

SOURCE	REVIEW	Significant Resource Protection	Forfeiture Schedule Adjust	Not Consistent with Ranger Role	Significant Safety Issue	Ease of Enforc.	Local Issue	Cosmetic/ Semantic	Policy Chgs	Yes	No	No Consensus
	(a) Swimming, diving, snorkeling or scuba diving at one's own risk is permitted, except at launching sites, designated mooring points and other areas so designated by the District Engineer. Diving or jumping from bridges or other structures which cross project waters is prohibited.											
CEMVK	<p>At some locations there is a persistent safety problem with the public diving and jumping from cliffs, boulders and trees into project waters. The reference article effectively prohibits this activity with regard to bridges and structures, however it does not address natural resources. Request this article include natural resources.</p> <p>{Agree, the scope of our reg needs to be broadened if at all possible, to include cliffs, trees, etc. Such cannot always be posted, especially in remote areas. See mod.}</p>				++	++				XX		
NAP	<p>add the word "wading" after "swimming" to read "swimming, wading, diving, snorkeling, or scuba ...etc. Also, add the word "trees" after "bridges" in the last sentence so as to read "Diving or jumping from bridges, trees, or other structures which cross project waters is prohibited." RATIONALE: Some people claim that they were only "wading" and not "swimming" as a loophole to avoid some of our beach regulations. Also, many of our serious swimming accidents have occurred when people have jumped out of trees. We prohibit them from jumping off bridges; thus it would seem that jumping out of trees would follow the same logic for their own safety.</p> <p>{Adding "wading" after "swimming" would assist in closing what is a frequently used loophole. Most magistrates see wading as legally different from swimming. See modification 327.5(a)}.</p>					++				XX		
NAB	Add - List diving/jumping sentence as 327.5© {See modification}			++						XX		

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LRD	<p>There is a perennial problem with teens diving from a variety of structures and natural formations at projects. Recommend that the words "natural terrain features" be added after the word "bridges", and the words "cross project waters" be replaced with "over project waters". Additionally, the paragraph should be reworded to restrict jumping or diving from bridges, other man-made structures, or natural features which cross over or adjoin project waters. The intent is to prohibit jumping or diving from cliffs or tree swings, but, permit normal diving activities at designated swimming areas or from boats. "Rappelling and swinging from any over-water structure" should be added to the prohibited list. (See modification)</p>			++		++				XX		
SPD	<p>Separate into two different sections. One section to allow swimming at own risk, another to prohibit jumping or diving from any manmade features. Some rangers want to include jumping or diving from natural features (rope swings, cliffs, rocks, etc.) but I think that would be difficult to enforce. (Breaking into a separate subsection would make the diving prohibitions clearer, and would allow for a heavier forfeiture for a more dangerous practice. SWF already has diving fine separated from swimming and diving flag. SAD has one fine for all.)</p>		XX		++	++				XX		
CENWK-CO-TR	<p>This part should also address diving or jumping from boat docks, roofs, cliffs, etc. which do not cross project waters. (See modification)</p>				++	++				XX		
SWF	<p>Change to "Swimming, diving, wading, snorkeling, or scuba diving . . . Diving or jumping from bridges or other non-recreational structures which in, upon, or crossing project waters is prohibited."</p> <p>Diving injuries and deaths continue to be a major visitor safety issue. If the agency is not prepared to prohibit diving at its projects, it should at least not specifically list it as being permitted. Substituting "wading" in the list will end arguments that "just wading" is acceptable around boat ramps and other areas off-limits to swimming. We continue to experience public injuries and deaths from persons jumping from water intake towers, outlet structures, etc. Prohibiting jumping from all structures in or upon lake waters will assist us in discouraging this activity. (See modifications, 5(a) and 5(c))</p>				++	++				XX		

