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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

IN RE UNITED STATES FOREST SERVICE SCHEDULE OF COLLATERAL FORFEITURE	)))	ORDER TO ADOPT SCHEDULE OF COLLATERAL FORFEITURE

Upon Motion of the United States and accompanying Memorandum to adopt the proposed United States Forest Service Schedule of Collateral Forfeiture,

IT IS ORDERED that said motion is granted, and the United States Forest Service Schedule of Collateral Forfeiture is adopted by the Court.

DATED THIS 27th day of October, 2008.

For the Court
ROBERT H. WHALEY
CHIEF UNITED STATES DISTRICT JUDGE

ATTACHMENT A

FORFEITURE OF COLLATERAL SCHEDULE
United States Forest Service

All are Class B Misdemeanors

Authority	*Description*	*Bail Amount*
INTERFERENCE WITH OFFICERS AND VOLUNTEERS		
36 CFR 261.3(a)	Interfering/Threat/Resisting a Forest Officer	MA
**36 CFR 261.3(b)	Providing false information or report	MA
36 CFR 261.3(c)	Interfering with a volunteer or host	MA
DISORDERLY CONDUCT		
36 CFR 261.4(a)	Fighting	MA
36 CFR 261.4(b)	Offensive language	$100
36 CFR 261.4(c)	Inciting lawless action	MA
**36 CFR 261.4(d)	Unreasonable noise	$100
FIRE		
**36 CFR 261.5(a)	Throwing burning material	$250
**36 CFR 261.5(b)	Firing tracer or other incendiary	$200
**36 CFR 261.5(c)	Unauthorized slash fire	$150
36 CFR 261.5(d)	Leaving fire unextinguished	$100
**36 CFR 261.5(e)	Allowing fire to escape from control	MA
36 CFR 261.5(f)	Unsafe campfire	$100
TIMBER AND OTHER FOREST PRODUCTS		
36 CFR 261.6(a)	Cutting or damaging a green tree	$200
	Cutting or damaging other forest products	$100

**36 CFR 261.6(b)	Cut unmarked or undesignated tree under permit or sale contract	$250 MA (if value over $500)
36 CFR 261.6(c)	Removing timber from area before scaling	MA
36 CFR 261.6(d)	Forging the FS mark on a tree	MA
**36 CFR 261.6(e)	Loading or hauling timber acquired under a timber contract w/o required identification of timber Loading or hauling timber acquired under a firewood permit w/o required identification of timber	$500 $100
36 CFR 261.6(f)	Selling or exchanging free use material	$200
36 CFR 261.6(g)	Violation of export or substitution restrictions	MA
**36 CFR 261.6(h)	Unauthorized removal of trees	$200 MA (if value over $500)
**36 CFR 261.6(i)	Violating Forest Resource Conservation and Shortage Relief Act or regulations in 36 CFR 223.185-223.203	$250
LIVESTOCK		
**36 CFR 261.7(a)	Unauthorized livestock on FS land	$200
36 CFR 261.7(b)	Failure to remove livestock when requested	MA
**36 CFR 261.7(c)	Failure to re-close gate or other entry	$50
36 CFR 261.7(d)	Interfering with impounded livestock in custody of FS	MA
FISH AND WILDLIFE		

**36 CFR 261.8(a)	Hunting state law violation Fishing state law violation	$250 $125
**36 CFR 261.8(b)	Possession of firearm designed to destroy animal life	$250
**36 CFR 261.8(c)	Possession of hunting, fishing, or trapping gear	$150
**36 CFR 261.8(d)	Dog without leash	$50
36 CFR 261.8(e)	Curtailing movement of animal into or out of a cave	$50
PROPERTY		
**36 CFR 261.9(a)	Damaging natural feature or other United States property	$100 MA (if value over $100)
**36 CFR 261.9(b)	Removing natural feature or other United States property	$200 MA (if value over $200)
36 CFR 261.9(c)	Damaging a threatened, endangered, sensitive, rare, or unique plant	$200
36 CFR 261.9(d)	Removing a threatened, endangered, sensitive, rare, or unique plant	$200
**36 CFR 261.9(e)	Entering structure or area closed to the public	$250
36 CFR 261.9(f)	Unauthorized use of herbicide, pesticide, or fungicide	MA
36 CFR 261.9(g)	Disturbing a paleontological or archaeological resource	MA
36 CFR 261.9(h)	Removing a paleontological or archaeological resource	MA
36 CFR 261.9(i)	Unauthorized excavating, damaging, or removing fossil or paleontological resource for commercial purposes	MA

