

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

IN THE MATTER OF)
)
COLLATERAL FORFEITURE SCHEDULES)

**ORDER REGARDING COLLATERAL FORFEITURE SCHEDULE FOR USE BY THE
UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION**

THIS MATTER comes before the Court on application of the United States of America pursuant to Local Rule 58.1(h) of the Criminal Rules of the United States District Court for the District of Colorado for approval of a collateral forfeiture schedule for use by the United States Department of the Interior, Bureau of Reclamation.

HAVING considered the application, and being fully advised in the premises, the Court makes the following FINDINGS:

A. The proposed collateral forfeiture schedule was prepared according to the collateral forfeiture framework set out in D.C.COLO.LCrR 58.1.

B. The proposed collateral forfeitures for standard offenses fall within the presumptive forfeiture ranges set out in the collateral forfeiture framework.

C. The proposed collateral forfeitures for aggravated offenses fall within the presumptive collateral forfeiture ranges for aggravated offenses set out in the collateral forfeiture framework.

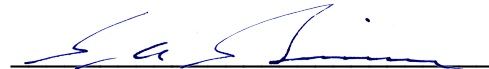
Therefore, pursuant to D.C.COLO.LCrR 58.1, the Court ORDERS as follows: A.

The Court approves the Collateral Forfeiture Schedule attached as Exhibit A to this Order for use by the United States Department of the Interior, Bureau of Reclamation.

B. The approved Collateral Forfeiture Schedule shall be kept on file with the Clerk's office.

Dated at Denver, Colorado, this 2nd day of February, 2021.

BY THE COURT:



PHILIP A. BRIMMER
Chief United States District Judge

Exhibit A

US Code Violations:	DESCRIPTION	Forfeiture Amount
16 USC 670j(a)(1)	Hunting w/o Sykes Stamp	\$50
16 USC 670j(a)(2)	Violations of Habitat Mgmt Plan Regulations	\$100
16 USC 688	Take or Possession of Eagle Parts	\$250
16 USC 1538(a)	Violate Endangered Species Act	\$250
16 USC 3372	Lacey Act – Plants	\$250
16 USC 3372	Lacey Act – Animals	\$250
16 USC 4306(a)(1)	Cave Resources - Destroy, Deface, Remove etc	\$100
16 USC 4306(a)(21)	Cave Resources – Possess, Sell, Exchange etc	\$100
18 USC 641	Theft of Government Property	\$250
18 USC 1361	Vandalism of Government Property	\$250
18 USC 1852	Timber Removed or Transported	\$250
18 USC 1853	Trees cut or injured	\$200
18 USC 1854	Trees Boxed for Pitch or Turpentine	\$200
18 USC 1856	Fire Left Unattended	\$250
18 USC 1857	Fence Destroyed – Livestock Entering	\$200
18 USC 1858	Survey Marks Destroyed or Removed	\$150
18 USC 1859	Interrupting Survey Crew	\$250
18 USC 1864(b)(5)	Hazardous Devices on Federal Lands	MA ¹
43 USC 1061	Unlawful Enclosure	\$250
43 USC 1063	Obstruction of Transit over Public Lands	\$200

¹ “MA” stands for Mandatory Appearance. No collateral forfeiture amount is authorized for any violation listed as MA.

RECLAMATION COLLATERAL FORFEITURE SCHEDULE

Violations occurring within lands administered by the Bureau of Reclamation charged under cited sections of Title 43, Code of Federal Regulations Subpart C.

(ALL ARE CLASS B MISDEMEANORS)

43 CFR:	DESCRIPTION	Forfeiture Amount
423.22(a)	Threaten, resist, intimidate, assault, impede or interfere w/ Government Employee	\$MA
423.22(b)	Violate lawful order	\$100
423.22(c)	False Report / False Information	\$100
423.22(d)	Interfering, Impeding, disrupting authorized users	\$300
423.22(e)	Disorderly conduct	\$100/ if personal injury MA
423.23(a)	Abandoned property	\$100
423.23(b)	Unattended property	\$50
423.24	Trespassing	\$100
423.25(a)	Tampering	\$100
423.25(b)	Vandalism/Theft	\$100
423.25(c)	Throwing item on/into facilities	\$100
423.26	Public meetings/ Assemblies	\$100
423.27	Advertising/soliciting	\$100
423.28	Memorials	\$50
423.29(a)	Damage or remove natural or cultural property	\$100
423.29(b)	Unauthorized introduction of wildlife, fish, plants or their parts	\$100
423.29(c)	Damage/disturb natural features (rocks or other items)	\$100
423.29(d)	Damaging/removing live trees or parts	\$100
423.29(e)	Walking/climbing on cultural resources	\$100
423.29(f)	Unauthorized use of a metal detector	\$50
423.30(a)(1)	Possessing weapon at a facility	MA
423.30(a)(2)	Weapons use not compliant w/ Special Use Area regulations	MA
423.30(b)	Discharge of a weapon	MA
423.30(c)	Explosives, fireworks, or pyrotechnics	\$100
423.31(a)	Unattended fire	\$100
423.31(b)	Improper disposal of burning material	\$100
423.31(c)	Burning toxic materials	\$250
423.31(d)	Improper transportation of fuel	\$100
423.31(e)	Noncompliance with applicable fire regulations	\$100
423.32(a)(1)	Hunting/fishing/trapping in a closed area	\$100
423.32(b)	Noncompliance w/ area restrictions (hunting/fishing trapping)	\$100

