

NOV 17 2014

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CLERK, U.S. DISTRICT COURT
By Ammy Shepley
Deputy

IN RE: FORFEITURE OF
COLLATERAL SCHEDULE FOR THE
U.S. FISH AND WILDLIFE SERVICE

MISCELLANEOUS ORDER NO. 7

ORDER

IT IS HEREBY ORDERED, that the Government's Amended Motion to Adopt Collateral Schedule is approved and effective in the United States District Court for the Northern District of Texas.

SIGNED this 17th day of November, 2014

Sidney A. Fitzwater

SIDNEY A. FITZWATER
CHIEF UNITED STATES DISTRICT JUDGE

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED

NOV 17 2014

CLERK, U.S. DISTRICT COURT
By *Amey Shipley*
Deputy

IN RE: FORFEITURE OF
COLLATERAL SCHEDULE FOR THE
U.S. FISH AND WILDLIFE SERVICE

MISCELLANEOUS ORDER NO. 7

AMENDED MOTION TO ADOPT COLLATERAL SCHEDULE

The United States Attorney for the Northern District, by and through the undersigned Assistant United States Attorney, moves this Honorable Court to adopt the Forfeiture of Collateral Schedule as shown in the attached schedule.

Respectfully submitted,

SARAH R. SALDAÑA
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FORFEITURE OF COLLATERAL SCHEDULE
UNITED STATES FISH AND WILDLIFE SERVICE
NORTHERN DISTRICT OF TEXAS
REVISED June 2010

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FORFEITURE OF COLLATERAL SCHEDULE
UNITED STATES FISH AND WILDLIFE SERVICE
NORTHERN DISTRICT OF TEXAS

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 in-transit 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
14.52	Failure to obtain FWS clearance prior to release from U.S. Customs	500.00
14.54(a)	Importers or their agents fail to notify FWS of live or perishable wildlife at least 48 hours prior to estimated arrival	300.00
14.54(f)	Exporters or their agents fail to notify FWS and make the wildlife shipment available at least 48 hours prior to estimated time of export of any wildlife	250.00
14.61 thru 14.63	Failure to file completed declaration as required	300.00
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 + value
14.111	Violation of handling requirements	250.00 + value
14.121 thru 14.172	Violation of primary enclosure specifications	500.00 + value

50 CFR 14: Captive Wildlife Safety Act

Section

<u>Number</u>	<u>Offense</u>	<u>Collateral</u>
14.253	Import, export, transport, sell, receive, acquire, or purchase, in interstate or foreign commerce, any live prohibited wildlife species	1000.00 + value

16 USC 4901-4916

Wild Bird Conservation Act of 1992

<u>Statute:</u>	<u>Offense</u>	<u>Collateral</u>
16 USC 4901 <i>et seq.</i>		
(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	1000.00 + value

18 USC 42

Lacey Act

<u>Statute:</u>	<u>Offense</u>	<u>Collateral</u>
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

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
16.3 thru 16.13(a)	Unauthorized import, transport, acquire or release of prohibited species or their progeny	500.00 + 25.00/item
16.13(b)(1)	Import live/dead or eggs of salmonid of the family <u>Salmonidae</u> 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 3371-3778

Lacey Act Amendments of 2008

<u>Statute:</u>	<u>Offense</u>	<u>Collateral</u>
16 USC 3372(a)		
(1)	to import, export, transport, sell, receive, acquire, or purchase any fish or 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;	
(2)	to 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;	
(B)	any plant—	
(i)	taken, possessed, transported, or sold in violation of any law or regulation of any State, or any foreign law, that protects plants or that regulates—	
(I)	the theft of plants;	
(II)	the taking of plants from a park, forest reserve, or other officially protected area;	
(III)	the taking of plants from an officially designated area; or	

