

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF CONNECTICUT

FILED

2005 NOV 21 A 9:44

IN THE MATTER OF THE :
FORFEITURE OF COLLATERAL :
SCHEDULE FOR FISH & WILDLIFE :
VIOLATIONS :

DISTRICT COURT
DISTRICT OF CT.

ORDER

SCHEDULE FOR FORFEITURE OF COLLATERAL
(United States Department of Interior Fish and Wildlife Service)

Pursuant to Rule 58(d), Federal Rules of Criminal Procedure, this Court hereby orders that the Forfeiture of Collateral in Lieu of Appearance Schedule for the specified Fish & Wildlife violations, attached hereto as "Exhibit A," be and is hereby adopted and promulgated to become effective this date. This Schedule of Collateral, as adopted herein, represents the misdemeanor and petty offenses for which collateral may be posted and forfeited in lieu of appearance by the person charged, together with the amount of the collateral to be posted for such offenses committed under the various enumerated United States Fish and Wildlife violations.


All previous Schedules of Forfeiture of Collateral in Lieu of Appearance relating to violations of Fish and Wildlife statutes in this District are hereby superceded and canceled.

WILDLIFE/PROPERTY FORFEITURE

Unless otherwise specifically ordered by the United States District Court for the District of Connecticut, any fish, wildlife, plants, or property which has been seized within the jurisdiction of the District of Connecticut under the authority of the Migratory Bird Treaty Act, 16 U.S.C. §§ 703-712; the National Wildlife Refuge System Administration Act, 16 U.S.C.

§ 668dd-668ee; The Eagle Protection Act, 16 U.S.C. § 668-668c; the Endangered Species Act, 16 U.S.C. § 1531 *et seq*; the Migratory Waterfowl Hunting Stamp Act, 16 U.S.C. § 718-718h; the Airborne Hunting Act, 16 U.S.C. § 742j-1; the Marine Mammal Protection Act, 16 U.S.C. §§ 1361-1407; the Tariff Classification Act, 19 U.S.C. § 1202; the Lacey Act, 18 U.S.C. § 42; the Lacey Act Amendments, 16 U.S.C. §§ 1371-3378; the American Antiquities Act, 16 U.S.C. §§ 431-433; The African Elephant Conservation Act, 16 U.S.C. §§ 4201-4245; the Archeological Resources Protection Act, 16 U.S.C. §§ 470aa *et. seq.*; Rhinoceros and Tiger Conservation Act of 1998, 16 U.S.C. §§ 5301-5306; and the Wild Bird Conservation Act, 16 U.S.C. §§ 4901-4916, where 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 United States Government and disposed of by the United States Fish and Wildlife Service in the manner prescribed by Title 50, Code of Federal Regulations, Part 12.

IT IS SO ORDERED this th 18 day of November, 2005.


HONORABLE ROBERT N. CHATIGNY
CHIEF UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT

DISTRICT OF CONNECTICUT
OFFICE OF THE CLERK
UNITED STATES COURTHOUSE
141 CHURCH STREET
NEW HAVEN, CT 06510

KEVIN F. ROWE
CLERK

TEL. NO. 773-2140
(AREA CODE 203)

VICTORIA C. MINOR
CHIEF DEPUTY CLERK

LORI INFERRERA
DEPUTY-IN-CHARGE
NEW HAVEN

www.ctd.uscourts.gov

December 5, 2005

James G. Genco
Assistant U. S. Attorney
450 Main Street
Hartford, CT 06103

re: U. S. Fish & Wildlife Forfeiture of Collateral Schedule

Dear Mr. Genco:

I enclose a copy of the Order signed by Chief Judge Chatigny on November 18, 2005 and
filed with this office on November 21, 2005.

If you need anything further, please let me know.

Very truly yours,

Kevin F. Rowe
Clerk



U.S. Department of Justice

*United States Attorney
District of Connecticut*

*Abraham A. Ribicoff Federal Building
450 Main Street, Room 328
Hartford, Connecticut 06103*

(860) 947-1101

Fax (860) 240-3291

March 31, 2005

HAND DELIVERED

Hon. Robert N. Chatigny
Chief United States District Judge
District of Connecticut
450 Main Street
Hartford, CT 06103

Re: United States Fish & Wildlife Forfeiture of Collateral Schedule

Dear Chief Judge Chatigny:

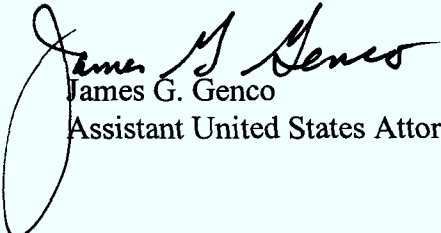
On September 9, 1987, this Court adopted a "General Order of Offenses Related to The United States Fish & Wildlife Service" establishing a forfeiture of collateral schedule by which a violator may pay a fine in lieu of appearing in court. The criminal laws and regulations governing Fish and Wildlife violations, found in Title 50 of the Code of Federal Regulations and Titles 16 and 18 of the United States Code, have undergone numerous revisions during the past seventeen years and there are several violations not covered by the existing fine schedule. Furthermore, as you know, inflation has significantly impacted the dollar, greatly diminishing the deterrent effect of the current fine list.

Accordingly, it is respectfully requested that the attached updated fine schedule for such offenses in the District of Connecticut be approved and adopted.

If you have any questions or desire to discuss this matter further, agents from the Fish & Wildlife Service and I would be happy to meet with you.

Very Truly Yours,

Kevin J. O'Connor
United States Attorney


James G. Genco
Assistant United States Attorney

2 Attachments

**FORFEITURE OF COLLATERAL SCHEDULE
UNITED STATES FISH AND WILDLIFE SERVICE**

NOTE: Due to increased liability and potential severity for environmental degradation posed by commercial and organized activities, the collateral amounts for violations listed herein shall be doubled. Organization includes a corporation, government or government agency, business, trust, estate, partnership, association, club, hunting club, or any other legal entity where two or more persons have a joint or common interest.

Where "+" is noted after the collateral amount, restitution may be added to the collateral amount. Refer to the valuation table to determine restitution amounts.

STATUTORY PENALTIES

**16 USC 431-433
AMERICAN ANTIQUITIES ACT**

| | |
|------------|---|
| 16 USC 433 | Appropriate, excavate, injure, or destroy any historic or pre-historic ruin or monument, or any object of antiquity.....\$1000.00 + |
|------------|---|

**16 USC 470aa et seq.
ARCHAEOLOGICAL RESOURCES PROTECTION ACT**

| | |
|--------------|--|
| 16 USC 470ee | Knowingly excavate, remove, damage, alter, deface, or the attempt thereof, any archaeological resource on public or Indian lands without a permit or exception.....\$1000.00 + |
|--------------|--|

**16 USC 668
BALD AND GOLDEN EAGLE PROTECTION ACT**

| | |
|---------------|---|
| 16 USC 668(a) | Take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import any bald eagle, or any golden eagle, or any part, egg, or nest thereof, or violate any permit or regulation.....\$2500.00 + |
|---------------|---|

16 USC 668dd
NATIONAL WILDLIFE REFUGE ADMINISTRATION ACT
16 USC 721-731
UPPER MISSISSIPPI WILDLIFE & FISH REFUGE ACT
16 USC 460k-460K-4
REFUGE RECREATION ACT

| | |
|---------------|---|
| 16 USC 668dd | Knowingly disturb, injure, cut, burn, remove, destroy, or possess any real or personal property of the United States, take or possess any fish, bird, or other vertebrate or invertebrate animal, or part or nest thereof, enter, use, or otherwise occupy any such area.....\$500.00 + |
| | Wildlife Conservation Easements Contracts violations.....\$500.00 + |
| 16 USC 726 | Enter for any purpose, disturb, injure, kill, remove, or attempt to remove any wild bird, game animal, fur bearing animal, fish, flower, plant, tree or other natural growth, injure any property.....\$500.00 + |
| 16 USC 460k-3 | The Secretary may establish reasonable charges and fees and issue permits for public use of refuges, game ranges and hatcheries..\$250.00 |

16 USC 703-711
MIGRATORY BIRD TREATY ACT

| | |
|------------|--|
| 16 USC 703 | 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, except as may be permitted.....\$500.00 + |
| 16 USC 704 | Place or direct the placement of bait on or adjacent to an area for the purpose of causing, inducing, or allowing any person to take or attempt to take any migratory game bird by the aid of baiting on or over the baited area.....\$1000.00 + |
| 16 USC 705 | Ship, transport, carry in interstate or foreign commerce, any bird, part, nest, or egg thereof, captured, killed, taken, shipped, transported, or carried contrary to law of the place where captured, killed, taken, shipped, transported or carried.....\$500.00 + |

16 USC 718
MIGRATORY WATERFOWL HUNTING AND CONSERVATION STAMP ACT

| | |
|----------------|--|
| 16 USC 718a | Hunt migratory waterfowl without a federal waterfowl stamp...\$150.00 |
| 16 USC 718b | Hunt migratory waterfowl with an invalid (unsigned) federal waterfowl stamp.....\$100.00 |
| 16 USC 718e(a) | Loan or transfer a valid migratory waterfowl stamp to another person. or use stamp validated by another.....\$250.00 |
| 16 USC 718e(b) | Alter, mutilate, imitate, or counterfeit migratory waterfowl stamp.....\$500.00 |

16 USC 742j-1
AIRBORNE HUNTING ACT

| | |
|---------------|---|
| 16 USC 742j-1 | While airborne in aircraft, shoot, attempt to shoot, capture, kill any bird, fish or other animal.....\$2500.00 + |
|---------------|---|

16 USC 1361-1407
MARINE MAMMAL PROTECTION ACT

| | |
|-------------------|---|
| 16 USC 1372(a) | Unlawful take of a marine mammal.....\$2500.00 + |
| 16 USC 1372(b) | Unlawful importation or inhumane taking.....\$2000.00 + |
| 16 USC 1372(c)(1) | Unlawful importation of illegally taken marine mammal.....\$2500.00 + |
| 16 USC 1372(c)(2) | Unlawful importation of marine mammal product.....\$1000.00 + |
| 16 USC 1372(c)(3) | Unlawful importation of fish.....\$1000.00 + |

16 USC 1538
ENDANGERED SPECIES ACT

| | | |
|--|--|-------------|
| 16 USC 1538(a)(1)(A) | Import or export any endangered fish or wildlife..... | \$2500.00 + |
| 16 USC 1538(a)(1)(B) | Take within the United States or territorial sea..... | \$2500.00 + |
| 16 USC 1538(a)(1)(C) | Take upon high seas..... | \$2500.00 + |
| 16 USC 1538(a)(1)(D) | Possess, sell, deliver, carry, transport, or ship species taken in violation of subparagraphs (B) or (C)..... | \$2500.00 + |
| 16 USC 1538(a)(1)(E) | Deliver, receive, carry, transport, or ship in interstate or foreign commerce, in the course of a commercial activity..... | \$2500.00 + |
| 16 USC 1538(a)(1)(F) | Sell or offer for sale in interstate or foreign commerce..... | \$2500.00 + |
| 16 USC 1538(a)(1)(G) | Violate any regulation promulgated by the Secretary for threatened species..... | \$500.00 + |
| 16 USC 1538(a)(2)(A) thru(a)(2)(D).... | violate regulations regarding endangered plant species..... | \$1500.00 + |
| 16 USC 1538(a)(2)(E) | violate any regulation pertaining to threatened plants... | \$500.00 + |
| 16 USC 1538(c) | violate the Convention on International Trade for appendix listed wildlife, fish or plants..... | \$1000.00 + |
| 16 USC 1538(d) | engage in business as an importer/exporter without permission from the Secretary..... | \$1000.00 + |
| 16 USC 1538(e) | Fail to file declaration or report by persons importing or exporting fish or wildlife products or plants..... | \$750.00 + |
| 16 USC 1538(f) | violate designated port requirements..... | \$750.00 + |