423.33(a)	Non-compliance with camping regulations in Special Use Area	\$50*
423.33(b)	Exceeding 14 day limit	\$50
423.33(c)	Improper campsite reservation	\$50
423.33(d)	Leaving camping equipment	\$50
423.33(e)	Digging at campsite	\$50
423.34(a)	Improper disposal of refuse	\$50
423.34(b)	Littering campsite	\$50
423.34(c)	Improper latrine location	\$50
423.35(a)	Pets in public buildings, public vehicles or sanitary facilities	\$50
423.35(b)	Abandoning/harassing/endangering or unauthorized collecting animals	\$50
423.35(d)(1)	Prohibited wild or exotic animal	\$50
423.35(d)(2)	Prohibited vicious threatening pet/animal	\$50
423.36(a)(1)	Swimming/diving/rafting/jumping: w/in 300 yards of dam works	\$50
423.36(a)(2)	Swimming/diving/rafting/jumping: w/in 100 yards of buoys/barriers	\$50
423.36(a)(3)	Swimming/diving/rafting/jumping: In canals, laterals, siphons, tunnels	\$50
423.36(a)(4)	Swimming/diving/rafting/jumping: At public docks, launch sites and designated mooring areas	\$50
423.36(a)(5)	Swimming/diving/rafting/jumping: Otherwise delineated by signs or other markers	\$50
423.36(b)	SCUBA: Fail to display diving flag	\$50
423.36(c)	Jumping, diving, swinging from dams, spillways, bridges, cables, towers or other structures	\$50
423.37(a)	Winter activities: Improper towing	\$75
423.37(b)	Ice-skating, -fishing, or -sailing w/in 300 yards of dams, power plants, spillways, gates, etc.	\$75
423.38(a)	Vessel/Watercraft Operation: Non-compliance with State and Federal regulations	\$50
423.38(b)	Operate vessel in Closed Area	\$100
423.38(c)	Failure to observe signs, buoys or other regulatory markers	\$100
423.38(d)	Reckless, negligent or unsafe operation of vessel	\$100/MA if Reckless
423.38(e)	Operate vessel impaired/intoxicated	MA

423.38(f)	Unauthorized overnight occupancy in a vessel	\$50
423.38(g)	Use of vessel as a residence	\$50
423.38(h)	Vessel unattended for 24 hrs	\$100
423.38(i)	Improper vessel anchoring/attachment	\$100
423.38(j)	Vessel not displaying diving flag (while involved w/ diving ops)	\$100
423.38(k)	Waterskiing/towing between sunset and sunrise	\$100
423.39(a)(1)	Vessel not in compliance w/ 46 USC or applicable state/local regulations.	\$50
423.39(a)(2)	Vessel not possessing proper safety equipment (PFD's, etc.)	\$100
423.39(a)(3)	Motorized vessel without proper exhaust muffler	\$50
423.40(a)	Operation of a vehicle must comply with federal, state, and local law.	\$50
423.40(a)	Operating vehicle through/around a restrictive sign, fence or barricade.	\$50
423.40(b)	Parking violations	\$50
423.40(c)	Careless/Reckless Driving	\$100/MA if Reckless
423.40(d)	Off-road Vehicle Regulations (43CFR 420)	\$100
423.41(a)	Aircraft – unauthorized landing or take-off	\$100
423.41(b)	Aircraft – careless, negligent or reckless operation	\$100
423.41(d)	Aircraft – using non-standard boarding/loading procedures	\$100
423.41(e)	Seaplanes – USCG rules applicable	\$100
423.41(f)	Seaplanes – Improper mooring	\$100
423.41(g)	Model Aircraft – Unauthorized operation	\$50
423.42	Gambling	\$100
423.43	Alcohol violations	\$100
423.44	Controlled substances	MA*
423.44	Possession of less than 1 oz. of Marijuana	\$100