in a manner contrary to the schedule of visiting hours, closures or a restriction is prohibited.

(b) Quiet shall be maintained in all public use areas between the hours of 10 p.m. and 6 a.m., or those hours designated by the District Commander. Excessive noise during such times which Unreasonably disturbs persons is prohibited. \$50

(c) Any act or conduct by any person which interferes with, impedes or disrupts the use of the project or impairs the safety of any person is prohibited. Individuals who are boisterous, rowdy, disorderly, or otherwise disturb the peace on project lands or waters may be requested to leave the project. \$100

(d) The operation or use of any sound producing or motorized equipment, including but not limited to generators, vessels, or vehicles, in such a manner as to unreasonably annoy or endanger persons at any time or exceed state or local laws governing noise levels from motorized equipment is prohibited. \$50

(e) The possession and/or consumption of alcoholic beverages on any portion of the project land or waters, or the entire project, may be prohibited when designated and posted by the District Commander. \$50

(f) Unless authorized by the District Commander, smoking is prohibited in Visitor Centers, enclosed park buildings and in areas posted to restrict smoking. \$50

327.13 Explosives, firearms, other weapons and fireworks

(a) The possession of loaded firearms, ammunition, loaded projectile firing devices, bows and arrows, crossbows, or other weapons is prohibited unless: \$75

(1) In the possession of a Federal, state or local law enforcement officer.

(2) Being used for hunting or fishing as permitted under Sec. 327.8, with devices being unloaded when transported to, from, or between hunting and fishing sites.

(3) Being used at authorized shooting ranges; or

(4) Written permission has been received from the District Commander.

(b) Possession of explosives or explosive devices of any kind, including fireworks or other pyrotechnics, is prohibited unless written permission has been received from the District Commander. \$75

327.14 Public property

(a) Destruction, injury, defacement, removal or any alteration of public property including, but not limited to, developed facilities, natural formations, mineral deposits, historical and archaeological features, paleontological resources, boundary monumentation or markers and vegetative growth, is prohibited except when in accordance with written permission of the District Commander. \$100

(b) Cutting or gathering of trees or parts of trees and/or the removal of wood from project lands is prohibited without written permission of the District Commander. \$100

(d) The use of metal detectors is permitted on designated beaches or other previously disturbed areas unless prohibited by the District Commander for reasons of protection of archaeological, historical or paleontological resources. Items found must be handled in accordance with Sections 327.15 and 327.16 except for non-identifiable items such as coins of value less than \$25.00. \$50

327.15 Abandonment and impoundment of personal property

(a) Personal property of any kind shall not be abandoned, stored, or left unattended upon project lands or waters. After a period of 24 hours or at any time after a posted closure hour in a public use area or for the purpose of providing public safety or resource protection, unattended personal property shall be presumed to be abandoned and may be impounded and stored at a storage point designated by the District Commander, who may assess a reasonable impoundment fee. Such a fee shall be paid before the impounded property is returned to its owner. \$50

327.16 Lost and found articles

(a) All articles found shall be deposited by the finder at the Manager's office or with a ranger. All such articles shall be disposed of in accordance with the procedures set forth in 327.15. \$50

327.17 Advertisement

(a) Advertising and the distribution of printed matter is allowed within project land and waters provided that a permit to do so has been issued by the District Commander and provided this activity is not solely commercial advertising. \$50

(c) Vessels and vehicles with semi-permanent or permanent painted or installed signs are exempt as long as they are used for authorized recreational activities and comply with all other rules and regulations pertaining to vessels and vehicles. \$50

327.18 Commercial activities

(a) The engaging in or solicitation of business on project land or waters without the express written permission of the District Commander is prohibited. \$50

(b) It shall be a violation of this part to refuse or fail to comply with any terms, clauses, or conditions of any lease, license or agreements issued by the District Commander. \$50

327.19 Permits

(a) It shall be a violation of this part to refuse or fail to comply with the fee requirements or other terms or conditions of any permit issued under the provisions of this part 327. \$50

(e) Shoreline Use Permits to authorize private shoreline use facilities, activities or development (issued under the authority of 327.30) may be issued in accordance with the project Shoreline Management Plan. Failure to comply with the permit conditions issued under 327.30 is prohibited. \$50

327.20 Unauthorized structures

The construction, placement, or existence of any structure (including, but not limited to, roads, trails, signs, non-portable hunting stands or blinds, buoys, docks, or landscape features) of any kind under, upon, in or over the project lands, or waters is prohibited unless a permit, lease, license or other appropriate written authorization has been issued by the District Commander. The design, construction, placement, existence or use of structures in violation of the terms of the permit, lease, license, or other written authorization is prohibited. The government shall not be liable for the loss of, or damage to, any private structures, whether \$75

authorized or not, placed on project lands or waters. Unauthorized structures are subject to summary removal or impoundment by the District Commander. Portable hunting stands, climbing devices, steps, or blinds, that are not nailed or screwed into trees and are removed at the end of a day's hunt may be used.

327.21 Special events

(a) Special events including, but not limited to, water carnivals, boat regattas, fishing tournaments, music festivals, dramatic presentations or other special recreation programs are prohibited unless written permission has been granted by the District Commander. An appropriate fee may be charged under the authority of Sec. 327.23. \$50

(b) The public shall not be charged any fee by the sponsor of such event unless the District Commander has approved in writing (and the sponsor has properly posted) the proposed schedule of fees. The District Commander shall have authority to revoke permission, require removal of any equipment, and require restoration of an area to pre-event condition, upon failure of the sponsor to comply with terms and conditions of the permit/permission or the regulations in this part 327. \$50

327.22 Unauthorized occupation

(a) Occupying any lands, buildings, vessels, or other facilities within water resource development projects for the purpose of maintaining the same as full or part-time residence without the written permission of the District Commander is prohibited. The provisions of this section shall not apply to occupation of lands for the purpose of camping, in accordance with the provisions of 327.7. \$75

(b) Use of project lands and waters for agricultural purposes is prohibited except when in compliance with terms and conditions authorized by lease, license or other written agreement issued by the District Commander. \$50

327.23 Recreation use fees

(b) Failure to pay authorized recreation use fees as established pursuant to Pub. L. 88-578 Stat. 897, as amended (16 U.S.C. 4601-6a), is prohibited and is punishable by a fine of not more than \$100.00. \$50

(c) Failure to pay authorized day use fees, and or properly display applicable receipt, permit or pass is prohibited. \$50

(d) Fraudulent use of a Golden Age or Golden Access Passport is prohibited.

\$50

327.24 Interference with Government Employees

(a) It is a federal crime pursuant to the provisions of Sections 111 and 1114 of Title 18, United States Code, to forcibly assault, resist, oppose, impede, intimidate, or interfere with, attempt to kill or kill any civilian official or employee of the U.S. Army Corps of Engineers engaged in the performance of his or her official duties. **Mandatory Court Appearance**

(b) Failure to comply with a lawful order issued by a Federal employee acting pursuant to the regulations in this part shall be considered as interference with that employee while engaged in the performance of their official duties. Such interference with a Federal employee includes failure to provide a correct name, address or other information deemed necessary for identification upon request of the Federal employee, when that employee is authorized by the District Commander to issue citations in the performance of the employee's official duties.

\$50