- (IV) the taking of plants without, or contrary to, required authorization;
 - (ii) taken, possessed, transported, or sold without the payment of appropriate royalties, taxes, or stumpage fees required for the plant by any law or regulation of any State or any foreign law; or
 - (iii) taken, possessed, transported, or sold in violation of any limitation under any law or regulation of any State, or under any foreign law, governing the export or transshipment of plants; or
- (3) within the special maritime and territorial jurisdiction of the United States —
- (A) to 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, or
 - (B) to possess any plant—
 - (I) the theft of plants;
 - (II) the taking of plants from a park, forest reserve, or other officially protected area;
 - (III) the taking of plants from an officially designated area; or
 - (IV) the taking of plants without, or contrary to, required authorization;
 - (ii) taken, possessed, transported, or sold without the payment of appropriate royalties, taxes, or stumpage fees required for the plant by any law or regulation of any State or any foreign law; or
 - (iii) taken, possessed, transported, or sold in violation of any limitation under any law or regulation of any State, or under any foreign law, governing the export or transshipment of plants; or

Fish.....	250.00 + value	Big Game.....	1000.00 + value
Small game....	250.00 + value	Furbearer.....	250.00 + value
Bird.....	500.00 + value	Plant.....	250.00 + value
Reptile.....	250.00 + value	Amphibian.....	250.00 + value
Other.....	250.00 + value		

- (4) to attempt to commit any act described in paragraphs (1) through (3).

16 USC 3372(c)

- (1) it is deemed to be a sale of fish or 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**
- (2) it is deemed to be a purchase of fish or 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	Big Game.....	1000.00 + value
Small game....	250.00 + value	Furbearer.....	250.00 + value
Bird.....	500.00 + value	Plant.....	250.00 + value
Reptile.....	250.00 + value	Amphibian.....	250.00 + value
Other.....	250.00 + value		

16 USC 1538
Endangered Species Act

<u>Statute:</u>	<u>Offense</u>	<u>Collateral</u>
16 USC 1538(a)(1)(A) thru 16 USC 1538(a)(1)(G)		1000.00 + value

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

16 USC 1538(a)(2)(A) thru 16 USC 1538(a)(2)(E)	500.00 + value
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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

50 CFR 17: Regulations pertaining to Endangered Wildlife

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
17.21	General Endangered Species prohibitions:	500.00 + value
(a)(b)(d)	Attempt, solicit, cause; import, export; possess, transport unlawfully taken wildlife	
17.21	Take; Sell; Transport; Interstate or Foreign	1000.00 + value
(c)(e)(f)	Commerce	

17.21(g)	Captive-bred wildlife violations	350.00 + 50.00/animal
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17.22 thru 17.23	Endangered species permit violations	350.00 + 50.00/animal
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50 CFR 17: Regulations pertaining to Threatened Wildlife

Section

<u>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
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50 CFR 17: Regulations pertaining to Endangered Plants

Section

<u>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
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50 CFR 17: Regulations Pertaining to Threatened Plants

Section

<u>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
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50 CFR 17: Other Endangered & Threatened Plant Regulations

Section

<u>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
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16 USC 1371-1372

Marine Mammal Protection Act

<u>Statute:</u>	<u>Offense</u>	<u>Collateral</u>
16 USC 1371 thru 16 USC 1372	Take, or import any marine mammal, marine mammal parts, or products made thereof	1000.00 + value

15 CFR 18: Regulations Pertaining to Marine Mammals

Section

<u>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

<u>Statute:</u>	<u>Offense</u>	<u>Collateral</u>
16 USC 742j-1	General Airborne Hunting Act Violations	1000.00 + value

50 CFR 19: Regulations Pertaining to Airborne Hunting

<u>Section</u>		
<u>Number</u>	<u>Offense</u>	<u>Collateral</u>
19.11(a)(1)	Shoot from an aircraft for purposes of capturing or killing wildlife	1000.00+ 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	1000.00+ value
19.32(a)	Failure to file annual report	250.00

16 USC 703-711
Migratory Bird Treaty Act

<u>Statute:</u>	<u>Offense</u>	<u>Collateral</u>
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	500.00 + 50.00 value per part, nest, egg, item per each bird
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
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 **350.00 + 50.00 value**
per part, nest, egg, item per each bird