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SWL	Should be reworded "Swimming, diving, snorkeling, or scuba diving at one's own risk is permitted, except at launching sites or ramps, designated mooring points and other areas as designated by the District Engineer. Diving or jumping from bridges or other structures (whether natural or artificial) which cross or are present on project lands or waters are prohibited." {See modifications 5(a) and 5(c)}				++	++				XX		
NWO	Does STRUCTURES include high cliffs or land areas of erosion which pose a high risk? This needs to be clarified. There are numerous areas around Lake Sakakawea that pose this problem. I have warned individuals of this activity in an area where injuries have occurred before and they questioned if jumping off smaller cliffs was permissive. {Would require local judgment call, handle with posted restrictions in addition to suggested modifications.} Suggested modification, 327.5(a): (a) Swimming, <i>wading</i>, diving, snorkeling or scuba diving at one's own risk is permitted, except at launching sites, designated mooring points and <i>public docks</i>, or other areas so designated by the District Engineer. Diving or jumping from bridges or other structures which cross project waters is prohibited:				++	++	XX			XX		
	(b) An international diving flag must be displayed during underwater activities.											
CEMVK	The referenced article requires the use of an international diving flag marker, otherwise known as the alpha flag. However, for inland waters a sport's diver's flag, otherwise known as a diver-down flag, is more commonly used. It is red and white as opposed to blue and white of the alpha flag and is better understood by those using inland waters. Recommend adding the diver-down flag to the article as another option. {Agree -"diver-down" and "inland" flag are both technically accepted terms to describe approved flag. Include both terms for regional differences. See modification.}					++				XX		

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CENWS (Tyger)	<p>Add paragraph: Removal of Life Rings from their holders for purposes other than for the saving of life is prohibited. Parents or adult supervisors will be held responsible for the violation of this restriction by minor children in their care.</p> <p>{Appears most projects have eliminated them. Taking it out does cause endangerment, adults can be responsible. Handle with locally posted restriction.}</p>						XX				XX	
CENWO-OD-TN	<p>Add the phrase "including snorkeling and diving.</p> <p>{Already covered by "underwater activities."}</p>						XX			XX		
SWL	<p>The international diving flag is not in common use on inland waters. The red with a diagonal white stripe "Diver Down" flag is more widely recognized and should be allowed. Suggest the wording be changed from "an international diving flag" to "a diving flag."</p> <p>{Agree, see modification.}</p> <p>Add "Swimming, diving, snorkeling, or scuba diving in designated swim areas is prohibited between 30 minutes after sunset and 30 minutes before sunrise."</p> <p>{This varies greatly across the nation. Handle with local posted restrictions.}</p>								XX			

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SWF	<p>Change clause to " An international recognized diving flag must be displayed..."</p> <p>The international diving flag presently specified (the blue and white "alpha" flag) is not generally recognized in this country, nor is it particularly appropriate for recreational diving. The recognized "dive down" flag in this country is the red and white-sashed flag.</p> <p>Suggested modification, 327.5(b): (b) An international, diver-down or inland diving flag must be displayed during underwater activities.</p> <p>Suggested new subsection, 327.5(c): (c) Diving, jumping or swinging from bridges, cliffs, structures or environmental features which cross or are adjacent to project waters is prohibited.</p> <p>(Wording would allow jumping off boats in the middle of the lake, or on docks, since these are <i>on</i> project waters, rather than <i>adjacent to or crossing</i> project waters. Docks, etc., could be further posted with local restrictions.)</p>					++				XX		
	327.6 Picnicking.											
	Picnicking and related day-use activities are permitted, except in those areas where prohibited by the District Engineer.											
	327.7 Camping.											
SPA	<p>Add something specific to the cutting of vegetation and trees or damage to vegetation and trees.</p> <p>(Already covered under 14(a).)</p>										XX	
NWO	<p>We need a regulation stating how many units are considered under one fee. We also then need to define "unit."</p> <p>(T36 is not the vehicle to address this-if one standard is to be set, should be a Corps policy.)</p>										XX	