**36 CFR 261.9(j)	Unauthorized excavating, damaging, or removing a cave resource	MA
OCCUPANCY AND USE		
36 CFR 2.35(b)(2)	Unlawful possession of a controlled substance Possession of marijuana in amounts of 40 grams or less	MA $250
**18 U.S.C. § 13(a) & RCW 69.50.412(1)	Possession of drug paraphernalia	$150
**36 CFR 261.10(a)	Constructing, placing, maintaining a road, trail, fence, etc. without permit	$250 MA (if restitution requested by agency)
36 CFR 261.10(b)	Unauthorized possession of or occupation of FS land for residential purposes	$250
36 CFR 261.10(c)	Unauthorized commercial activity	$150
**36 CFR 261.10(d)	Discharge of a firearm	MA
**36 CFR 261.10(e)	Abandoning personal property	$250
**36 CFR 261.10(f)	Placement of a vehicle or other object in a manner that poses a hazard	$100
36 CFR 261.10(g)	Unauthorized commercial distribution of printed material	$50
**36 CFR 261.10(h)	Delaying or halting administrative use of area by FS while distributing printed material	$100
**36 CFR 261.10(i)	Unauthorized noise in or near developed site	$100
**36 CFR 261.10(j)	Unauthorized public address system	$100
36 CFR 261.10(k)	Unauthorized occupancy of FS facilities	$250
36 CFR 261.10(l)	Violating a term of permit	$200

**36 CFR 261.10(m)	Failure to stop	MA
36 CFR 261.10(n)	Failure to pay fee	$50
**36 CFR 261.10(o)	Discharge of fireworks in cave	$150
SANITATION		
36 CFR 261.11(a)	Depositing substance in toilet facility which could cause damage	$100
**36 CFR 261.11(b)	Possessing or leaving refuse or litter	$125
36 CFR 261.11(c)	Placing a polluting substance in or near water	$100
36 CFR 261.11(d)	Failure to remove garbage	$200
**36 CFR 261.11(e)	Placing garbage from private land in FS containers	$200 MA (if material exceeds 1 cubic yard)
FOREST DEVELOPMENT ROADS AND TRAILS		
36 CFR 261.12(a)	Violating state vehicle weight and dimension limitation	$100
36 CFR 261.12(b)	Failure to obey FS weigh station sign	$100
**36 CFR 261.12(c)	Damaging trail or paved road	$250 MA (if value exceeds $250)
**36 CFR 261.12(d)	Blocking road, trail, or gate	$100
USE OF VEHICLE OFF ROADS		
**36 CFR 261.13	Operating motor vehicle off of designated roads, except as officially authorized or if over-snow vehicle	$100
**36 CFR 261.14	Operating over-snow vehicle off of designated trails, except road or trail with government right of way	$100
**36 CFR 261.15(a)	Operating vehicle off road without a valid license (as required by state law)	$100

**36 CFR 261.15(b)	Operating vehicle off road without operable braking system	$100
**36 CFR 261.15(c)	Operating vehicle off road between sunset and sunrise without working headlamp	$100
**36 CFR 261.15(d)	Operating vehicle off road in violation of noise or emission standards	$100
**36 CFR 261.15(e)	Operating vehicle off road while under influence of alcohol or drugs	MA
**36 CFR 261.15(f)	Operating vehicle off road creating excessive/unusual smoke	$100
**36 CFR 261.15(g)	Operating vehicle off road carelessly, recklessly, or unsafely	$250
**36 CFR 261.15(h)	Operating vehicle off road in manner that damages/unreasonably disturbs land, wildlife or vegetative resources	$150 MA (if agency seeks restitution)
**36 CFR 261.15(I)	Operating vehicle off road in violation of state law Except RCW 46.09.140 (failure to report accident injury over $500)	$100 MA
DEVELOPED RECREATION SITES *CFR numbers changed, offense/penalty is the same unless noted		
36 CFR 261.16(a)	Occupation of recreation site for non-recreational purpose	$50
36 CFR 261.16(b)	Building fire outside of fire ring, grill, or stove etc.	$100
36 CFR 261.16(c)	Cleaning, bathing at faucet	$50
**36 CFR 261.16(d)	Discharge of fireworks	$150
**36 CFR 261.16(e)	Night occupation of day use area	$50
36 CFR 261.16(f)	Failure to remove personal property	$50

