

FILED
DEC 19 2006
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *[Signature]* DEPUTY

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

In the matter of the Duties and Powers of)
United States Magistrate Judges Regarding)
Misdemeanor and Petty Offenses:)
Forfeiture of Collateral)
_____)

General Order No. 203-M

Good cause appearing, IT IS ORDERED that the Bureau of Reclamation is added to the list of approved agencies that may issue citations in the Southern District of California. General Order 203-L is hereby amended to add the attached schedule of penalties for offenses governed by 43 C.F.R. § 423.

DATED: December 19, 2006

Irma E. Gonzalez

IRMA E. GONZALEZ, Chief Judge
United States District Court

Marilyn L. Huff

MARILYN L. HUFF, Judge
United States District Court

OUT OF DISTRICT

NAPOLEON A. JONES, JR., Judge
United States District Court

Barry Ted Moskowitz

BARRY TED MOSKOWITZ, Judge
United States District Court

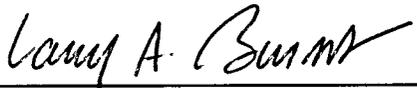
Jeffrey J. Miller

JEFFREY J. MILLER, Judge
United States District Court

Thomas J. Whelan

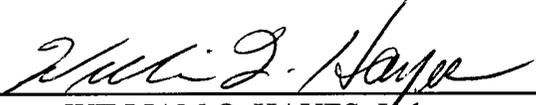
THOMAS J. WHELAN, Judge
United States District Court

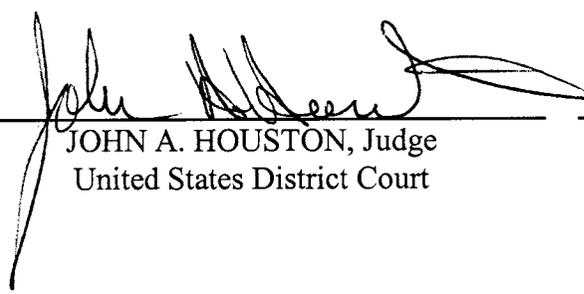

M. JAMES LORENZ, Judge
United States District Court

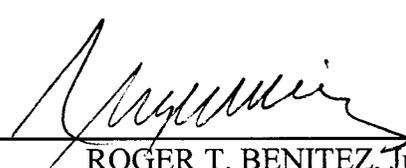

LARRY A. BURNS, Judge
United States District Court

OUT OF DISTRICT

DANA M. SABRAW, Judge
United States District Court


WILLIAM Q. HAYES, Judge
United States District Court


JOHN A. HOUSTON, Judge
United States District Court


ROGER T. BENITEZ, Judge
United States District Court

U.S. BUREAU OF RECLAMATION
Collateral Forfeiture Schedule for
TITLE 43 CFR PART 423 – PUBLIC CONDUCT ON RECLAMATION LANDS AND PROJECTS
 In the Southern District of California

A \$25.00 fee will be added to each forfeiture amount for CVB processing

		Bail/Collateral
423.20	<u>General Rules</u>	
(a)	Violating an applicable Federal, state or local law while at any Reclamation facility, land or waterbody	100
423.22	<u>Interference With Agency Functions and Disorderly Conduct</u>	
(a)	Assaulting, threatening, disturbing, resisting, intimidating, impeding or interfering with any employee or agent of the Federal, State, or local government engaged in an official duty	MA *
(b)	Failing to comply with any lawful order of an authorized government employee or agent for the purpose of maintaining order and controlling public access and movement during law enforcement actions and emergency or safety-related operations	MA
(c)	Knowingly giving a false report or other false information to an authorized government employee or agent	MA
(d)	Interfering with, impeding, or disrupting the authorized use of Reclamation facilities, lands or waterbodies or impairing the safety of any person	100
(e)	Engaging in disorderly conduct	150
423.23	<u>Abandonment and Impoundment of Personal Property</u>	
(a)	Abandoning personal property of any kind in or on Reclamation facilities, lands, or waterbodies	150
(b)	Storing or leaving unattended personal property of any kind	50
423.24	<u>Trespassing</u>	
	Trespassing not allowed on Reclamation facilities, lands, and waterbodies	150
423.25	<u>Vandalism, Tampering, and Theft</u>	
(a)	Tampering or attempting to tamper with, moving, manipulating, operating, adjusting, or setting in motion property not under one's lawful control or possession including, but not limited to, vehicles, equipment, controls, recreational facilities, and devices	200
(b)	Destroying, injuring, defacing, damaging, or unlawfully removing property not under one's lawful control or possession	400/MA
(c)	Dropping, placing, throwing, or rolling rocks or other items inside, into, down, or from, dams, spillways, dikes, or other structures or facilities	100