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	(a) Camping is permitted only at sites and/or areas designated by the District Engineer.											
	(b) Camping at one or more campsites at any one water resource project for a period longer than 14 days during any 30-consecutive-day period is prohibited without the written permission of the District Engineer.											
CEMVROD-T	Replace "water resource project" with "designated area". Tracking campers who move from one campground to another on the project is time consuming and with our occupancy rates nowhere near 100% it does not seem necessary. We would prefer to simply have them move from one area to another to avoid the permanent camper problems. {Guidance from HQUSACE is that this subsection must remain consistent with the Dorn policy, and we will continue the 14 day limit as the policy for T36 at this time.}								XX		XX	
SAD	Revise to read - "Camping at one or more campsites for a period longer than 14 days is prohibited without the written permission of the District Engineer." Camping extensions of 14 days and longer are currently being granted on a case by case basis. Many campers have expressed interest in staying the winter season at Corps campgrounds. Many state and private campgrounds offer longer stays, especially during the off season. In the interest of customer needs and increased revenues, we should allow campers to submit a written request for longer stays to the Operations Project Manager (OPM). The OPM could then review each request on a case by case basis and respond with a letter of denial or permission stipulating any specific restrictions. {Many would like to see a loosening of this policy, allowing more local control and flexibility to meet customer desires and increase revenue. However, we are not authorized to do so at this point.}								XX		XX	

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LRD	<p>Recommend that the maximum camping stay be extended from 14 days in a 30-day period to 30 days in a 60-day period or 21 days in any 30-day consecutive period.</p> <p>Additionally, and most importantly, no camping unit should be allowed to be used at a specific site longer than 14 days. This will probably provide a suitable alternative to the issue of seasonal camping, yet discourage any semblance of permanency. Wording such as "no camping unit will be allowed to be used at a specific site longer than 14 days" should appear in this section. This is needed because some districts have had difficulty with members of a group (in primitive campgrounds where only a free permit is required to camp), who all call in and reserve a certain site in their name so that every six weeks or so the original visitor starts over again in the same camping unit. Presently the district cannot require removal of the camping unit because it is never abandoned and there is always a registered permit for the unit.</p> <p>(See above comments. Longer stay has been approved for commercial concessions (marinas), but not for Corps campgrounds.)</p>								XX		XX	
CENWO-OD-TN	<p>Since the Districts have the latitude to allow extensions up to 30 days on a case by case basis, the Omaha District favors keeping the 14 day stay as a general policy. As this section reads now, however, a visitor would have to move to another project after staying 14 days. This should be changed to only require the visitor move to another campground. Another suggestion is to change the 30 consecutive day period to a 28 day consecutive period which puts it on an even week basis.</p> <p>(See above comments.)</p>											
CENWK-CO-TR	<p>Change to read: Camping at one or more campsites at any one campground for a period longer than 14 days is prohibited. Campers must vacate their site and campground for two (2) camping nights before returning to the site. Campers may apply for a written exemption from the District Engineer.</p> <p>(Districts appear to have latitude to vary extensions somewhat, which is proper. The two night suggestion would be in conflict with the current policy.)</p>								XX		XX	

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	(c)The unauthorized placement of camping equipment or other items on a campsite and/or personal appearance without overnight occupancy at a campsite for the purpose of reserving a designated campsite for future occupancy is prohibited.											
CEMVROD-T	<p>Remove the word "overnight". We can only require that campers occupy the site, not dictate that they must be there at night. Many campers fish overnight or work night shifts and come to the campgrounds for the day. Add "without the written permission of the District Engineer" to the end.</p> <p>{As we progress to a more reservation -driven environment, overnight occupancy becomes less an issue. Suggestions points also valid. Once NRRS is functional, this should become a moot point. Since sites will be reservable, with a short lead time, this practice should diminish. Recommend deleting "overnight".}</p>					+				XX		
SAD	<p>Revise to read - "The unauthorized placement of camping equipment or other items on a campsite for the purpose of reserving a designated campsite for future occupancy is prohibited." This would still accommodate the NRRS or other authorized reservation systems, but would preclude saving a site by unauthorized means such as parking a car or placing equipment on a site to give the impression the site is occupied. This revision would also eliminate the overnight occupancy requirement which has been a contentious subject for some time.</p> <p>{See above}</p>					+				XX		
NAB	<p>Delete the word "unauthorized." Any placement of equipment or appearance without occupancy with the intent to reserve is prohibited.</p> <p>{Semantic - without a reservation or valid camping permit, any placement of gear is unauthorized.}</p>							XX			XX	
LRD	<p>Suggest the wording of this section be changed to the following to more effectively deal with attempts to illegally reserve campsites. "The unauthorized placement of camping equipment or other personal items on a campsite for the purpose of reserving a designated site is prohibited. A registered campsite must be occupied overnight.</p> <p>{See above}</p>									XX		