36 CFR 261.16(g)	Camping equipment placed outside designated area	$50
36 CFR 261.16(h)	Unoccupied camp - first night	$50
36 CFR 261.16(i)	Unattended camp	$50
36 CFR 261.16(j)	Unrestrained animal	$50
36 CFR 261.16(k)	Animal in swimming area	$50
36 CFR 261.16(l)	Bringing a saddle, pack, or draft animal	$100
36 CFR 261.16(m)	Operating or parking motor vehicle or trailer outside designated area	$50
36 CFR 261.16(n)	Operating bicycle or motorcycle on trail	$50
36 CFR 261.16(o)	Operating motorcycle or motor vehicle except for entering or leaving	$100
36 CFR 261.16(p)	Improper disposal of human waste	$100
ADMISSION, RECREATION USE AND SPECIAL RECREATION PERMIT FEES *CFR number changed, offense/penalty are the same		
36 CFR 261.17	Failure to pay use fees	$50
NATIONAL FOREST WILDERNESS *CFR numbers changed, offense/penalty is the same unless noted		
**36 CFR 261.18(a)	Possession or use of motorized equipment	$500
36 CFR 261.18(b)	Possession or use of hang glider or bicycle	$150
36 CFR 261.18(c)	Landing aircraft or using aircraft to pick up or drop supplies or persons	MA
PACIFIC CREST NATIONAL SCENIC TRAIL *CFR number has changed, offense/penalty are the same		
36 CFR 261.20	Unauthorized use of motorized vehicle on trail	$250

NATIONAL FOREST PRIMITIVE AREAS *CFR number has changed, offense/penalty are the same		
36 CFR 261.21(a)	Landing of aircraft or using motor boat	$250
36 CFR 261.21(b)	Possessing or using a motor or motorized equipment	$250
UNAUTHORIZED USE OF "SMOKEY BEAR" AND "WOODSY OWL" SYMBOLS *CFR number has changed, offense/penalty are the same		
36 CFR 261.22(a)	Unauthorized use of Smokey Bear	MA
36 CFR 261.22(b)	Unauthorized use of Woodsy Owl	MA
WILD FREE ROAMING HORSES AND BURROS *CFR number has changed, offense/penalty are the same		
36 CFR 261.23(a)	Remove or attempt to remove a wild, free roaming horse or burro from FS land	$200
36 CFR 261.23(b)	Causing or allowing inhumane treatment of wild, free roaming horses or burros	$200
36 CFR 261.23(c)	Removing, attempting to remove, or attempting to brand a wild, free roaming horse or burro	$100
36 CFR 261.23(d)	Violating terms or conditions of maintenance agreement	$50

PROHIBITIONS IN AREAS DESIGNATED BY ORDER: FIRES		
36 CFR 261.52(a)	Building, maintaining, attending, or using fire in violation of an order designating time period as fire season (July-September). Building, maintaining, attending, or using fire in violation of an order when not during fire season.	$200 $100
**36 CFR 261.52(b)	Using an explosive	$200
**36 CFR 261.52(c)	Smoking	$100
36 CFR 261.52(d)	Smoking, except within an enclosed vehicle or building	$100
36 CFR 261.52(e)	Going into or being upon an area	$100
**36 CFR 261.52(f)	Possessing or discharging fireworks	$100
**36 CFR 261.52(g)	Entering area without firefighting tool	$100
36 CFR 261.52(h)	Operating an internal combustion engine	$100
36 CFR 261.52(i)	Welding or operating an acetylene or other torch with open flame	$100
36 CFR 261.52(j)	Operating or using combustion engine without a spark arresting device	$100
36 CFR 261.52(k)	Violating state law concerning burning or fires	$100
PROHIBITIONS IN AREAS DESIGNATED BY ORDER: SPECIAL CLOSURES		
36 CFR 261.53(a)	Being upon any area closed for the protection of threatened or endangered species	$100
36 CFR 261.53(b)	Being upon any area closed for the protection of special biological communities	$100