* MA connotes Mandatory Appearance

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423.26	<u>Public Events and Gatherings</u> Conducting public assemblies, meetings, gatherings, demonstrations, parades, and other events without a permit	250
423.27	<u>Advertising and Public Solicitation</u> Engaging in advertising or solicitation on Reclamation facilities, lands, or waterbodies	200
423.28	<u>Memorials</u> Burying, depositing or scattering of human or animal remains, or placing memorials, markers, vases, or plaques except parts of fish or wildlife taken in legal hunting, fishing, or trapping	150
423.29	<u>Natural and Cultural Resources</u>	
(a)	Destroying, injuring, defacing, removing, searching for, disturbing, or altering natural resources or cultural resources, including abandoned buildings or structures	200
(b)	Introducing wildlife, fish, or plants, including their reproductive bodies	200
(c)	Dropping, placing, throwing, or rolling rocks or other items inside, into, at, or down, caves, caverns, valleys, canyons, mountainsides, thermal features, or other natural formations	100
(d)	Damaging or removing any live tree or part thereof except with proper authorization	200
(e)	Walking on, climbing, entering, ascending, descending or traversing cultural resources, including monuments or statues except as specifically allowed in special use areas	250
(f)	Possessing a metal detector or other geophysical discovery device, or using a metal detector or other geophysical discovery techniques to locate or recover subsurface objects or features except: (1) Transporting, but not using, a metal detector or other geophysical discovery device in a vehicle on a public road; or (2) As allowed by permit	100

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Bail/Collateral

423.30	<u>Weapons, Firearms, Explosives, and Fireworks</u>	
(a)	(1) Possessing a weapon when at or in a Reclamation facility	MA
	(2) Failing to comply with any prohibitions or regulations applicable to weapons in a special use area established by an authorized official	MA
(b)	Discharging or shooting a weapon unless:	MA
	(1) Using a firearm or other projectile firing device lawfully for hunting or fishing or at an authorized shooting or archery range; and	
	(2) complying with applicable Federal, State, and local law	
(c)	Using or possessing explosives, or fireworks, or pyrotechnics or any type, except as allowed by a permit or in special use areas so designated by an authorized official	MA
 423.31	 <u>Fires and Flammable Materials</u>	
(a)	Leaving a fire unattended or not completely extinguishing before departure	200
(b)	Improperly disposing of lighted smoking materials, including cigarettes, cigars, pipes, matches, or other burning material	200
(c)	Burning materials that produce toxic fumes, including, but not limited to, tires, plastic, flotation materials, or treated wood products	200
(d)	Transporting gasoline and other fuels in containers not designed for that purpose	100
(e)	Failing to comply with all applicable Federal, State, and local fire orders, restrictions, or permit requirements	200
 423.32	 <u>Hunting, Fishing, and Trapping</u>	
(a)	Hunting, fishing, and trapping in violation of applicable Federal, State, and local laws, and the restrictions of Section 423.30	250
(b)	Failing to comply with any additional restrictions pertaining to hunting, fishing, and trapping established by an authorized official in a special use area	100