50 CFR 20: Migratory Game Bird Hunting Regulations

Section		
<u>Number</u>	<u>Offense</u>	<u>Collateral</u>
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
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
20.21(j)	Take while possessing toxic shotshells or shot	100.00 + value + 20.00/toxic shell + forfeit toxic shells
20.22	Take during closed season	500.00 + value
20.23	Take before/after legal shooting hours	100.00+ value
	1-15 min.	200.00+ value
	16-30 min.	300.00 + value
	31-45 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 regulations	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 United States	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 migratory game birds with species identification (ID) removed	100.00 + value
20.44	Transport unmarked or improperly marked package containing migratory game birds via postal service or common carrier	100.00 per package
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 migratory birds as required	150.00 per package
20.61	Import migratory game birds in excess of legal limit	200.00 + value
20.62	Import migratory game birds belonging to another	200.00 + value

20.63	Import migratory game birds with species ID removed	200.00 + value
20.64	Import, possess, transport birds killed in foreign country without required export permits	200.00 + value
20.65	Import birds not drawn or dressed as required	200.00 + value
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	300.00 + value
20.72	Take, possess, transport, or export migratory birds, their parts, nests, or eggs in violation of any other state law or regulation	300.00 + 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	300.00 + value
20.81	Commercial facility with untagged migratory birds of another as required under 20.36	300.00 + value
20.82	Violation of record keeping requirement	300.00
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	300.00 + value
20.100	Take migratory game birds for which no season has been established	300.00 + value
20.133	Violation of crow hunting regulations	100.00 + 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	300.00
21.29	Violation of Falconry Standards and Falconry Permitting	300.00
21.29(c)(2)	Failure to have a valid falconry permit from the State, tribe, or territory in which you reside to take, possess, or transport raptors for falconry, or to hunt with them	500.00 + value
21.29(c)(2)(iii)	Failure to identify your falconry facilities on your falconry permit and meet the standards in paragraph (d) of this section	300.00
21.29(c)(3)(i)	Failure to meet the requirements/possession options for	300.00 + value
21.29(c)(3)(ii)	apprentice, general and master falconer levels to practice falconry	
21.29(c)(3)(iii)		
21.29(c)(3)(i)(D) and (i)(E)	Apprentice falconer may not possess more than one raptor and possess a federally listed threatened or endangered species, a bald eagle, a white-tailed eagle, a Steller's sea eagle, or a golden eagle	500.00 + value
21.29(c)(3)(ii)(E) and (ii)(F)	General falconer may not possess a bald eagle, a white-tailed eagle, or a Steller's sea eagle and may not possess more than 3 raptors	500.00 + value
21.29(c)(3)(iii)(E)	Master falconer may not possess a bald eagle, more than 5 wild raptors, including golden eagles and may not possess a bald eagle	500.00 + value
21.29(d)(1)	Failure to have and maintain adequate facilities and keep all permitted raptors in humane and healthful conditions	300.00
21.29(e)	Failure to comply with regulations concerning the taking, possessing, and transporting raptors for falconry	300.00 + value
21.29(f)(4)(ii)	Unlawful to purchase, sell, trade, or barter wild raptors	500.00 + value
21.29(f)(5)	Failure to comply with regulations concerning the transfer of wild-caught raptors captured for falconry	300.00
21.29(f)(6)	Failure to comply with reporting requirements concerning the transfer of captive-bred falconry raptors	300.00

21.29(f)(8)(iii)	Failure to use falconry raptors primarily for falconry	300.00
21.29(f)(9)	Use of falconry raptors in commercial ventures not related to falconry	500.00 + value
21.29(f)(10)	Failure to comply with requirements concerning the release of rehabilitated raptors	300.00 + value
21.29(f)(11)	Failure to obtain special purpose abatement permit for falconry used in abatement activities	300.00 + value
21.29(f)(12)(i)	Unlawful to buy, sell, or barter with raptor feathers	300.00 + value
21.29(f)(12)(ii)	Unlawful to donate golden eagle feathers	300.00 + value
21.29(f)(12)(iii)	Failure to send all feathers (incl. body feathers) of golden eagle, that are not needed for imping, to the National Eagle Repository	300.00 + 100.00/feather
21.29(f)(13)	Failure to dispose of carcasses of falconry birds	300.00
21.29(f)(16)	Failure to obtain permission to capture, fly, or release a falconry bird on restricted property	300.00 + value
21.29(f)(17)	Failure to ensure falconry activities do not cause the take of Federally listed threatened or endangered wildlife	300.00
21.29(f)(18)	Failure to comply with conditions when trapping and capturing raptors in areas used by the northern aplomado falcon	300.00
21.29(f)(19)(i)	Unlawful to possess prey animal killed by falconry bird with intent, including an animal taken outside of the regular hunting season	300.00
21.29(f)(19)(ii)	Failure to report take of any federally listed threatened or endangered species to Ecological Services Field Office for the location in which the take occurred	300.00
21.29(g)	Failure to comply with application requirements for a falconry permit	300.00
21.29(h)	Failure to inform (former or permitting) authorities when moving	300.00