16 USC 3371-3378
LACEY ACT AMENDMENTS

| | |
|-------------------|---|
| 16 USC 3372(a)(1) | Import, export, transport, sell, receive, acquire, or purchase, any fish, wildlife, or plant taken, possessed, transported, or sold in violation of any law, treaty or regulation of the United States, or in violation of any Indian tribal law.....\$1000.00 + |
| 16 USC 3372(a)(2) | Import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce, (A) any fish or wildlife, taken, possessed, transported, or sold in violation of any law or regulation of any State, or in violation of any foreign law.....\$1000.00 + (B) any plant taken, possessed, transported, or sold in violation of any law or regulation of any State.....\$500.00 + |
| 16 USC 3372(a)(3) | Within the special maritime and territorial jurisdiction of the United States (as defined by 18 U.S.C. 7) (A) possess any fish or wildlife taken, possessed, transported, or sold in violation of any law or regulation of any State, or in violation of any foreign law or Indian tribal law.....\$1000.00 + (B) possess any plant taken, possessed, transported or sold in violation of any law or regulation of any State.....\$500.00 + |
| 16 USC 3372(a)(4) | to attempt to commit any act described in paragraphs (1) through (4).....Same as defined offense without restitution added |
| 16 USC 3372(b) | Import, export, or transport in interstate commerce any container or package containing any fish or wildlife without the container having previously been plainly marked, labeled or tagged.....\$250.00 |
| 16 USC 3372(c) | Sale and purchase of guiding and outfitting services and invalid licenses and permits. It shall be deemed to be a sale of fish or wildlife in violation of this Act, (1)(A) to provide guiding, outfitting, or other services for money or other consideration, for the illegal taking, acquiring, receiving, transporting, or possessing of fish or wildlife.....\$2000.00 + |

(1)(B) to provide a hunting or fishing license or permit for the illegal taking, acquiring, receiving, transporting, or possessing of fish or wildlife.....\$1500.00 +

It shall be deemed to be a purchase of fish or wildlife in violation of this Act,

(2)(A) to obtain for money or other consideration guiding, outfitting, or other services for the illegal taking, acquiring, receiving, transporting, or possessing of fish and wildlife.....\$2000.00 +

(2)(B) to obtain for money or other purposes a hunting or fishing license or permit for the illegal taking, acquiring, receiving, transporting, or possessing of fish and wildlife.....\$1500.00 +

16 USC 3372(d)

Make or submit any false record, account or label for, or any false identification of any fish, wildlife, or plant which has been or is intended to be

(1) imported, exported, transported, sold, purchased, or received from any foreign country.....\$1500.00 +

(2) transported in interstate or foreign commerce.....\$1500.00 +

16 USC 4201-4245

AFRICAN ELEPHANT CONSERVATION ACT

16 USC 4223

(1) import raw ivory from any country other than ivory producing country.....\$1500.00 +

(2) export raw ivory from the United States.....\$1500.00 +

(3) import raw and worked ivory that was exported from an ivory producing country in violation of that country's laws or of the CITES ivory control system.....\$1500.00 +

(4) import raw or worked ivory from a country for which a moratorium is in effect under Section 2202.....\$2000.00 +

16 USC 5301 - 5306
RHINOCEROS AND TIGER CONSERVATION ACT

16 USC 5305(a) sell, import, or export, any product, item, or substance intended for human consumption or application containing, or labeled or advertised as containing, any substance derived from any species of rhinoceros or tiger.....\$500.00 +

18 USC 42
LACEY ACT

18 USC 42(a)(1) Importation, shipment, possession, of injurious wildlife....\$1000.00 +

18 USC 42(c) Importation of wildlife under inhumane or unhealthful conditions
.....\$1500.00 +

18 USC 1165
INDIANS-HUNTING, FISHING OR TRAPPING ON INDIAN LANDS

18 USC 1165 Willfully and knowingly, without lawful authority or permission, go upon Indian land for the purpose of hunting, fishing, or the removal of game, peltries or fish therefrom.....\$250.00 +

18 USC 2671(a)
HUNTING, FISHING & TRAPPING ON MILITARY RESERVATIONS

18 USC 2671(a) Violation of state statutes for wildlife or plants while on military reservation.....\$300.00 +

25 USC 3001 & 18 USC 1170
NATIVE AMERICAN GRAVES PROTECTION ACT

18 USC 1170(a) Knowingly sell, purchase, use for profit, or transport for sale or profit, the human remains of a Native American without the right of possession to those remains.....\$2500.00 +

18 USC 1170(b) Knowingly sell, purchase, use for profit, or transport for sale or profit any Native American cultural items obtained unlawfully.....\$1000.00 +

TITLE 50- CODE OF FEDERAL REGULATIONS

PART 13- GENERAL PERMIT REGULATIONS

| | | |
|---------------|---|------------|
| 13.41 | Failure to maintain humane and healthful conditions for live wildlife possessed under a permit..... | \$500.00 + |
| 13.43 | Alteration of permit..... | \$200.00 |
| 13.45 | Failure to file reports required by FWS permit..... | \$200.00 |
| 13.46 | Failure to maintain records as required by permit..... | \$200.00 |
| 13.47 | Failure to allow inspection of activity as authorized by FWS permit..... | \$250.00 |
| 13.1 thru end | All other permit violations | \$100.00 |

PART 14- GENERAL REGULATIONS FOR IMPORTATION, EXPORTATION, AND TRANSPORTATION OF WILDLIFE

| | | |
|----------------|---|------------|
| 14.11 | Import or export wildlife at a non-designated port | \$350.00 |
| 14.14(b) | Knowingly unload in transit shipment in U.S. | \$350.00 |
| 14.31 ~ 14.33 | Violation of non-designated port permit conditions | \$100.00 |
| 14.51 | Failure to allow detention/inspection of wildlife | \$350.00 |
| 14.52 | Release from U.S. Customs without FWS clearance | \$350.00 |
| 14.54 | Failure to provide 48 hr. notification | \$350.00 |
| 14.61~ 14.63 | Failure to file completed declaration as required | \$350.00 |
| 14.81 | Import, export or transport wildlife in interstate commerce without marking containers as required | \$200.00 |
| 14.82 | Ship in interstate or foreign commerce without complying with marking requirements or alternatives | \$100.00 |
| 14.91 | Engage in business as importer/exporter of wildlife without obtaining import/export license | \$500.00 |
| 14.103 | Import, transport, cause or permit transport to the U.S. any wild mammal or bird in violation of Humane Transport Regulations | \$500.00 + |
| 14.104 | Failure to provide an English translation of required certificates/documents | \$100.00 |
| 14.105 | Unauthorized acceptance by carrier of any wild mammal or bird for transport to the U.S. | \$500.00 + |
| 14.106 | Failure by carrier to require proper primary enclosures for transport to U.S. | \$500.00 + |
| 14.107 | Improper animal cargo space of a conveyance | \$500.00 + |
| 14.108 | Violation by carrier of food/water requirements | \$500.00 + |
| 14.109(b) | Improper ambient air temperature and ventilation provided by holding area, transporting device, conveyance or terminal facility | \$500.00 + |
| 14.110 | Improper or lack of animal holding area | \$500.00 + |
| 14.111 | Violation of handling requirements | \$500.00 + |
| 14.121~ 14.172 | Violation of primary enclosure specifications | \$500.00 + |

PART 15- WILD BIRD CONSERVATION ACT

| | | |
|----------|---|------------|
| 15.11(b) | Import, attempt to import, or cause the importation of an exotic bird species listed in CITES that is not included in the approved list..... | \$250.00 + |
| 15.11(c) | Import any exotic bird species listed in the prohibited list.... | \$500.00 + |
| 15.11(d) | Import any exotic bird species from a country on the prohibited country list..... | \$250.00 + |
| 15.11(e) | Import any exotic bird species from a qualifying facility breeding birds in captivity if the exotic bird was not captive bred at the listed facility..... | \$250.00 + |
| 15.11(f) | Violate conditions of a permit..... | \$250.00 + |

PART 16- INJURIOUS WILDLIFE

| | | |
|-------------|---|-------------|
| 16.3 | Unauthorized import or transport of wildlife deemed to be injurious. General restrictions | \$1000.00 + |
| 16.11 | Injurious wild mammals..... | \$ 500.00 + |
| 16.12 | Injurious wild birds..... | \$ 500.00 + |
| 16.13 | Injurious fish, mollusks, crustaceans..... | \$ 500.00 + |
| 16.14 | Injurious amphibians..... | \$ 500.00 + |
| 16.15 | Injurious reptiles..... | \$ 500.00 + |
| 16.22(b)(1) | Failure to properly confine injurious species..... | \$ 250.00 + |
| 16.22(b)(2) | Transfer of injurious species to unauthorized person | \$ 250.00 + |

PART 17- ENDANGERED AND THREATENED WILDLIFE AND PLANTS

| | | |
|----------------|---|--------------|
| 17.21(a)(b)(d) | Import, export; possess, sell, deliver, carry, ship or transport unlawfully taken endangered wildlife | \$1500.00 + |
| 17.21(c)(e)(f) | Take, deliver, receive, sell, transport or ship in interstate or foreign commerce endangered wildlife | \$1500.00 + |
| 17.21(g) | Captive bred endangered wildlife violations | \$500.00 + |
| 17.22~17.23 | Endangered species permit violations | \$350.00 + |
| 17.31 | Violate threatened wildlife prohibitions | \$500.00 + |
| 17.32 | Threatened species permit violations | \$350.00 + |
| 17.40~17.47 | Violate special rules | \$350.00 + |
| 17.61 | Violation of Endangered plant regulations | \$1000.00 + |
| 17.62 & 17.63 | Fail to comply with permit conditions | \$ 250.00 |
| 17.71 | Violation of Threatened plant regulations | \$ 350.00 + |
| 17.72 | Fail to comply with permit conditions | \$ 250.00 |
| 17.82 | Violation of general experimental regulations | \$ 1000.00 + |
| 17.84~17.108 | Violation of special regulations | \$ 500.00 + |

PART 18- MARINE MAMMALS

| | | |
|-------|---|------------|
| 18.11 | Unlawful take of marine mammal | \$500.00 + |
| 18.12 | Unlawful import of marine mammals | \$500.00 + |
| 18.13 | Unlawful port use, transport, purchase, sale of any marine mammal or marine mammal product | \$500.00 + |

PART 19- AIRBORNE HUNTING

| | | |
|-------------|---|-------------|
| 19.11(a)(1) | Shoot from an aircraft for purposes of capturing or killing wildlife | \$1000.00 + |
| 19.11(a)(2) | Use aircraft to harass wildlife | \$ 500.00 + |
| 19.11(a)(3) | Participate in using aircraft shoot or harass wildlife . . . | \$ 500.00 + |
| 19.32(a) | Failure to file annual report | \$ 150.00 |

