

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

A. MARVIN HELART
CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
BENTON OFFICE

IN THE MATTER OF:)
FORFEITURE OF COLLATERAL)
SCHEDULE REVISION)

9

ORDER AMENDING THE RULES OF PRACTICE
FOR THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

The Rules of Practice for the United States District Court, Southern District of Illinois, are hereby amended by substituting and replacing the collateral forfeiture schedule as follows:

CORPS OF ENGINEERS VIOLATIONS

| <u>Section No.</u> <u>36 C.F.R.</u> | <u>Offense-Reference Title 26</u> | <u>Collateral</u> |
|--|--|-------------------|
| 327.0 | Failing to observe other Federal, State & local laws applicable to water resource development projects. | \$ 50.00 |
| 327.1(d) | Discriminating against a person or persons because of sex, race, creed, color or national origin in the conduct of operations under a lease, license or concession contract. | \$ 25.00 |
| 327.1(b) | Parking a vehicle in violation of posted restrictions or in a manner as to obstruct or impede traffic or to create a safety hazard. | \$ 15.00 |

| <u>Section No.</u> <u>36 C.F.R.</u> | <u>Offense-Reference Title 26</u> | <u>Collateral</u> |
|--|---|-------------------|
| 327.2(c) | Prohibited operation of a vehicle off roadway. | \$ 25.00 |
| 327.2(d) | Operating a vehicle contrary to posted regulations. | \$ 25.00 |
| 327.2(e) | Careless, negligent or reckless operation of a vehicle. | \$ 50.00 |
| 327.2(f) | Use of vehicle for other than ingress and egress at developed recreation areas. | \$ 25.00 |
| 327.2(g) | Operating a vehicle without an effective muffler. | \$ 10.00 |
| 327.3(b) | Operating a vessel for fee or profit. | \$ 50.00 |
| 327.3(c) | Operating a vessel not in accordance with posted restrictions/ failing to display the appropriate registration on board. | \$ 25.00 |
| 327.3(d) | Careless, negligent, or reckless operation of a vessel. | \$ 50.00 |
| 327.3(e) | Failing to have proper safety equipment on a vessel. | \$ 25.00 |
| 327.3(f) | Vessels are not to be used as a residence. | \$ 50.00 |
| 327.3(g)(1) | Careless, negligent or reckless operation of water skis or similar devices being towed from a vessel. | \$ 50.00 |
| 327.3(g)(2) | Waterskiing in a restricted area. | \$ 25.00 |
| 327.3(h)(1) | Failure to remove a vessel from the project when not in actual use. | \$ 25.00 |
| 327.3(h)(2) | Placing of floating or stationary mooring facilities to, or interfering with a buoy, channel marker, or other navigational aid. | \$ 25.00 |

| <u>Section No.</u> <u>36 C.F.R.</u> | <u>Offense-Reference Title 26</u> | <u>Collateral</u> |
|--|--|-------------------|
| 327.3(i) | Use of a vessel not constructed or maintained in accordance with Federal Safe Boating Act. | \$ 35.00 |
| 327.3(j) | Operating vessel or watercraft without an effective muffler. | \$ 15.00 |
| 327.4(b) | Operating an aircraft on project lands other than at a designated landing area. | \$100.00 |
| 327.4(c) | Careless, negligent, or reckless operation of an aircraft. | \$ 50.00 |
| 327.4(e) | Air delivery of persons or material onto project lands or water. | \$ 50.00 |
| 327.4(f)(2) | Seaplane operation contrary to the prohibitions or restrictions established by the District Engineer are prohibited. | \$100.00 |
| 327.4(f)(3) | Seaplane operation on project waters contrary to marine rules of the road. | \$ 50.00 |
| 327.4(f)(4) | Failure to securely moor seaplane in approved mooring facilities. | \$ 25.00 |
| | (4) Failure of seaplane operator to remain in vicinity of aircraft. | \$ 10.00 |
| 327.4(f)(5) | Unauthorized commercial operation of seaplane. | \$ 25.00 |
| 327.4(f)(6) | Operating seaplane between sunset and sunrise. | \$ 25.00 |
| 327.5(a) | Swimming or diving in prohibited areas. | \$ 10.00 |
| 327.5(b) | Failure to display diving flag. | \$ 10.00 |
| 327.6 | Picnicking or related day use activities in a prohibited location. | \$ 15.00 |
| 327.7(a) | Camping in a prohibited location. | \$ 25.00 |