to a new jurisdiction and taking falconry birds

21.30(a)	Take, possess, transport, import, purchase, barter, or offer to sell, purchase, or barter any raptor, raptor egg, or raptor semen for propagation purposes without a raptor propagation permit	500.00 + \$100/bird
21.30(d)	Failure to comply with raptor propagation permit conditions forth in this section, 21.30(d)(1) through 21.30(d)(16)	set 300.00
21.31(a)	Take, temporarily possess, or transport any migratory bird for rehabilitation purposes without a rehabilitation permit	300.00 + \$100/bird
21.31(e)	Failure to comply with rehabilitation permit conditions set forth in this section, 21.31(e)(1) through 21.31(e)(9)	300.00
21.41(a)	Take, possess, or transport migratory birds for depredation control purposes without a depredation permit	200.00 + value
21.41(c)	Failure to comply with depredation permit requirements set forth in this section, 21.41(c)(1) through 21.41(c)(5)	200.00 + value

16 USC 718

Migratory Waterfowl Hunting and Conservation Stamp Act

<u>Statute:</u>	<u>Offense</u>	<u>Collateral</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

<u>Statute:</u>	<u>Offense</u>	<u>Collateral</u>
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

<u>Number</u>	<u>Offense</u>	<u>Collateral</u>
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

22.21-22.32 Violation of eagle permit requirements 250.00

16 USC 1531-1543

Endangered Species Act - Convention on International Trade (CITES)

<u>Statute:</u>	<u>Offense</u>	<u>Collateral</u>
16 USC 1538(c) - 1538(d)	Violations of Convention on International Trade in Appendix designated wildlife & plants	1000.00 + Value

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

Section

<u>Number</u>	<u>Offense</u>	<u>Collateral</u>
23.13(a)	Import, export, re-export, or engage in international trade with any specimen of a species listed in Appendix I, II, or III of CITES.	[as per 23.13(d)]
23.13(b)	Introduce from the sea any specimen of a species listed in Appendix I or II of CITES.	[as per 23.13(d)]
23.13 (c)	Possess any specimen of a species listed in Appendix I, II, or III of CITES imported, exported, re-exported, introduced from the sea, or traded contrary to the provisions of CITES, the ESA, or this part.	[as per 23.13(d)]
23.13 (d)	Attempt to commit, solicit another to commit, or be committed Committed any of the activities described in paragraphs (a) through (c) of this section with regard to: Appendix I species Appendix II species Appendix III species	1000.00 + 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:

Offense

Collateral

16 USC 4223

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

commercial

1000.00 + value

non-commercial

500.00

16 USC 5301 - 5306

Rhinoceros and Tiger Conservation Act of 1998

Statute:

Offense

Collateral

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:

Offense

Collateral

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:

Offense

Collateral

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

500.00 + value

Commercial

1000.00 + 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	750.00 + value
Commercial	1500.00 + 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	750.00 + value
Commercial	1500.00 + value

16 USC 470ee(d)

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

Non-commercial	500.00
Commercial	1000.00

16 USC 668dd(c)

National Wildlife Refuge Act - Prohibited Acts

<u>Statute:</u>	<u>Offense</u>	<u>Collateral</u>
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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

Section

Number

Offense

Collateral

1.	Dwellings, barns, outbuildings, or other structures built without authorization within easement areas
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500.00 + removal

2.	Alter vegetation
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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
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 (simple) 250.00 (aggravated)
27.31(a)	Operate a vehicle in violation of state law	250.00
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	500.00
27.31(d)	Exceed 25 mph or posted speed limit	75.00 (1-10 mph) 150.00 (11-20 mph) 250.00 (21-30 mph) 500.00 (31+ mph)