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423.33	<u>Camping</u>	
(a)	Failing to comply with any restrictions, conditions, limitations, or prohibitions on camping established by an authorized official in a special use area	100
(b)	Camping on Reclamation lands at any single Reclamation project for more than 14 days during any period of 30 consecutive days, except as allowed by a permit	100
(c)	Attempting to reserve a campsite for future use by placing equipment or other items on the campsite, or by personal appearance, without camping on and paying the required fees for that campsite daily	50
(d)	Camping on or placing any equipment at a campsite that is posted or otherwise marked as “reserved” or “closed” by an authorized official without a valid reservation for that campsite, except as allowed by a permit	50
(e)	Digging in or leveling any ground, or erecting any structure other than a tent, in a designated campground	100
423.34	<u>Sanitation</u>	
(a)	Bringing or improperly disposing of refuse on Reclamation facilities, lands, and waterbodies (both owner and person bringing/disposing refuse may be cited)	200
(b)	Failing to keep camping and picnic sites free of trash and litter during period of occupancy and failing to remove all personal equipment and cleaning sites before departure	200
(c)	Constructing a latrine within 200 yards of any Reclamation waterbody, or within 200 yards of the high water mark of any reservoir	250
423.35	<u>Animals</u>	
(a)	Bringing pets or other animals into public buildings, public transportation vehicles, or sanitary facilities (except properly trained assist animals)	50
(b)	Abandoning any animal or harassing, endangering, or attempting to collect any animal except game, in the course of authorized hunting, fishing, or trapping	75
(d)	(1) Possessing captive wild or exotic animals without a permit	75
	(2) Possessing a pet or animal displaying vicious or aggressive behavior or posing a threat to public safety or deemed a public nuisance	75

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		Bail/Collateral
423.36	<u>Swimming</u>	
(a)	Swimming, wading, snorkeling, scuba diving, rafting, or tubing:	75
	(1) Within 300 yards of dams, power plants, pumping plants, spillways, stilling basins, gates, intake structures, and outlet works;	
	(2) Within 100 yards of buoys or barriers marking public access limits;	
	(3) In canals, laterals, siphons, tunnels, and drainage works; or	
	(4) At public docks, launching sites, and designated mooring areas	
(b)	Failing to display an international diver down, or inland diving flag in accordance with State and U.S. Coast Guard guidelines when engaging in any underwater activities	100
(c)	Diving, jumping, or swinging from dams, spillways, bridges, cables, towers, or other structures	100
423.37	<u>Winter Activities</u>	
(a)	Towing persons on skis, sleds, or other sliding devices with a motor vehicle or snowmobile, except sleds designed to be towed behind snowmobiles if joined with a rigid hitching mechanism	100
(b)	Ice skating, ice fishing, or ice sailing within 300 yards of dams, power plants, pumping plants, spillways, stilling basins, gates, intake structures, or outlet works	100
423.38	<u>Operating Vessels on Reclamation Waters</u>	
(a)	Failing to comply with Federal, State, and local laws applicable to the operation of a vessel or other watercraft and with any restrictions established by an authorized official	75
(b)	Operating a vessel in an area closed to the public	100
(c)	Failing to observe restrictions established by signs, buoys, and other regulatory markers	100
(d)	Operating a vessel, or knowingly allowing another person to operate a vessel, in a reckless or negligent manner, or in a manner that endangers or is likely to endanger a person, property, natural resources, or cultural resources	500
(e)	Operating a vessel when impaired or intoxicated under the standards established by applicable State or local law	500
(f)	Occupying a vessel overnight, except where otherwise designated under applicable Federal, State, or local law, or where otherwise designated by an authorized official in a special use area	100

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(g)	Using a vessel as a place of habitation or residence	100
(h)	Placing or operating a vessel on a Reclamation waterbody for a fee or profit, except as allowed by contract or permit	150
(i)	Failure to remove vessels from Reclamation lands and waters when not in actual use for a period of more than 24 hours unless they are securely moored or stored at special use areas so designated by an authorized official	100
(j)	Attaching or anchoring a vessel to structures such as locks, dams, regulatory or navigational buoys, or other structures not designed for such purpose	100
(k)	Failing to display an international diver down, or inland diving flag in accordance with state and U.S. Coast Guard guidelines when operating a vessel involved in any underwater activities	100
(l)	Engaging in towing activities, including but not limited to waterskiing and tubing, other than during daylight hours or in violation of any applicable Federal, State and local law	100
423.39	<u>Standards for Vessels</u>	
(a)	(1) Possessing a vessel not constructed and maintained in compliance with the standards and requirements established by, or promulgated under, Title 46 United States Code, and any applicable State and local laws and regulations	100
	(2) Possessing a vessel without safety equipment, including personal flotation devices, on board in compliance with U.S. Coast Guard boating safety requirements and in compliance with applicable State and local laws and regulations	100
	(3) Possessing a motorized vessel without having or using a proper and effective exhaust muffler as defined by applicable State and local laws or rendering an exhaust muffler ineffective	100
423.40	<u>Vehicles</u>	
(a)	Operating a vehicle in violation of applicable Federal, State, and local laws, and with posted restrictions and regulations	100
	Operating any vehicle through, around, or beyond a restrictive sign, recognizable barricade, fence, or traffic control barricade	100