PART 20-MIGRATORY BIRD HUNTING

| | | |
|----------|---|--------------------------------------|
| 20.20(b) | Failure to comply with requirements of Migratory Bird HIP program while hunting migratory game birds..... | \$100.00 |
| 20.21(a) | Take with illegal device or substance | \$250.00 + |
| 20.21(b) | Take with shotgun capable of holding more than three (3) shells | \$150.00 + |
| 20.21(c) | Take by means, aid or use of sink box | \$250.00 + |
| 20.21(d) | Take from or by means, aid, or use of a motor driven conveyance, motor vehicle or aircraft | \$250.00 + |
| 20.21(e) | Take by means of motorboat or other craft having motor attached and under power | \$250.00 + |
| 20.21(f) | Take by use or aid of live decoys | \$500.00 + |
| 20.21(g) | Take by use or aid of electronic/recorded calls | \$500.00 + |
| 20.21(h) | Take by means or aid of motor driven conveyance for concentrating, driving, or rallying, or stirring up waterfowl | \$250.00 + |
| 20.21(i) | Knowingly, or reasonably should have known, the take by aid of bait or on or over baited area | \$500.00 + |
| 20.21(j) | Take while possessing shotshells loaded with shot other than approved non-toxic shot | \$200.00 + + forfeiture of shells |
| 20.22 | Take during closed season | \$500.00 + |
| 20.23 | Take before/after legal shooting hours 1-15 min. | \$150.00 + |
| | 16-30 min | \$250.00 + |
| | 30+ min | \$350.00 + |
| 20.24 | Take in excess of daily bag limit | \$500.00 + |
| 20.25 | Wanton waste of migratory game birds..... | \$250.00 + |
| 20.26 | Failure to comply with temporary closure regs | \$250.00 + |
| 20.31 | Possession of birds taken in violation of 20.21~20.23 . . | \$150.00 + |
| 20.32 | Possess freshly killed migratory birds during closed season | \$500.00 + |

| | | | |
|----------|---|----------|-------------|
| 20.33 | Exceed possession limit of migratory birds taken in the U.S. | \$350.00 | + |
| 20.34 | Possess in excess of daily bag limit opening day | \$350.00 | + |
| 20.35 | Possess or transport in excess of daily field limit | \$250.00 | + |
| 20.36 | Violation of tagging regulations | \$150.00 | + |
| 20.37 | Custody of untagged birds of another | \$150.00 | + |
| 20.38 | Live wounded birds in possession | \$200.00 | + |
| 20.40 | Receive, possess, give to another untagged birds..... | \$150.00 | + |
| 20.41 | Transport birds taken in violation of 20.21~20.24 | \$150.00 | + |
| 20.42 | Transportation of untagged birds of another | \$150.00 | + |
| 20.43 | Transport migratory game birds without species I.D. . . | \$150.00 | + |
| 20.44 | Transport unmarked or improperly marked package containing migratory game birds via postal service or common carrier | \$200.00 | per package |
| 20.51 | Export birds taken in violation of 20.12~20.24 | \$350.00 | + |
| 20.52 | Export birds with species I.D. removed | \$150.00 | + |
| 20.53 | Export unmarked or improperly marked packages containing migratory birds as required | \$200.00 | per package |
| 20.61 | Import migratory game birds in excess of legal limit . . . | \$350.00 | + |
| 20.62 | Import migratory game birds belonging to another | \$150.00 | + |
| 20.63 | Import migratory game birds with species I.D. removed | \$150.00 | + |
| 20.64 | Import, possess, transport birds killed in foreign country without required export permits | \$250.00 | + |
| 20.65 | Import birds not drawn or dressed as required | \$150.00 | + |
| 20.66 | Import unmarked or improperly marked packages containing migratory birds as required | \$200.00 | per package |
| 20.71 | Take, possess, transport, or export migratory birds, their parts, nests, or eggs in violation of any other federal law or regulation | \$150.00 | + |
| 20.72 | Take, possess, transport, or export migratory birds, their parts, nests, or eggs in violation of any other state law or regulation | \$150.00 | + |
| 20.73 | Take, possess, transport, or export 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 thereof | \$250.00 | + |
| 20.81 | Commercial facility with untagged migratory birds of another as required under 20.36 | \$250.00 | + |
| 20.82 | Violation of record keeping requirement | \$250.00 | |
| 20.83 | Failure to permit premise inspection | \$300.00 | |
| 20.91(a) | Purchase, sell, barter, or offer thereof for millinery or ornamental use, the feathers of migratory game birds . . | \$250.00 | + |
| 20.91(b) | Purchase, sell, barter, or the offer thereof, mounted specimens taken by hunting | \$250.00 | + |
| 20.100 | Take migratory game birds for which no season has been established | \$350.00 | + |
| 20.133 | Violation of crow hunting regulations | \$150.00 | + |

PART 21- MIGRATORY BIRD PERMITS

| | | |
|------------------|--|------------------|
| 21.11 | Import, export, take, possess, transport, sell, purchase, barter, or offer...any migratory bird, part, nest, or egg thereof without a permit | \$250.00 + |
| 21.12 thru 21.27 | Violations of other permit regulations..... | \$150.00 + |
| 21.28 | Violation of Falconry Permit requirements | \$250.00 + |
| 21.28(d)(1) | Take, possess, transport, golden eagle for falconry without permit | \$500.00 + |
| 21.28(d)(3) | Unauthorized purchase, sale, or barter of raptor | \$250.00 + |
| 21.29 | Violation of Falconry Standards | \$250.00 |
| 21.29(e)(3) | Take, possess, transport raptor in violation of 50 CFR 21.29 | \$250.00 + |
| 21.29(e)(3)(v) | Unauthorized take of a threatened species | \$500.00 + |
| 21.29(i) | Unauthorized take of a raptor | \$350.00 + |
| 21.29(g) | Failure to comply with facility/equipment standards . . . | \$250.00 |
| 21.29(j) | General violations of misc. falconry regulations | \$150.00 + value |
| 21.29(j)(5) | Retain or exchange molted feathers for other than imping purposes | \$250.00 + |
| 21.30 | General violation of raptor propagation permit | \$250.00 + |
| 21.30(a) | Take, possess, transport, sell, purchase, barter or transfer any raptor, raptor egg, or raptor semen, for propagation without authorization | \$350.00 + |
| 21.30(d)(7) | Unauthorized hybridization of raptors | \$500.00 |
| 21.41~ 21.47 | Violation of depredating bird regulations | \$150.00 + |

PART 22- EAGLE PERMITS

| | | |
|--------------|--|-------------|
| 22.11 | Take, possess, or transport a bald or golden eagle | \$1000.00 + |
| | or parts, nest or eggs thereof without a permit | \$ 250.00 + |
| 22.12 | Sell, purchase, trade, barter, export, import, or offer thereof any bald or golden eagle | \$1000.00 + |
| | or parts, nests, or eggs thereof without a permit..... | \$ 250.00 + |
| 22.21~ 22.32 | Violation of eagle permit requirements | \$ 250.00 |

PART 23- ENDANGERED SPECIES CONVENTION (CITES)

| | | |
|---------------|---|------------|
| 23.11(a)~ (e) | Unlawfully import, export, re-export, or possess unlawfully imported, exported, or re-exported Appendix I wildlife or plant species | \$500.00 + |
| | Appendix II wildlife or plant species | \$350.00 + |
| | Appendix III wildlife or plant species | \$250.00 + |

PART 24-IMPORTATION AND EXPORTATION OF PLANTS

| | | |
|-------|--|------------|
| 24.11 | Import, export, re-export plants at non-designated port of entry | \$250.00 + |
|-------|--|------------|

PART 25-WILDLIFE REFUGE ACT, ADMINISTRATIVE PROVISIONS

| | | |
|-------|--|----------|
| 25.42 | Failure to display permit when requested | \$150.00 |
| 25.72 | Failure to report accidents | \$150.00 |

PART 26- WILDLIFE REFUGES, PUBLIC ENTRY AND USE

| | | |
|----------|--|----------|
| 26.21(a) | Trespass on National Wildlife Refuge (NWR) | |
| | No recreational user permit | \$100.00 |
| | Enter a closed area..... | \$250.00 |
| 26.21(b) | Permit unconfined domestic animal to enter a NWR . . . | \$250.00 |
| 26.22(a) | Fail to comply with special regulations or other official notifications under 25.31..... | \$150.00 |
| 26.22(b) | Fail to abide by terms and conditions of entry permit..... | \$150.00 |
| 26.36 | Public assembly/demonstration without a permit | \$150.00 |

PART 27- WILDLIFE REFUGES, PROHIBITED ACTS

| | | |
|----------|---|----------------------|
| 27.21 | Take any animal or plant without authorization | \$250.00 + |
| 27.31 | Travel on other than a designated route of travel | \$150.00 |
| 27.31(a) | Operate a vehicle in violation of state law | \$150.00 |
| 27.31(b) | Operate a vehicle under the influence of drugs or Intoxicating beverage | \$500.00 |
| 27.31(c) | Operate a vehicle carelessly or heedlessly | \$150.00 |
| 27.31(d) | Exceed 25 mph or posted speed limit | |
| | 1-10 mph over..... | \$ 75.00 |
| | 10-20 mph over..... | \$100.00 |
| | 20-30 mph over..... | \$150.00 |
| | 31+ mph and over..... | Mandatory Appearance |
| 27.31(e) | Operate vehicle without a muffler/spark arrester | \$100.00 |
| 27.31(f) | Operate vehicle without license plate/registration | \$125.00 |
| 27.31(g) | Operate vehicle without a drivers license | \$150.00 |
| 27.31(h) | Block road access for other vehicles | \$100.00 |
| 27.31(i) | Failure to obey orders of traffic control officer | \$250.00 |
| 27.31(j) | Operate over sized/over weight vehicle | \$150.00 |
| 27.31(k) | Moving of vehicle involved in accident | \$150.00 |
| 27.31(l) | Operate a vehicle without proper headlights, tail-lights, or brake lights | \$100.00 |