27.31(e)	Operate vehicle without a muffler/spark arrester	100.00
27.31(f)	Operate vehicle without license plate/registration	200.00
27.31(g)	Operate vehicle without a drivers license	300.00
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	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	50.00
27.32(b)(2)	Operate boat in reckless/negligent manner	300.00
27.32(b)(3)	Operate boat under influence of an intoxicant	500.00
27.32(b)(4)	Interfere with operation of other boats	200.00
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 waterskiing on NWR	75.00
27.34	Unauthorized operation of aircraft on/over NWR	250.00
27.41	Carry, possess or discharge a firearm	300.00

	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	500.00 + value
	Disturb, injure, damage plants on NWR	300.00 + value
27.52	Introduction of plants/animals on NWR	100.00 + 50.00/item
27.61	Destruction or removal of property from NWR	300.00
27.62	Search for or remove objects of antiquity	300.00
27.63	Unauthorized search for valued objects; no permit	200.00
27.64	Unauthorized prospecting/mining on a NWR	500.00
27.65	Tamper with vehicles or equipment	300.00
27.71	Take or film motion pictures for commercial use	500.00
27.72	Cause unreasonable disturbances w/ audio equip	200.00
27.73	Use of artificial light to take wildlife	500.00 + value
27.81	Enter NWR under the influence of alcohol	500.00
27.82(b)(1)	Deliver controlled substance	500.00
27.82(b)(2)	Possess controlled substance on a NWR	350.00
27.82(b)(3)	Under influence of a controlled substance	350.00
27.83	Indecency or disorderly conduct	500.00
27.84	Interference with persons engaging in authorized activity	500.00
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 (simple) 350.00 (aggravated)
	Dumping refuse or waste	500.00
	Depositing environmental contaminants	1,000.00
27.95(a)	Setting unauthorized fire	200.00 + value
	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	500.00

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	500.00 + 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	150.00 + 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	200.00
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	150.00 + value
32.5(b)	Noncompliance with applicable federal law	150.00 + value
32.5(c) thru	Violations of State and applicable special	150.00 + value

32.5(e) regulations on fishing

50 CFR 70: Regulations pertaining to National Fish Hatcheries

Section

<u>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

Section

<u>Number</u>	<u>Offense</u>	<u>Collateral</u>
71.2(a)	Hunt without a State license	150.00
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>	<u>Offense</u>	<u>Collateral</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>	<u>Offense</u>	<u>Collateral</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

APPENDIX A

Wildlife & Plant Value Table

<u>Category</u>	<u>Species</u>	<u>Comments</u>	<u>Value</u>
	Feline family	whole/skin	\$250.00
	All others	whole/skin	\$25.00
	All parts/products	per item	\$25.00 or DEC value
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

APPENDIX A

Wildlife & Plant Value Table

<u>Category</u>	<u>Species</u>	<u>Comments</u>	<u>Value</u>
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
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

APPENDIX A

Wildlife & Plant Value Table

<u>Category</u>	<u>Species</u>	<u>Comments</u>	<u>Value</u>
Marine Mammals	All (except polar bear)	whole/trophy	\$2,000.00
		parts/curios/ other	\$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
Mollusks	All whole/products	per item	\$25.00 or DEC value

APPENDIX A

Wildlife & Plant Value Table

<u>Category</u>	<u>Species</u>	<u>Comments</u>	<u>Value</u>
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

**WILDLIFE/PROPERTY FORFEITURE ORDER
NORTHERN DISTRICT OF TEXAS- Appendix B**

Unless otherwise specifically ordered by a United States Court, any fish, wildlife, plants, or property which has been seized under the authority of the Migratory Bird Treaty Act, 16 USC 703-712; the National Wildlife Refuge Systems Administrative Act, 16 USC 668dd-668ee; 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.; Wild Bird Conservation Act, 16 USC 4901-4916; and Rhinoceros and Tiger Conservation Act of 1998, 16 USC 5301 et seq.; where 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 & Wildlife Service in the manner prescribed by Title 50, Code of Federal Regulations, Part 12.