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(b)	Parking a vehicle in violation of posted restrictions and regulations, or in a manner that would obstruct or impede normal or emergency traffic movement or the parking of other vehicles, create a safety hazard, or endanger any person, property, or natural feature	100
(c)	Operating any vehicle, or allowing another person to operate a vehicle, in a careless, negligent or reckless manner that would endanger any person, property, natural resource, or cultural resource	MA
(d)	Violating a regulation governing off-road vehicle use in 43 C.F.R. part 420	100
423.41	<u>Aircraft</u>	
(a)	Taking off or landing an aircraft except in special use areas so designated by an authorized official	200
(b)	Operating any aircraft in a careless, negligent, or reckless manner so as to endanger any person, property, or natural feature	MA
(d)	Except in extreme emergencies threatening human life or serious property loss, using non-standard boarding and loading procedures to deliver or retrieve people, material, or equipment by parachute, balloon, helicopter, or other aircraft	400
(f)	Failing to comply with all applicable U.S. Coast Guard rules and Section 423.38 when operating a seaplane on Reclamation waterbodies	200
(g)	Failing to securely moor any seaplane remaining on Reclamation waterbodies in excess of 24 hours at mooring facilities and locations designated by an authorized official	100
	(1) Failing to provide mooring for a seaplane moored for 24 hours or less that is safe, secure, and accomplished so as not to damage the rights of the Government or the safety of persons; and	100
	(2) Operator failing to remain in the vicinity of the seaplane and be reasonably available to relocate the seaplane if necessary	100
(h)	Operating a seaplane for commercial purposes	200
(i)	Operating a seaplane between sunset and sunrise	150
(j)	Failing to comply with restrictions on the operation of aircraft in proximity of specific Reclamation facilities, lands, or waterbodies established by an authorized official	250
(k)	Operating a model aircraft except as allowed in special use areas established by an authorized official	50

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423.42	<u>Gambling</u> Engaging in commercial gambling in any form or the operation of gambling devices	100
423.43	<u>Alcoholic Beverages</u> Possessing or consuming alcoholic beverages in violation of Federal, State, or local law, or the rules of a special use area established by an authorized official	100
423.44	<u>Controlled Substances</u> Possessing, consuming, delivering, or being under the influence of, controlled substances included in schedules I, II, III, IV, or V of part B of the Controlled Substances Act (21 U.S.C. 812) unless the controlled substance was legally obtained through a valid prescription or order	MA
423.50	<u>Authorized Activities</u>	
(c)	Failing to pay all required fees and properly display applicable permits, passes, or receipts	100
(d)	Violating the terms and conditions of a permit issued by an authorized official	100
(e)	Failing upon request by a law enforcement officer, security guard, or other government employee or agent acting within the scope of their official duties, to display any permit authorizing one's presence or activity	100
423.70	<u>Violations</u>	
(b)	Violating any use or activity prohibition, restriction, condition, schedule of visiting hours, or public use limit established by or under part 423	100

TITLE 43 CFR PART 429 – PROCEDURE TO PROCESS AND RECOVER THE VALUE OF RIGHTS-OF-USE AND ADMINISTRATIVE COSTS INCURRED ON THE PERMITTING OF SUCH USE

429.13	<u>General Restrictions</u> Possessing or occupying, or extracting or removing natural resources from Reclamation facilities, lands, or waterbodies without right-of-use in accordance with part 429 or under other written agreement with Reclamation	MA
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