| | | |
|-------------|---|----------------------|
| 27.31(m) | Violation of other established special vehicle requirements | \$100.00 |
| 27.32(a) | Unauthorized use of a boat | \$200.00 |
| 27.32(b) | Operate boat in violation of either Coast Guard or State laws | \$100.00 |
| 27.32(b)(2) | Operate boat in reckless/negligent manner | \$250.00 |
| 27.32(b)(3) | Operate boat under influence of an intoxicant | \$500.00 |
| 27.32(b)(4) | Interfere with operation of other boats | \$100.00 |
| 27.32(b)(5) | Operate boat without proper marine head | \$350.00 |
| 27.32(b)(6) | Operate a sailboat without required lights | \$100.00 |
| 27.32(b)(7) | Leave boat unattended for 72 hours | \$100.00 |
| 27.32(b)(8) | Unauthorized use of government boat dock | \$150.00 |
| 27.33 | Unauthorized waterskiing on NWR | \$100.00 |
| 27.34 | Unauthorized operation of aircraft on/over NWR | \$250.00 |
| 27.41 | Carry, possess or discharge a firearm or discharge fireworks/explosives | \$200.00 |
| 27.42 | Firearms; other violations | \$150.00 |
| 27.43 | Use of weapons other than firearms | \$150.00 |
| 27.51 | Disturb, injure, damage animals on NWR | \$200.00 + |
| | Disturb, injure, damage plants on NWR | \$150.00 + |
| 27.52 | Introduction of plants/animals on NWR | \$100.00 + |
| 27.61 | Destruction or removal of property from NWR | \$350.00 |
| 27.62 | Search for objects of antiquity | \$150.00 |
| | Remove objects of antiquity | \$250.00 |
| 27.63(a) | Unauthorized search for valued objects | \$200.00 |
| 27.63(b) | Conduct archaeological studies without permit..... | \$200.00 |
| 27.64 | Unauthorized prospecting/mining on a NWR | \$500.00 |
| 27.65 | Tamper with vehicles or equipment | \$200.00 |
| 27.71 | Take or film motion pictures for commercial use | \$250.00 |
| 27.72 | Cause unreasonable disturbances with audio equipment . | \$150.00 |
| 27.73 | Use of artificial light to spot or locate wildlife | \$200.00 |
| | Use of artificial light to take wildlife | \$500.00 + |
| 27.81 | Enter NWR under the influence of alcohol | \$250.00 |
| 27.82(b)(1) | Deliver controlled substance | Mandatory Appearance |
| 27.82(b)(2) | Possess controlled substance on a NWR | \$500.00 |
| 27.82(b)(3) | Under influence of a controlled substance | \$250.00 |
| 27.83 | Indecency or disorderly conduct | \$500.00 |
| 27.84 | Interference with persons engaging in authorized activity | \$350.00 |
| 27.85 | Gambling on NWR | \$100.00 |
| 27.86 | Begging or soliciting | \$100.00 |
| 27.91 | Conducting field trials | \$150.00 |
| 27.92 | Conduct, install, occupy private structure | \$250.00 |
| 27.93 | Abandon private property | \$250.00 |
| 27.94 | Simple littering on a NWR | \$100.00 |
| | Dumping refuse or waste | \$300.00 |
| | Depositing environmental contaminants | \$1000.00 |
| 27.95(a) | Setting unauthorized fire | \$250.00 |
| | Setting unauthorized campfire | \$100.00 |

| | | |
|----------|---|----------|
| 27.95(b) | Leaving fire unattended | \$150.00 |
| 27.95(c) | Throw burning cigarette, match, etc. where it may start a fire | \$150.00 |
| 27.95(d) | Smoking violation | \$100.00 |
| 27.96 | Unauthorized advertising | \$200.00 |
| 27.97 | Soliciting business or conducting commercial operation . | \$350.00 |

PART 31-WILDLIFE REFUGES, WILDLIFE SPECIES MANAGEMENT

| | | |
|-------|---|------------|
| 31.13 | No refuge commercial fishing permit | \$250.00 + |
| 31.16 | Violation of federal trapping permit regulations state trapping laws, or other special trapping laws, or special trapping regulations | |
| | Violate state law | \$150.00 + |
| | Violate permit conditions, etc | \$150.00 + |
| | Failure to inspect traps | \$150.00 + |
| | Unlawful sets; unlawful equipment | \$200.00 + |
| | Animal unlawfully trapped | \$150.00 + |

PART 32-WILDLIFE REFUGES, HUNTING AND FISHING

| | | |
|---------|--|------------|
| 32.2(a) | Hunt without a state license | \$150.00 + |
| 32.2(b) | Hunt without a migratory waterfowl stamp | \$150.00 + |
| 32.2(c) | Hunt in violation of federal law | \$150.00 + |
| 32.2(d) | Hunt in violation of state law | \$150.00 + |
| 32.2(e) | Hunt in violation of special access requirements | \$150.00 + |
| 32.2(f) | Failure to comply with special regulations | \$150.00 |
| 32.2(g) | Bow hunt with any drug on an arrow | \$350.00 + |
| 32.2(h) | Distribution of bait and hunting over bait on NWR | \$500.00 + |
| 32.2(i) | Use of nails, wire, screws or bolts to attach a tree stand to a tree, or hunt from a tree which a metal object has been driven | \$150.00 |
| 32.2(j) | Use or possession of alcohol while hunting | \$200.00 |
| 32.2(k) | Possession of toxic shot while hunting..... | \$200.00 + |
| 32.5(a) | Fish without a state license | \$150.00 + |
| 32.5(b) | Fish in violation of other Federal laws & regs..... | \$150.00 + |
| 32.5(c) | Failure to comply with State law..... | \$150.00 + |
| 32.5(d) | Failure to comply with terms and conditions authorizing or use of refuge area..... | \$150.00 + |
| 32.5(e) | Failure to comply with refuge special fishing regs..... | \$150.00 + |

PART 70- NATIONAL FISH HATCHERIES

| | | |
|---------|---|---------------------|
| 70.4(a) | Prohibited Acts as adopted in Part 27 | As noted in Part 27 |
| 70.4(b) | Unauthorized fishing, taking, seining or attempt to fish, take, seine any fish, amphibians, or aquatic animals . . . | \$250.00 + |
| 70.4(c) | Unauthorized take of any animals | \$300.00 + |
| 70.4(d) | Disturbing spawning fish | \$200.00 |

PART 71- HUNTING AND FISHING ON NATIONAL FISH HATCHERY AREAS

| | | |
|--------------------|--|------------|
| 71.2(a) | Hunt without a state license | \$150.00 |
| 71.2(b) | Hunt migratory waterfowl without federal stamp | \$150.00 + |
| 71.2(c) | Violate other Federal laws and regulations..... | \$150.00 + |
| 71.2(d) | Violate other State laws and regulations..... | \$150.00 + |
| 71.2(e) | Violate terms and conditions for access and use..... | \$150.00 |
| 71.2(f) | Violate special notices concerning hunting..... | \$200.00 + |
| 71.12(a) | Fish without a State license | \$150.00 + |
| 71.12(b)- 71.12(e) | Noncompliance with other laws or regulations | \$150.00 + |

WILDLIFE/PROPERTY FORFEITURE ORDER

Unless otherwise specifically ordered by a United State 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 Administrative Act, 16 USC 721-731; The Eagle Protection Act, 16 USC 668-668e; The Endangered Species Act, 16 USC 1531-1542; The Migratory Waterfowl 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 Tariff Classification Act, 19 USC 1202; The Lacey Act, 18 USC 42, The Lacey Act Amendments, 16 USC 3371-3378; The American Antiquities Act, 16 USC 433; The African Elephant Conservation Act, 16 USC 4201-4245, The Archeological Resources Protection Act, 16 USC 470aa et seq.; and The Wild Bird Conservation Act, 16 USC 4901-4916, where in the final disposition of the case has been made by either payment of a forfeiture of collateral or a judgement 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 and Wildlife Service in the manner prescribed by Title 50, Code of Federal Regulations, Part 12.

MANDATORY COURT APPEARANCES OR ARRESTS

Recognizing the concern of the U.S. Fish & Wildlife Service regarding recidivists and aggravated offenses it is herein provided that if, within the discretion of the law enforcement officer, the offense is of an aggravated nature, the law enforcement officer, notwithstanding the preceding Forfeiture of Collateral Schedule, may require mandatory appearance before the presiding United States Magistrate Judge. Nothing herein shall prohibit the law enforcement officer from arresting a person for the commission of any offense including those for which collateral may be posted and forfeited and taking said person immediately before a United States Magistrate Judge.

FISH, WILDLIFE & PLANT VALUATION TABLE

Replacement values may be added to the collateral amounts. Values shall be assessed on a per capita basis (i.e. separate value added for each fish, wildlife and plant species possessed, transported, killed, etc. in violation of the law).

In cases where the replacement values noted in the table are lower than the declared value of the item, the higher of the two values shall be used.

| <u>CATEGORY</u> | <u>SPECIES</u> | <u>VALUE</u> |
|---------------------------|--|---------------------|
| Big Game Mammal | Elk/Moose/Caribou/Sheep/Mt. goat | \$2000.00 |
| | Deer/Pronghorn/Black bear | \$1000.00 |
| | Polar bear/Brown bear | \$2000.00 |
| | Rhino/Elephant | \$2500.00 |
| | Other North American big game | \$ 500.00 |
| | Wolf | \$ 750.00 |
| | Other exotic big game | \$1500.00 |
| | Parts/Products | |
| | Gall bladders | \$ 250.00 each |
| | Antlers/Horns/Skulls | same as above |
| Small Game Mammal | Claws/teeth | \$ 25.00 each |
| | Misc. | \$100.00 |
| | Woodchuck, Gray & Fox squirrel, rabbits, and all other as defined | \$25.00 |
| Fur Bearing Animal | Otter | \$250.00 |
| | Feline family (i.e. bobcat) | \$150.00 |
| | Canine family (i.e. coyote, fox) | \$100.00 |
| | Badger | \$100.00 |
| | Weasels | \$ 25.00 |
| | Procyon/Mustelid family (raccoon/muskrat) | \$ 25.00 |
| | All other by definition | \$ 25.00 |
| Non-game Animals | Tiger/Leopard/Jaguar/felines | \$2500.00 |
| | Primates | \$1000.00 |
| | All others by definition except those listed | \$ 500.00 |
| | Flying squirrel | \$ 150.00 |
| | Red squirrel | \$ 100.00 |
| | Bats | \$ 50.00 |
| | Parts/Products | |
| | Gall bladders | \$ 250.00 each |
| | Antlers/Horns/Skulls | same as above |
| | Claws/teeth | \$ 25.00 each |
| | Misc. | \$100.00 |

| | | | |
|---------------------------------|---|-----------------------------------|---------|
| Endangered Wildlife | ESA Part 17 Species | \$2500.00 | |
| | State listed endangered species | \$ 500.00 | minimum |
| | Part 23 CITES Species (including parts and products) | | |
| | CITES Appendix I | \$2,000.00 | |
| | CITES Appendix II | \$1,000.00 | |
| | CITES Appendix III | \$ 500.00 | |
| Threatened Wildlife | ESA Part 17 Species | \$1500.00 | |
| | State listed threatened species | \$ 500.00 | minimum |
| Marine Mammal | All species | \$2500.00 | |
| | Parts/Curios..... | \$250.00 per item with a \$500.00 | minimum |
| Migratory Game Birds | Tundra swans | \$1000.00 | |
| | Geese | \$ 100.00 | |
| | Ducks | \$ 100.00 | |
| | Doves | \$ 50.00 | |
| | All others | \$ 50.00 | |
| | feathers/parts | \$25.00 per item with \$100.00 | minimum |
| Non-game Migratory Birds | Swans (all species except those listed) | \$1500.00 | |
| | Eagles | \$1500.00 | |
| | feathers/talons/parts... .. | \$150.00 per item with \$500.00 | minimum |
| | Hawks/Owls | \$ 350.00 | |
| | feathers/talons/parts..... | \$100.00 per item with \$200.00 | minimum |
| | Wading birds (herons, cranes, etc.)..... | \$ 350.00 | |
| | feathers/parts..... | \$25.00 per item with \$100.00 | minimum |
| Other Birds | All others (songbirds, etc.) | \$ 250.00 | |
| | feathers/talons/parts..... | \$25.00 per item with \$100.00 | minimum |
| | Mute swans | \$ 500.00 | |
| | Turkey | \$ 250.00 | |
| | Grouse/Prairie Chicken | \$ 100.00 | |
| | All other (quail, pheasant, etc.) | \$ 50.00 | |
| | Parts/Products (per item) | \$ 10.00 | |