36 CFR 261.53(c)	Being upon any area closed for the protection of historical, geological, paleontological, or archaeological objects or areas	$100
36 CFR 261.53(d)	Being upon any area closed for scientific experiments or investigations	$100
36 CFR 261.53(e)	Being upon any area closed for the protection of public health or safety Being upon Mill Creek Watershed Umatilla NG	$100 $200
36 CFR 261.53(f)	Being upon any area closed for the protection of property	$100
PROHIBITIONS IN AREAS DESIGNATED BY ORDER: FOREST DEVELOPMENT ROADS		
36 CFR 261.54(a)	Prohibited vehicle type	$100
**36 CFR 261.54(b)	Prohibited traffic type	$150
**36 CFR 261.54(c)	Commercial hauling without permit	$150
**36 CFR 261.54(d)	Traffic infraction violation as defined by state law (i.e. operating motorcycle without a helmet) Criminal traffic violation as defined by state law (i.e. DWLS) Violation of posted speed limits: 1-10 over: $80 11-15 over: $110 16-20 over: $150 21-25 over: $180 26-30 over: $220 30 and over: $250	$100 MA Varies depending on speed
36 CFR 261.54(e)	Being on road	$100

36 CFR 261.54(f)	Careless driving	$200 MA (if damage/injury to person or property)
PROHIBITIONS IN AREAS DESIGNATED BY ORDER: FOREST DEVELOPMENT TRAILS		
**36 CFR 261.55(a)	Being on trail	$50
36 CFR 261.55(b)	Using vehicle prohibited by the order	$100
36 CFR 261.55(c)	Use of traffic or mode of transport prohibited by order	$100
36 CFR 261.55(d)	Violation of weight, height, length, width, or other restrictions	$100
36 CFR 261.55(e)	Shortcutting a switchback	$100
PROHIBITIONS IN AREAS DESIGNATED BY ORDER: USE OF VEHICLES OFF FS ROADS		
**36 CFR 261.56	Possession or use of vehicle off road	$150
PROHIBITIONS IN AREAS DESIGNATED BY ORDER: NATIONAL FOREST WILDERNESS		
36 CFR 261.57(a)	Enter area	$100
36 CFR 261.57(b)	Possession of specified camping equipment	$100
**36 CFR 261.57(c)	Possession of firearm Possession of fireworks	$250 $150
36 CFR 261.57(d)	Possession of non-burnable, non-reusable food or beverage containers	$100
36 CFR 261.57(e)	Grazing	$100
36 CFR 261.57(f)	Storing personal property	$100
**36 CFR 261.57(g)	Depositing debris, garbage, or other waste	$150
36 CFR 261.57(h)	Possession or use of wagon, cart, or other vehicle	$100

PROHIBITIONS IN AREAS DESIGNATED BY ORDER: OCCUPANCY AND USE		
36 CFR 261.58(a)	Exceed camping period	$50
36 CFR 261.58(b)	Enter or use recreation site	$50
36 CFR 261.58(c)	Night use without occupation	$50
36 CFR 261.58(d)	Use specified camping equipment	$50
36 CFR 261.58(e)	Camping	$50
36 CFR 261.58(f)	Camping by more than the number of users allowed	$50
**36 CFR 261.58(g)	Parking contrary to posted instruction	$50
**36 CFR 261.58(h)	Parking outside own site	$50
36 CFR 261.58(i)	Exceed vehicle number restriction	$50
36 CFR 261.58(j)	Public nudity	$50
36 CFR 261.58(k)	Entering body of water	$50
36 CFR 261.58(l)	Night use	$50
**36 CFR 261.58(m)	Discharge firearm	$250
**36 CFR 261.58(n)	Possession or use of motor boat Reckless use of a motor boat BUI	$100 $250 MA
36 CFR 261.58(o)	Water skiing	$50
36 CFR 261.58(p)	Storing or leaving boat or raft	$50
**36 CFR 261.58(q)	Exceed posted speed limit in watercraft	$125
36 CFR 261.58(r)	Launch boat except at designated site	$50
36 CFR 261.58(s)	Possession of bird or animal as specified in order	$200
**36 CFR 261.58(t)	Possession of a tree or plant as specified in order	$100

36 CFR 261.58(u)	Unauthorized use between 10 pm and 6 am	$50
**36 CFR 261.58(v)	Hunting Fishing	$100 $75
36 CFR 261.58(w)	Possession or transport of mechanical watercraft propelling device	$50
36 CFR 261.58(x)	Use of wheel, roller, or other mechanical device for overland transport of boat	$50
36 CFR 261.58(y)	Landing aircraft or picking up or dropping off persons or supplies	$200
36 CFR 261.58(z)	Entry of land or water of National Wild and Scenic Rivers system	$50
36 CFR 261.58(aa)	Use or restraint of saddle pack animal contrary to posted instructions	$50
**36 CFR 261.58(bb)	Possession of alcoholic beverage	$150
36 CFR 261.58(cc)	Possessing or storing food or refuse	$50
**36 CFR 261.58(ee)	Depositing body waste in caves	$150