| <u>Section No.</u> <u>36 C.F.R.</u> | <u>Offense-Reference Title 26</u> | <u>Collateral</u> |
|--|---|-------------------|
| 327.7(b) | Camping in excess of 14 days in any consecutive 30 day period. | \$ 20.00 |
| 327.7(c) | Campsite reserving. | |
| | 1) First day | \$ 25.00 |
| | 2) Thereafter (per day) | \$ 10.00 |
| 327.7(d) | Digging or leveling of ground or construction of structure. | \$ 25.00 |
| 327.8 | Hunting, fishing, or trapping in a prohibited location. | \$ 50.00 |
| 327.9(a) | Improper disposal of garbage, trash, rubbish, litter, or any other waste. | \$ 50.00 |
| 327.9(b) | Disposal of household or other debris brought onto the project. | \$ 50.00 |
| 327.9(c) | Spilling, pumping, or other discharge of contaminants, pollutants, or other wastes on project lands or into project waters. | \$ 50.00 |
| 327.9(d) | Failure to keep campsite, picnic site or other recreation areas free of trash during occupancy. | \$ 25.00 |
| 327.9(e) | Discharge of waste, sewage, etc. from any vessel or watercraft. | \$ 50.00 |
| 327.10(a) | Improper storage of gasoline or other fuels. | \$ 50.00 |
| 327.10(b) | Building & maintaining a fire at a location other than a designated area. | \$ 25.00 |
| 327.10(c) | Improper disposal of lighted smoking materials. | \$ 10.00 |
| 327.11(a)(1) | Failure to keep animals on a leash. | \$ 25.00 |
| 327.11(a)(2) | Allowing animals to restrict full free use of project lands & waters. | \$ 20.00 |


| <u>Section No.</u> <u>36 C.F.R.</u> | <u>Offense-Reference Title 26</u> | <u>Collateral</u> |
|--|---|-------------------|
| 327.11(a)(3) | Allowing animals on the beach or in bathrooms. | \$ 20.00 |
| 327.11(b) | Failure to remove animal waste from public use areas. | \$ 10.00 |
| 327.11(c) | Allowing or bringing livestock in camping, picnicing, swimming, or other recreation areas. | \$20.00 |
| 327.11(d) | Ranging, grazing, or watering of livestock except as authorized by a lease license, or other agreement. | |
| | 1) One head | \$ 25.00 |
| | 2) Each additional head | \$ 10.00 |
| 327.12(a) | Failure to observe posted restrictions. | \$ 25.00 |
| 327.12(b) | Creating excessive noise in a public use area between the hours of 10 p.m. and 6 a.m. | \$ 25.00 |
| 327.12(c) | Disturbing the peace. | \$ 50.00 |
| 327.12(d) | Operating a noise device which annoys or endangers persons. | \$ 25.00 |
| 327.13(a) | Possession of loaded firearm or device of any kind. | \$ 50.00 |
| 327.13(a) | Possession or use of fireworks. | \$ 25.00 |
| 327.14(a) | Destruction of government property. | \$100.00 |
| 327.14(b) | Cutting or gathering of trees/ removing wood from the project lands. | \$ 50.00 |
| 327.15(a) | Abandonment of personal property. | \$ 35.00 |
| 327.15(c) | Placement of personal property on federal lands or waters by adjacent landowners in excess of 24 hours. | \$ 30.00 |

| <u>Section No.</u> <u>36 C.F.R.</u> | <u>Offense-Reference Title 26</u> | <u>Collateral</u> |
|--|--|----------------------|
| 327.16 | Failing to deposit found articles.n | \$ 20.00 |
| 327.17 | Advertising by use of billboard, sign, marker, audio device, or any other means. | \$ 25.00 |
| 327.18 | Engaging in commercial activities. | \$ 50.00 |
| 327.19 | Refusing or failing to comply with the terms or conditions of a permit. | \$ 50.00 |
| 327.20 | Placement of unauthorized structure. | \$ 50.00 |
| 327.21(a) | Holding a special event without a permit. | \$ 50.00 |
| 327.21(b) | Charging an unauthorized fee for a special event. | \$ 25.00 |
| 327.22(a) | Occupying public lands as a full or part-time residence. | \$ 50.00 |
| 327.22(b) | Unauthorized agricultural use of project lands. | \$100.00 |
| 327.23(c) | Failure to pay recreation use fee, each day. | |
| | 1) First day | \$ 15.00 |
| | 2) Each additional day | \$ 10.00 |
| 327.24(a) | Interference with a government employee. | Mandatory Appearance |
| 327.24(b) | Failing to comply with a lawful order. | \$ 50.00 |
| 327.24(b) | Failure to provide correct identification. | \$ 25.00 |

In all other respects, the "Rules of Practice for the United States District Court, Southern District of Illinois", are affirmed and ratified.

This amendment shall become effective immediately upon the signing of this Order.

SIGNED AND ENTERED this 17 day of June, 1986.


JAMES L. FOREMAN
Chief Judge


WILLIAM L. BEATTY
United States District Judge