| | | |
|-----------------------|---|--|
| Pscitticines | Macaws/Cockatoos | \$1500.00 |
| | Parrots | \$1000.00 |
| | Finches | \$ 150.00 |
| | All Others | \$ 100.00 |
| | Parts/Products (per item) | \$ 50.00 |
| Game Fish | By definition | \$ 50.00 |
| | (i.e. trout, salmon, walleye, bass, pike) | |
| Sport Fish | By definition | \$ 25.00 |
| | (i.e. panfish, catfish, etc.) | |
| Other Fish | Paddlefish/Sturgeon | \$ 250.00 |
| | Eggs/Roe | \$ 250.00 per lb. |
| | Caviar (processed eggs/roe) | \$ 250.00 per can |
| | | or declared value |
| Rough Fish | By definition | \$ 10.00 |
| | (i.e. carp, sucker, shad, etc.) | |
| Bait Fish | By definition | \$ 10.00 or |
| | | declared value |
| Tropical Fish | All | \$ 15.00 or |
| | | declared value |
| Aquatic Life | Reptiles | \$ 25.00* |
| | Amphibians | \$ 25.00* |
| | Mollusks (mussels) | \$ 25.00* |
| | Corals | \$ 50.00* |
| | | *or declared value, whichever is higher |
| Insects | Butterflies | \$ 25.00* |
| | Arachnids | \$ 25.00* |
| | All others | \$ 15.00* |
| | | *or declared value, whichever is higher |
| Trees | Greater than 10 years in age | \$ 500.00 |
| | Less than 10 years of age | \$ 100.00 |
| Bushes/Shrubs | All | \$ 100.00 |
| Sedges/Grasses | All | \$ 10.00/sq. ft. |
| Orchids | All | \$ 100.00 or |
| | | declared value |

Other Plants

Ginseng (per plant or root) \$ 25.00*
Goldenseal (per plant or root) \$ 15.00*
All other (per plant/root/etc.) \$ 10.00*
.....*or declared value, whichever is higher

Archeological resources

Human remains \$ 500.00* per item
All \$ 100.00*
.....*or declared value whichever is higher

Char

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ORDER OF THE EXECUTIVE COMMITTEE

It appearing that the United States Department of Interior has submitted a proposal for a revised forfeiture of collateral schedule for U.S. Fish and Wildlife Services offenses,

IT IS HEREBY ORDERED That pursuant to Rule 58(d) of the Federal Rules of Criminal Procedure which sets forth procedures for payment in lieu of appearance for certain misdemeanors and petty offenses, and Rule 4.01 of the General Rules of this Court, the Order of the Executive Committee entered on August 10, 1994 regarding the forfeiture of collateral schedule for U.S. Fish and Wildlife Service is hereby vacated.

IT IS FURTHER ORDERED That persons charged with violating an offense listed in the attached forfeiture of collateral schedule for U.S. Fish and Wildlife offenses may, in lieu of appearance, post collateral in the amount indicated for the offense and consent to forfeiture of collateral.

IT IS FURTHER ORDERED That this order shall take effect on September 1, 2000.

ENTER:

FOR THE EXECUTIVE COMMITTEE



Chief Judge

Dated at Chicago, Illinois this 30th day of August, 2000.

FILED

JUL 17 2000

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT WESTERN DIST. OF OKLA.
BY CB DEPUTY

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

IN THE MATTER OF THE)
RULES OF THE COURT)

Miscellaneous No. 22

ORDER
SCHEDULE FOR FORFEITURE OF COLLATERAL
(United States Department of Interior Fish and Wildlife Service)

Pursuant to Rule 58(d), *Federal rules of Criminal Procedures* and LCrR 58.2 of the United States District Court for the Western District of Oklahoma, the Court hereby orders that the Forfeiture of Collateral in Lieu of Appearance Schedule as recommended and attached to the motion of the United States of America, and attached hereto as "Exhibit A," be and is hereby adopted and promulgated to become effective this date. This Schedule of Collateral, as adopted herein, represents the misdemeanor and petty offenses for which collateral may be posted and forfeited in lieu of appearance by the person charged, together with the amount of the collateral to be posted for such offenses committed under the charge and control of the Department of Interior, United States Fish and Wildlife.

Any previous Schedules of Forfeiture of Collateral in Lieu of Appearance relating to facilities under control of the United States Department of Interior Fish and Wildlife Service are hereby superceded and canceled.

WILDLIFE/PROPERTY FORFEITURE

Unless otherwise specifically ordered by the United States Court of the Western District of Oklahoma, any fish, wildlife, plants, or property which has been seized within the jurisdiction of the Western District of Oklahoma under the authority of the Migratory Bird Treaty Act, 16 U.S.C. § 703-712; the National Wildlife Refuge System Administration Act, 16 U.S.C. §668dd-668ee; The Eagle Protection Act, 16 U.S.C. §668-668e; the Endangered Species Act, 16 U.S.C. §1531-1542; the Migratory Waterfowl Hunting Stamp Act, 16 U.S.C. §718-718i; the Airborne Hunting Act, 16 U.S.C. §742j-1; the Marine Mammal Protection Act, 16 U.S.C. §1361-1407; the Tariff Classification Act, 19 U.S.C. §1202; the Lacey Act, 18 U.S.C. §42; or the Lacey Act Amendments, 16 U.S.C. §3371-3378; the American Antiquities Act, 18 U.S.C. §433; The African Elephant Conservation Act, 16 U.S.C. §4201-4245; the Archeological Resources Protection Act, 16 U.S.C. §470aa *et seq.*, Rhinoceros and Tiger Conservation Act of 1998, 16 U.S.C. §5301-5306; and the Wild Bird Conservation Act, 16 U.S.C. §4901-4916, where 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 United States Government and disposed of by the United States Fish and Wildlife Service in the manner prescribed by Title 50, Code of Federal Regulations, Part 12.

IT IS SO ORDERED this 17th day of July, 2000.

David L. Russell

DAVID L. RUSSELL

CHIEF UNITED STATES DISTRICT JUDGE

Robin J. Cauthron

ROBIN J. CAUTHRON

UNITED STATES DISTRICT JUDGE

Tim Leonard

TIM LEONARD

UNITED STATES DISTRICT JUDGE

Vicki Miles Lagrange

VICKI MILES-LAGRANGE

UNITED STATES DISTRICT JUDGE

**FORFEITURE OF COLLATERAL SCHEDULE
UNITED STATES FISH AND WILDLIFE SERVICE
WESTERN DISTRICT OF OKLAHOMA
REVISED JUNE, 2000**

EXHIBIT A

FORFEITURE OF COLLATERAL SCHEDULE
UNITED STATES FISH AND WILDLIFE SERVICE
WESTERN DISTRICT OF OKLAHOMA

NOTE: Due to increased liability and potential severity for environmental degradation posed by commercial and organized activities, collateral amounts for violations listed herein shall be doubled for corporations, businesses, partnerships, hunt clubs, and other organizations committing such violations (18 USC 3571 (c) - Fines For Organizations).

Value = the current established replacement value of animals or plants listed in Appendix A.

Item = per specimen

General Fish & Wildlife Regulations
(16 USC 704; 16 USC 668a; 16 USC 1538(d); 16 USC 3373)

50 CFR 13: General Permit Procedures

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|---------------------------|--|-------------------|
| 13.1 thru 13.29 | General violation of permit requirements | 150.00 |
| 13.41 | Failure to maintain humane and healthful conditions for live wildlife | 250.00 |
| 13.42 | Violation of terms/conditions set forth in permit | 250.00 |
| 13.43 | Alteration of permit | 500.00 |
| 13.44 | Failure to display permit upon request | 150.00 |
| 13.45 | Failure to file reports as required | 150.00 |
| 13.46 | Failure to maintain records as required | 250.00 |
| 13.47 | Failure to permit premise inspection | 500.00 |
| 13.48 | Failure to comply with conditions of permit | 250.00 |
| 13.49 | Failure to surrender permit upon suspension or revocation | 250.00 |
| 13.50 | Failure to assume liability and responsibility for the conduct of any activity conducted under the authority of permit | 250.00 |

General Regulations for Importation, Exportation & Transportation of Wildlife
(16 USC 3371, 16 USC 1538)

50 CFR 14: Import, Export & Transportation Regulations

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|---------------------------|--|-------------------|
| 14.11 | Import or export wildlife at a non-designated port | 500.00 |
| 14.14(b) | Knowingly unload intransit shipment in U.S. | 1000.00 |
| 14.32 & 14.33 | Violation of non-designated port permit conditions | 300.00 |
| 14.51 | Refusal to allow detention/inspection of wildlife | 1000.00 |

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|-----------------------|--|-------------------|
| 14.52 | Failure to obtain FWS clearance prior to release from U.S. Customs | 500.00 |
| 14.61 thru 14.63 | Failure to file completed declaration as required | 500.00 |
| 14.81 | Ship wildlife in interstate commerce without marked containers | 350.00 |
| 14.82 | Ship in interstate or foreign commerce without complying with marking requirements or alternatives | 250.00 |
| 14.91 | Engage in business as importer/exporter of wildlife without obtaining import/export license | 500.00 |

50 CFR 14: Humane and Healthful Transport of Wild Mammals and Birds to the U.S.

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|-----------------------|---|-------------------|
| 14.103 | Import, transport, cause or permit transport to the U.S. any wild mammal or bird in violation of Humane Transport Regulations | 500.00 + value |
| 14.104 | Failure to provide English translation for any required certificate/document | 150.00 |
| 14.105 | Unauthorized acceptance by carrier of any wild mammal or bird for transport to the U.S. | 500.00 + value |
| 14.106 | Failure by carrier to require proper primary enclosures for transport to U.S. | 250.00 + value |
| 14.107 | Improper animal cargo space of a conveyance | 500.00 + value |
| 14.108 | Violation by carrier of food/water requirements | 250.00 + value |
| 14.109(b) | Improper ambient air temperature and ventilation provided by holding area, transporting device, conveyance or terminal facility | 350.00 + value |
| 14.110 | Improper or lack of animal holding area | 500.00 |
| 14.111 | Violation of handling requirements | 250.00 + value |
| 14.121 thru 14.172 | Violation of primary enclosure specifications | 500.00 + value |

16 USC 4901-4916
Wild Bird Conservation Act of 1992

Statute:

16 USC 4901 et seq.
(50 CFR 15)

Violate any regulations, prohibitions, or regulations of Act relating to the import of any exotic bird...

| | |
|----------------|------------------|
| Non-commercial | 500.00 + value |
| Commercial | 1,000.00 + value |

18 USC 42
Lacey Act

Statute:
18 USC 42(c)

Importation of wildlife under inhumane or
unhealthful conditions

250.00 + value

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

Section

Number

Offense

Collateral

16.3 thru

Unauthorized import, transport, acquire or
release of prohibited species or their progeny

500.00 +

16.13(a)

25.00/item

16.13(b)(1)

Import live/dead or eggs of salmonid of the
family Salmonidae which are not accompanied by
the required disease-free health certificate

500.00 +

25.00/fish

16.14
& 16.15

Release of imported live wild amphibians/
reptiles or progeny or eggs thereof to the
wild without authorization

500.00 +

25.00/item

16.22(b)(1)

Failure to properly confine injurious species

500.00 + 25.00/item

16.22(b)(2)

Transfer of injurious species to unauthorized
person

500.00 + 25.00/item

16 USC 3371-3378
Lacey Act Amendments of 1981

Statute:

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
of the United States -

(A) to possess any fish/wildlife taken, possessed,
transported, or sold in violation of any law or
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 or regulation of any
State.

| | |
|----------------|----------------|
| Fish..... | 250.00 + value |
| Small game.... | 250.00 + value |
| Bird..... | 500.00 + value |
| Reptile..... | 250.00 + value |
| Other..... | 250.00 + value |

| | |
|----------------|------------------|
| Big Game..... | 1,000.00 + value |
| Furbearer..... | 250.00 + value |
| Plant..... | 250.00 + value |
| Amphibian..... | 250.00 + value |

16 USC 3372(a)(4)

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

Same as defined offense

16 USC 3372(c)

(1) it is deemed a sale of fish/wildlife in violation of this chapter for a person for money or other consideration to offer or provide

(A) guiding, outfitting, or other services; or

(B) a hunting or fishing license or permit;

for the illegal taking, acquiring, receiving, transporting, or possessing of fish or wildlife

500.00 + value

16 USC 3372(c)

(2) it is deemed to be a purchase of fish/wildlife in violation of this chapter for a person to obtain for money or other consideration-

(A) guiding, outfitting, or other services; or

(B) a hunting or fishing license or permit;

for the illegal taking, acquiring, receiving, transporting, or possessing of fish or wildlife

500.00 + value

16 USC 3372(d)

Unlawful for any person to make or submit any false record, account, or label for, or any false identification of, any fish, wildlife, or plant which has been, or is intended to be-

(1) imported, exported, transported, sold, purchased, or received from any foreign country; or

(2) transported in interstate or foreign commerce

| | |
|-----------------|----------------|
| Fish..... | 250.00 + value |
| Small game..... | 250.00 + value |
| Bird..... | 500.00 + value |
| Reptile..... | 250.00 + value |
| Other..... | 250.00 + value |

| | |
|----------------|------------------|
| Big Game..... | 1,000.00 + value |
| Furbearer..... | 250.00 + value |
| Plant..... | 250.00 + value |
| Amphibian..... | 250.00 + value |

16 USC 1538
Endangered Species Act

Statute:

16 USC 1538(a)(1)(A) thru 16 USC 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; sell in interstate or foreign commerce

1,000.00 + value

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

Import or export any endangered plant; 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; sell in interstate or foreign commerce

500.00 + value

50 CFR 17: Regulations pertaining to Endangered Wildlife

Section
Number Offense

17.21 General Endangered Species prohibitions:
(a)(b)(d) Attempt, solicit, cause; import, export; possess, transport unlawfully taken wildlife
17.21 Take; Sell; Transport; Interstate or Foreign
(c)(e)(f) Commerce

Collateral
500.00 + value

1000.00 + value

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|---|---|--------------------------|
| 17.21(g) | Captive-bred wildlife violations | 350.00 + 50.00/animal |
| 17.22 thru 17.23 | Endangered species permit violations | 350.00 + 50.00/animal |
| <u>50 CFR 17: Regulations pertaining to Threatened Wildlife</u> | | |
| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
| 17.31 | Violate threatened wildlife prohibitions | 500.00 + value |
| 17.40 thru 17.47 | Violate special regulations pertaining to threatened wildlife | 350.00 + value |
| <u>50 CFR 17: Regulations pertaining to Endangered Plants</u> | | |
| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
| 17.61 | Violation of Endangered Plant regulations | 500.00 + value |
| 17.62 & 17.63 | Fail to comply with Permit Conditions | 250.00 |
| <u>50 CFR 17: Regulations Pertaining to Threatened Plants</u> | | |
| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
| 17.71 | Violation of Threatened Plant regulations | 350.00 + value |
| 17.72 | Fail to comply with permit conditions | 250.00 |
| <u>50 CFR 17: Other Endangered & Threatened Plant Regulations</u> | | |
| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
| 17.82 | Violation of general Experimental regulations | 250.00 + value |
| 17.84 to end | Violation of special regulations | 250.00 + value |

16 USC 1371-1372
Marine Mammal Protection Act

Statute:

16 USC 1371 thru 16 USC 1372

Take, or import any marine mammal, marine mammal parts, or products made thereof

1,000.00 + value

15 CFR 18: Regulations Pertaining to Marine Mammals

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|-----------------------|--|-------------------|
| 18.11 | Unlawful take of marine mammal | 500.00 + value |
| 18.12 | Unlawful import of marine mammals | 500.00 + value |
| 18.13 | Unlawful port use, transport, purchase, sale of any marine mammal or marine mammal product | 500.00 + value |

16 USC 742j
Airborne Hunting Act

Statute:

16 USC 742j-1

General Airborne Hunting Act Violations

1,000.00 + value

50 CFR 19: Regulations Pertaining to Airborne Hunting

Section

Number

Offense

Collateral

19.11(a)(1) Shoot from an aircraft for purposes of capturing or killing wildlife

1,000.00+ value

19.11(a)(2) Use aircraft to harass wildlife

500.00

19.11(a)(3) Participate in using aircraft to shoot or harass wildlife

1,000.00+ value

19.32(a) Failure to file annual report

250.00

16 USC 703-711
Migratory Bird Treaty Act

Statute:

16 USC 703

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

per part, nest, egg, item
per each bird

500.00 +
50.00
value

16 USC 705

Ship, transport, carry in interstate or foreign commerce, any bird, part, nest, or egg, thereof, carried contrary to the law of the place where captured, killed, taken, shipped, transported, or carried

per part, nest, egg, item
per each bird

350.00 +
50.00
value

50 CFR 20: Migratory Game Bird Hunting Regulations

Section

Number

Offense

Collateral

20.20(b) Take with out Harvest Information Permit

\$100.00

20.21(a) Take with illegal device or substance

500.00 + value

20.21(b) Take with shotgun capable of holding more than three(3) shells

100.00 + value

20.21(c) Take by means, aid or use of sink box

150.00 + value

20.21(d) Take from or by means, aid, or use of a motor driven conveyance, motor vehicle or aircraft

400.00+ value

20.21(e) Take by means of motorboat or other craft having motor attached and under power

400.00+ value

20.21(f) Take by use or aid of live decoys

250.00 + value

20.21(g) Take by use or aid of electronic/recorded calls

250.00 + value

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|--|---|---|
| 20.21(h) | Take by means or aid of motor driven conveyance for concentrating, driving, or rallying, or stirring up waterfowl | 200.00 + value |
| 20.21(i) | Take by aid of bait or on or over baited area (where the defendant knew, or reasonably should have known, that the area was a baited area) | 500.00+ value |
| 16 USC 704(b)(2) and 16 USC 707(c) | Placed or directed placement of bait on or adjacent to an area for the purpose of causing, inducing, or allowing any person to take migratory game birds by the aid of baiting on and over a baited area. | 1,000.00 + value |
| 20.21(j) | Take while possessing toxic shotshells or shot | 100.00 + value + 20.00 per toxic shell + forfeit toxic shells |
| 20.22 | Take during closed season | 500.00 + value |
| 20.23 | Take before/after legal shooting hours | 1-15 min. . 100.00+ value 16-30 min. 200.00+ value 31-45 min. 300.00 + value 45+ min. 400.00 + value |
| 20.24 | Take in excess of daily bag limit | 300.00 + value |
| 20.25 | Wanton Waste of migratory birds | 200.00 + value |
| 20.26(c) | Failure to comply with temporary closure regs | 250.00 + value |
| 20.31 | Possession of birds taken in violation of 20.21 thru 20.23 | 150.00 + value |
| 20.32 | Possess freshly killed migratory birds during closed season | 300.00 + value |
| 20.33 | Exceed possession limit of migratory birds taken in the U.S | 250.00 + value |
| 20.34 | Possess in excess of daily bag limit opening day | 200.00 + value |
| 20.35 | Possess or transport in excess of daily field limit | 250.00 + value |
| 20.36 | Violation of tagging regulations | 150.00 + value |
| 20.37 | Custody of untagged birds of another | 150.00 + value |
| 20.38 | Live wounded birds in possession | 100.00 + value |
| 20.40 | Receive, possess, give to another untagged birds | 100.00 + value |
| 20.41 | Transport birds taken in violation of 20.21 thru 20.24 | 150.00 + value |
| 20.42 | Transportation of untagged birds of another | 150.00 + value |
| 20.43 | Transport mig. game birds with species ID removed | 100.00 + value |
| 20.44 | Transport unmarked or improperly marked package containing mig. game birds via postal service or common carrier | 100.00 per package |

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|---------------------------|--|--------------------|
| 20.51 | Export birds taken in violation of 20.12 through 20.24 | 200.00 + value |
| 20.52 | Export birds with species ID removed | 150.00 + value |
| 20.53 | Export unmarked or improperly marked packages containing mig. birds as required | 150.00 per package |
| 20.61 | Import mig. game birds in excess of legal limit | 200.00 + value |
| 20.62 | Import mig. game birds belonging to another | 150.00 + value |
| 20.63 | Import mig. game birds with species ID removed | 150.00 + value |
| 20.64 | Import, possess, transport birds killed in foreign country without required export permits | 150.00 + value |
| 20.65 | Import birds not drawn or dressed as required | 150.00 + value |
| 20.66 | Import unmarked or improperly marked packages containing mig. birds as required | 150.00 per package |
| 20.71 | Take, possess, transport, or export migratory birds, their parts, nests, or eggs in violation of any other federal law or regulation | 250.00 + value |
| 20.72 | Take, possess, transport, or export migratory birds, their parts, nests, or eggs in violation of any other state law or regulation | 250.00 + value |
| 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 thereof | 250.00 + value |
| 20.81 | Commercial facility with untagged mig. birds of another as required under 20.36 | 200.00 + value |
| 20.82 | Violation of record keeping requirement | 200.00 |
| 20.83 | Failure to permit premise inspection | 500.00 |
| 20.91(a) | Purchase, sell, barter, or offer thereof for millinery or ornamental use, the feathers of migratory game birds | 500.00 |
| 20.91(b) | Purchase, sell, barter, or the offer thereof, mounted specimens taken by hunting | 250.00 + value |
| 20.100 | Take mig. game birds for which no season has been established | 250.00 + value |
| 20.133 | Violation of crow hunting regulations | 50.00 + 50.00/bird |

50 CFR 21: Migratory Bird Permit Violations

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|---------------------------|----------------------------------|-------------------|
| 21.2 thru 21.27 | Migratory Bird Permit Violations | 200.00 + value |

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|-----------------------|---|----------------------------|
| 21.28 | Violation of Falconry Permit requirements | 250.00 + value |
| 21.28(d)(1) | Take, possess, transport, golden eagle for falconry without a permit | 500.00 + value |
| 21.28(d)(3) | Unauthorized purchase, sale, or barter of raptor | 500.00 + value |
| 21.29 | Violation of Falconry Standards | 250.00 |
| 21.29(e)(3) | Take, possess, transport raptor in violation of 50 CFR 21.29 | 250.00 + value |
| 21.29(e)(3)(v) | Unauthorized take of a threatened species | 500.00 + value |
| 21.29(i) | Unauthorized take of raptor | 350.00 + value |
| 21.29(g) | Failure to comply with facility/equip. standards | 150.00 + value |
| 21.29(j) | General violations of Misc. Falconry Regs | 150.00 + value |
| 21.29(j)(5) | Retain or exchange molted feathers for other than imping purposes | 150.00 + 50.00 per feather |
| 21.30 | General violation of Raptor propagation permit | 250.00 + \$100/bird |
| 21.30(a) | Take, possess, transport, sell, purchase, barter or transfer any raptor, raptor egg, or raptor semen, for propagation without authorization | 350.00 + \$100/bird |
| 21.30(d)(7) | Unauthorized hybridization of raptors | 500.00 |
| 21.41 thru 21.43 | Violation of Depredating Bird regulations | 200.00 + value |
| 21.41(c)(1) | Unauthorized killing of depredating mig. birds | 200.00 + value |
| 21.42(c)(2) | Take of depredating birds by unauthorized method or in unauthorized area | 200.00 + value |

16 USC 718

Migratory Waterfowl Hunting and Conservation Stamp Act

| <u>Statute</u> | | |
|----------------|---|----------------|
| 16 USC 718a | Hunt migratory waterfowl without a federal waterfowl hunting stamp | 200.00 + value |
| 16 USC 718b | Hunting migratory waterfowl with an invalid (unsigned) federal waterfowl stamp | 100.00 + value |
| 16 USC 718e(a) | Loan or transfer valid migratory stamp to another person, or use stamp validated by another | 300.00 |
| 16 USC 718e(b) | Alter, mutilate, imitate, or counterfeit migratory waterfowl stamp | 500.00 |

16 USC 668d
Bald and Golden Eagle Protection Act

Statute:
16 USC 668d

Take, possess, transport, sell, purchase,
barter, trade, import, export any bald
or golden eagle or parts, nests, or eggs
thereof

1000.00 + value

50 CFR 22: Regulations Pertaining to Bald and Golden Eagles

Section

Number

Offense

Collateral

22.11

Take, possess, or transport a bald or golden
eagle

1000.00 + value

or parts, nest or eggs thereof

250.00

22.12

Sell, purchase, trade, barter, export, import, or
offer thereof any bald or golden eagle

1000.00

or parts, nest or eggs thereof

250.00

22.21 thru

22.32

Violation of eagle permit requirements

250.00

16 USC 1531-1543
Endangered Species Act - Convention on International Trade (CITES)

Statute:

16 USC 1538(c) thru 1538(d)

Violations of Convention on International Trade
in Appendix designated wildlife & plants

1,000.00 + Value

50 CFR 23: Regulations pertaining to import/export of protected wildlife & plants

Section

Number

Offense

Collateral

23.11(a) thru

23.11(e)

Unlawfully import, export, re-export, or possess
unlawfully imported, exported, or re-exported
Appendix I species
Appendix II species
Appendix III species

1,000.00 + value

500.00 + value

250.00 + value

50 CFR 24: Regulations pertaining to the import/export of plants

Section

Number

Offense

Collateral

24.11

Import, export, re-export plants at
non-designated port of entry

250.00 + value

16 USC 4201-4245
African Elephant Conservation Act

Statute:

16 USC 4223

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

commercial
non-commercial

1,000.00 + value
500.00

16 USC 5301 - 5306
Rhinoceros and Tiger Conservation Act of 1998

Statute:

16 USC 5305(a)

Sale, import or export of any product, item or substance intended for human consumption or application containing or labeled or advertised as containing any substance derived from any species of rhinoceros or tiger.

250.00 + value

16 USC 431-433
American Antiquities Act

Statute:

16 USC 433

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

500.00

16 USC 470aa et seq.
Archaeological Resources Protection Act of 1979

Statute:

16 USC 470ee(a)

Knowingly excavate, remove, damage, alter, deface or the attempt thereof, any archaeological resource on public or Indian lands without a permit or exemption...

Non-commercial
Commercial

500.00 + value
1,000.00 + value

16 USC 470ee(b)

Knowingly sell, purchase, exchange, transport, receive, or offer thereof, any archaeological resource if such resource was excavated or removed from Public or Indian lands in violation of 16 USC 470ee(a) or any provision, rule, regulation, ordinance or permit in effect under any other Federal law...

Non-commercial
Commercial

750.00 + value
1,500.00 + value

16 USC 470ee(c)

Knowingly sell, purchase, exchange, transport, receive, or offer thereof, any archaeological resource if such resource was excavated or removed from Public or Indian lands in violation of 16 USC 470ee(a) or any provision, rule, regulation, ordinance or permit in effect under any other State law...

Non-commercial
Commercial

750.00 + value
1,500.00 + value

16 USC 470ee(d)

Knowingly violate, counsel, procure, solicit, or employ any other person to violate any prohibition...

Non-commercial
Commercial

500.00
1,000.00

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

Statute:
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 nest or egg thereof ...or enter, use, or otherwise occupy any such area for any purpose without a permit or authorization

500.00 + value

16 USC 668dd
Wildlife Conservation Easement Provisions

Violations of Conservation Easement Contracts

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|-----------------------|---|----------------------|
| 1. | Dwellings, barns, outbuildings, or other structures built without authorization within easement areas | 500.00 + removal |
| 2. | Alter vegetation | 100.00 + restoration |
| 3. | Alter hydrology | 50.00 + restoration |
| 4. | Unauthorized cutting or mowing | 100.00 per acre |
| 5. | Unauthorized cultivation | 200.00 per acre |
| 6. | Unauthorized grazing | 50.00 per animal |
| 7. | Unauthorized harvesting or cutting of wood | 200.00 + value |
| 8. | Unauthorized burning | 100.00 per acre |
| 9. | Place refuse, waste, sewage or other debris | 500.00 + removal |
| 10. | Littering | 50.00 |
| 11. | Drain, dredge, channel, or fill | 500.00 + restoration |
| 12. | Pump, dike, or impound, and related activity | 500.00 + restoration |
| 13. | Divert or affect the natural flow or surface or underground water into, within, or out of easement | 500.00 + restoration |
| 14. | Fail to control noxious weeds/other undesirable plants | 100.00 |
| 15. | Hunting on a closed area | 200.00 + value |
| | Fishing on a closed area | 100.00 + value |
| 16. | Taking or attempting to take fish & wildlife in violation of a Federal, state, or local game/fish regulations | 100.00 + value |

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|-----------------------|---|-------------------|
| 17. | Failure to allow inspection, entry, or egress by an authorized official, agent, or employee | 500.00 |
| 18. | Trespass on a closed area | 100.00 |
| 19. | Interfere with the management of easement area | 100.00 |

16 USC 668dd and 16 USC 721-731
National Wildlife Refuge Administrative Act

50 CFR 25: Administrative Provisions

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|-----------------------|--|-------------------|
| 25 | All other admin. provisions regulations | 100.00 |
| 25.21 | Enter a closed portion of National Wildlife Refuge | 200.00 |
| 25.31 | Failure to comply with special regulations | 150.00 |
| 25.42 | Failure to display permit when requested | 100.00 |
| 25.72 | Failure to report accidents | 100.00 |

50 CFR 26: Regulations Pertaining to Public Entry & Use

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|-----------------------|--|-----------------------|
| 26 | All other public entry and use regulations | 150.00 |
| 26.21(a) | Trespass on National Wildlife Refuge (NWR) | 200.00 |
| 26.21(b) | Permit unconfined domestic animal to enter a NWR | 100.00 + 50.00/animal |
| 26.36 | Conduct public assembly/demonstration without a permit | 100.00 |

50 CFR 27: Prohibited Acts

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|-----------------------|---|--|
| 27.21 | Take any animal or plant without authorization | 250.00 + value |
| 27.31 | Travel on other than a designated route of travel | 100.00 |
| 27.31(a) | Operate a vehicle in violation of state law | 100.00 |
| 27.31(b) | Operate a vehicle under the influence of drugs or intoxicating beverage | 250.00 |
| 27.31(c) | Operate a vehicle carelessly or heedlessly | 150.00 |
| 27.31(d) | Exceed 25 mph or posted speed limit | 50.00 + 2.00/mph over speed limit (21 mph or more over speed limit: 150.00) |
| 27.31(e) | Operate vehicle without a muffler/spark arrester | 100.00 |

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|---------------------------|---|-------------------------|
| 27.31(f) | Operate vehicle without license plate/registration | 100.00 |
| 27.31(g) | Operate vehicle without a drivers license | 100.00 |
| 27.31(h) | Block road access for other vehicles | 100.00 |
| 27.31(i) | Failure to obey orders of traffic control officer | 250.00 |
| 27.31(j) | Operate over-sized/over-weight vehicle | 200.00 |
| 27.31(k) | Moving of vehicle involved in accident | 150.00 |
| 27.31(l) | Operate a vehicle without proper headlights, tail- lights, or brake lights | 50.00 |
| 27.31(m) | Violation of other established special vehicle requirements | 100.00 |
| 27.32(a) | Unauthorized use of a boat | 200.00 |
| 27.32(b) | Operate boat in violation of either Coast Guard or State laws | 50.00 |
| 27.32(b)(2) | Operate boat in reckless/negligent manner | 150.00 |
| 27.32(b)(3) | Operate boat under influence of an intoxicant | 250.00 |
| 27.32(b)(4) | Interfere with operation of other boats | 100.00 |
| 27.32(b)(5) | Operate boat without proper marine head | 50.00 |
| 27.32(b)(6) | Operate a sailboat without required lights | 50.00 |
| 27.32(b)(7) | Leave boat unattended for 72 hrs | 100.00 |
| 27.32(b)(8) | Unauthorized use of government boat dock | 50.00 |
| 27.33 | Unauthorized water skiing on NWR | 75.00 |
| 27.34 | Unauthorized operation of aircraft on/over NWR | 250.00 |
| 27.41 | Carry, possess or discharge a firearm | 200.00 |
| | Carry, possess or discharge fireworks/explosive | 200.00 |
| 27.42 | Firearms; other violations | 200.00 |
| 27.43 | Use of weapons other than firearms | 200.00 |
| 27.51 | Disturb, injure, damage animals on NWR | 200.00 + value |
| | Disturb, injure, damage plants on NWR | 100.00 + value |
| 27.52 | Introduction of plants/animals on NWR | 100.00 + 50.00 per item |
| 27.61 | Destruction or removal of property from NWR | 200.00 |
| 27.62 | Search for or remove objects of antiquity | 200.00 |
| 27.63 | Unauthorized search for valued objects; no permit | 200.00 |

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|-----------------------|--|-------------------|
| 27.64 | Unauthorized prospecting/mining on a NWR | 500.00 |
| 27.65 | Tamper with vehicles or equipment | 200.00 |
| 27.71 | Take or film motion pictures for commercial use | 200.00 |
| 27.72 | Cause unreasonable disturbances w/ audio equip | 200.00 |
| 27.73 | Use of artificial light to take wildlife | 200.00 + value |
| 27.81 | Enter NWR under the influence of alcohol | 300.00 |
| 27.82(b)(1) | Deliver controlled substance | 500.00 |
| 27.82(b)(2) | Possess controlled substance on a NWR | 250.00 |
| 27.82(b)(3) | Under influence of a controlled substance | 250.00 |
| 27.83 | Indecency or disorderly conduct | 250.00 |
| 27.84 | Interference with persons engaging in authorized activity | 300.00 |
| 27.85 | Gambling on NWR | 100.00 |
| 27.86 | Begging or soliciting | 100.00 |
| 27.91 | Conducting field trials | 200.00 |
| 27.92 | Construct, install, occupy private structure | 250.00 |
| 27.93 | Abandon private property | 300.00 |
| 27.94 | Litter on a NWR | 200.00 |
| | Dumping refuse or waste | 500.00 |
| | Depositing environmental contaminants | 1,000.00 |
| 27.95(a) | Setting unauthorized fire | 200.00 |
| | Setting unauthorized campfire | 100.00 |
| 27.95(b) | Leaving fire unattended | 150.00 |
| 27.95(c) | Throw burning cigarette, match, etc. where it may start a fire | 150.00 |
| 27.95(d) | Smoking violation | 100.00 |
| 27.96 | Unauthorized advertising | 100.00 |
| 27.97 | Conduct private commercial operation | 200.00 |

50 CFR 28: Regulations pertaining to Refuge Special Regulations-General

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|-----------------------|--|-------------------|
| 28.31 | Violate any provision, rule, regulation, sign, or special regulation | 150.00 |

50 CFR 31: Regulations pertaining to Commercial Fishing & Trapping

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|-----------------------|--|-------------------|
| 31.13 | No refuge commercial fishing permit | 250.00 + value |
| 31.16 | Violation of federal trapping permit regulations, state trapping laws, or other special trapping laws, or special trapping regulations | |
| | Violate state law | 100.00 + value |
| | Violate permit conditions, etc | 100.00 + value |
| | Failure to inspect traps | 100.00 + value |
| | Unlawful sets; unlawful equipment | 150.00 + value |
| | Animal unlawfully trapped | 150.00 + value |

50 CFR 32: Regulations pertaining to Hunting

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|-----------------------|--|---|
| 32.2(a) | Hunt without a State license | 200.00 + value |
| 32.2(b) | Hunt without a migratory waterfowl stamp | 200.00 + value |
| 32.2(c) | Hunt in violation of federal law | 150.00 + value |
| 32.2(d) | Hunt in violation of state law | 150.00 + value |
| 32.2(e) | Hunt in violation of special access requirements | 100.00 + value |
| 32.2(f) | Failure to comply with special regulations, as per 32.12, 32.22, 32.32 | 150.00 |
| 32.2(g) | Bow hunt with any drug on a arrow | 500.00 + value |
| 32.2(h) | Distribution of bait and hunting over bait on NWR | 500.00 + value |
| 32.2(i) | Use of nails, wire, screws or bolts to attach a tree stand to a tree, or hunt from tree into which a metal object has been driven | 100.00 |
| 32.2(j) | Use or possession of alcohol while hunting | 200.00 |
| 32.2(k) | Use or possession of toxic shot while hunting with shotgun or muzzle-loader on Waterfowl Production Areas, or other designated areas | 100.00 + value + 20.00/toxic shell + forfeit toxic shells |

50 CFR 32.5: Regulations pertaining to Fishing

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|-----------------------|---|-------------------|
| 32.5(a) | Fish without a state license | 100.00 + value |
| 32.5(b) | Noncompliance with applicable federal law | 100.00 + value |
| 32.5(c) thru 32.5(e) | Violations of State and applicable special regulations on fishing | 100.00 + value |

50 CFR 70: Regulations pertaining to National Fish Hatcheries

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|-----------------------|--|---------------------|
| 70.2 | Administrative provisions as adopted from Part 25 | As noted in Part 25 |
| 70.4(a) | Prohibited Acts as adopted in Part 27 | As noted in Part 27 |
| 70.4(b) | Unauthorized taking, or attempt to take fish, amphibians, or other aquatic animals | 200.00 + value |
| 70.4(c) | Unauthorized take of any animal | 200.00 + value |
| 70.4(d) | Disturbing spawning fish | 100.00 |
| 70.6 | Public Entry & Use as adopted from Part 26 | As noted in Part 26 |

50 CFR 71: Regulations pertaining to Hunting & Fishing on National Fish Hatcheries

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|------------------------|--|-------------------|
| 71.2(a) | Hunt without a State license | 100.00 |
| 71.2(b) thru 71.2(f) | Noncompliance with other laws or regulations | 100.00 |
| 71.12(a) | Fish without a State license | 100.00 |
| 71.12(b) thru 71.12(e) | Noncompliance with other laws or regulations | 100.00 |

Oversight Provision

All regulatory provisions of 50 CFR et seq. not previously enumerated

| <u>Section Number</u> | <u>Offense</u> | <u>Collateral</u> |
|-----------------------|---|-------------------|
| As listed | Violations of permits or permit requirements | 100.00 |
| | Violations of taking, sale, purchase or barter | 250.00 |
| | Violation of possession, transport, import/export | 150.00 |
| | All other violations or noncompliance | 50.00 |

18 USC 13
Assimilative Crime Act

| <u>Statute</u> | | |
|----------------|---|----------------|
| 18 USC 13 | Violation of state statutes on land administered by the FWS | 300.00 + value |

10 USC 2671(a)
Hunting, Fishing, Trapping on Military Reservations

| <u>Statute</u> | | |
|----------------|--|----------------|
| 10 USC 2671(a) | Violation of state statutes for wildlife or plants while on military reservation | 300.00 + value |

APPENDIX A

Wildlife & Plant Value Table

| <u>Category</u> | <u>Species</u> | <u>Comments</u> | <u>Value</u> |
|---------------------|--|-----------------|-------------------------------------|
| Big Game Animals | elk/caribou | whole/trophy | cow: \$1,000.00 bull: \$5,000.00 |
| | moose/bison | whole/trophy | cow: \$2,000.00 bull: \$7,000.00 |
| | sheep/mtn. goat | whole/trophy | \$10,000.00 |
| | deer/pronghorn | whole/trophy | doe: \$500.00 buck: \$2,000.00 |
| | blk. bear/cougar | whole/trophy | \$5,000.00 |
| | brown bear | whole/trophy | \$7,000.00 |
| | polar bear | whole/trophy | \$10,000.00 |
| | rhino/hippo buffalo/elephant/ felines | whole/trophy | \$10,000.00 |
| | all other African/ Asian/S. American/ European | whole/trophy | \$2,500.00 |
| | all other | whole/trophy | \$1,000.00 |
| | all parts/products | per item | \$100.00 or DEC value |
| Small Game animals | All whole/trophy | per item | \$100.00 |
| | All parts/products | per item | \$25.00 |
| | All whole/skin | per item | \$100.00 |
| Fur bearing animals | Rodent family | whole/skin | \$25.00 |
| | Canine family | whole/skin | \$100.00 |
| | Procyon/Mustelid family | whole/skin | \$50.00 |
| | Feline family | whole/skin | \$250.00 |
| | All others | whole/skin | \$25.00 |
| | All parts/products | per item | \$25.00 or DEC value |

| <u>Category</u> | <u>Species</u> | <u>Comments</u> | <u>Value</u> |
|--------------------------|-------------------------|---------------------|-----------------------|
| Non-game animals | Carnivores | whole/skin parts | \$1500.00 \$500.00 |
| | Primates | whole | \$1000.00 |
| | Others | whole | \$300.00 |
| | All parts/products | per item | \$250.00 |
| Migratory game birds | Swans | whole/mount | \$1000.00 |
| | Geese | whole/mount | \$75.00 |
| | Ducks | whole/mount | \$50.00 |
| | Doves/Pigeons | whole/mount | \$25.00 |
| | All other | whole/mount | \$50.00 |
| | All parts/products | per item | \$25.00 or DEC value |
| Migratory non-game birds | Eagles | whole/mount | \$1000.00 |
| | | parts/products | \$250.00 |
| | Hawks/Owls | whole/mount | \$500.00 |
| | Song birds | whole/mount | \$100.00 |
| | All others | whole/mount | \$100.00 |
| | All parts/products | per item | \$50.00 or DEC value |
| Other game birds | Wild turkey | whole/mount | \$500.00 |
| | Grouse/Prairie chickens | whole/mount | \$250.00 |
| | All other | whole/mount | \$100.00 |
| | All parts/products | per item | \$25.00 or DEC value |
| Parrots | Macaws/Cockatoos | whole/mount | \$1000.00 |
| | Parrots | whole/mount | \$500.00 |
| | All others | whole/mount | \$100.00 |
| | All parts/products | per item | \$25.00 or DEC value |

| <u>Category</u> | <u>Species</u> | <u>Comments</u> | <u>Value</u> |
|---------------------------------------|--|-------------------------|-----------------------|
| Other pet birds | All | whole/mount | \$100.00 |
| | All parts/products | per item | \$10.00 |
| Other animals | All whole/product | per item | \$50.00 or DEC value |
| Endangered/ Threatened wildlife | All | whole/trophy | \$2,000.00 |
| | All | parts | \$500.00 |
| | | curios/jewelry | \$100.00 or DEC value |
| Endangered/ Threatened plants | All | | \$1,000.00 |
| Marine Mammals | All (except polar bear) | whole/trophy | \$2,000.00 |
| | | parts/curios/ otters | \$100.00 or DEC value |
| Game Fish | trout/salmon/walleye/ bass/pike/ etc. | whole/trophy | \$75.00 |
| Sport Fish | pan fish/catfish/ etc. | whole/trophy | \$25.00 |
| Other fish | Paddle/Sturgeon/etc. | whole/trophy | \$500.00 |
| | Eggs/Roe | per pound | \$500.00 |
| | all other | whole/trophy | \$25.00 |
| Non-sport fish | carp/sucker/gar/etc. | whole/trophy | \$10.00 |
| Tropical fish | All | per fish | \$25.00 or DEC value |
| Bait fish | All | whole/product | \$10.00 |
| Amphibians | All whole/product | per item | \$50.00 or DEC value |
| Reptiles | All whole/product | per item | \$50.00 or DEC value |
| Insects | All whole/products | per item | \$50.00 or DEC value |

| <u>Category</u> | <u>Species</u> | <u>Comments</u> | <u>Value</u> |
|-------------------------|--------------------|-----------------|----------------------|
| Mollusks | All whole/products | per item | \$25.00 or DEC value |
| Corals | All whole/products | per item | \$50.00 or DEC value |
| Deciduous trees | All | > 10 yrs. | \$1,000.00 |
| | | < 10 yrs. | \$200.00 |
| Coniferous trees | All | >10 yrs. | \$1,000.00 |
| | | <10 yrs. | \$200.00 |
| Bushes | All | adult | \$750.00 |
| | | young | \$150.00 |
| Cacti | All | per plant | \$100.00 |
| Sedges/grasses | All | per sq. foot | \$50.00 |
| Orchid family | All | | \$100.00 |
| Other plants | All | | \$10.00 |
| Archeological Resources | All | per item | \$100.00 |