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CENWK-CO-TR	Change to read: The placement of camping equipment or other items on a campsite and/or personal appearance without a properly displayed current camping permit is prohibited. Placement of a camping unit on a site constitutes authorized occupancy if the proper fee has been paid. {See modification}									XX		
SWF	[Split into two sentences and modify] "Unauthorized occupation or placement of camping equipment or other items on a campsite is prohibited. and/or Personal appearance without overnight occupancy or placement of items at a campsite for the purpose of reserving a designated site for future occupancy is prohibited." Much discussion regarding the impact of the NRRS upon this clause has resulted in this suggested revision. While avoiding specific mention of the NRRS (policies from which may change over a period of years), it may preserve most of the applicable intent of the original subsection. {See modification}									XX		
SWL	Should be revised to allow for the reservation system that is being implemented. Wording suggested is "The unauthorized reservation of a campsite, such as by placement of personal property on a site to prevent other authorized uses of the site, is prohibited." Paying for a campsite without occupancy is prohibited. Occupancy of a campsite without paying the authorized recreational fee is also prohibited. {See modification}									XX		
NWO	We need to try and specify our reserving policy. It needs to state whether a person can pay for another camper when he is not yet present. {Appears to vary by District - T36 probably not the vehicle to make this uniform.}						XX			XX		

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NWO	<p>WITHOUT OVERNIGHT OCCUPANCY AT A CAMPsite.... can be misinterpreted to imply that if you occupy "A" campsite it is permissible.</p> <p>A lot of users will occupy a campsite and reserve another campsite by placement of items or a registration slip. (See comments, modification)</p> <p>Suggested modification, 327.7(c): (c) The unauthorized placement of camping equipment or other items on a campsite and/or personal appearance without overnight occupancy at a campsite for the purpose of reserving a designated campsite for future occupancy is prohibited.</p> <p>("Designated" is struck out here because it is not used in other subsections, and deleting it allows some control over undesignated campsites (ie primitive camping) which some projects feature.)</p>									XX		
	(d) The digging or leveling of any ground or the construction of any structure without written permission of the District Engineer is prohibited.											
CENWK-CO-TR	<p>Add new subparagraph (e) Occupying a campsite designated for reservation or which is posted as reserved without an authorized reservation is prohibited.</p> <p>(Agree. See 327.7(e))</p>					+				XX		
SWF	<p>For more logical and general application, remove this subsection from 327.7 and relocate it as subsection (d) under 327.14, Public Property.</p> <p>{This is more geared to camping activity, does not impact 14(a) if left intact, see no reason to remove. Could have some difficulty convincing a magistrate that minor leveling of a developed campsite would warrant a ticket under 14(a). However, it does appear to be covered under 14(a) and 20, and could be deleted altogether. Presence does allow for different forfeitures.}</p> <p>Suggested new subsection 327.7(e): (e) Occupying or placement of any camping equipment at a campsite which is posted as "reserved" without an authorized reservation is prohibited."</p>		XX						XX		XX	
	327.8 Hunting, Fishing, and Trapping.											

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CEMVROD-T	<p>Leave the section that exists as (a) and add (b) which should say "Hunting and trapping are prohibited within 500 feet of any project road, trail, developed recreation area, or developed project operation area unless authorized by the District Engineer." This would allow us to control these activities, as the landowner, for safety.</p> <p>{Distance varies by state, we would lose state enforcement if we adopt otherwise. See modification. }</p>									XX		
CEMVK	<p>Trapping - Problems have arisen with unscrupulous trapping on project lands. State laws concerning trapping sometimes go unenforced. Suggest a requirement be added to Title 36 to that a permit must be obtained from the District Engineer (through the Resource Manager) to conduct this activity at a project.</p> <p>{District Engineer's already have this authority to restrict such activity, require permits.}</p>						XX				XX	
SAD	<p>Add a new sentence to read - "The District Engineer may establish additional regulations and restrictions on hunting, fishing, and trapping, including the requirement of a project-issued permit for these activities.</p> <p>{See modification.}</p>									XX		
NAB	<p>Add - "Hunting is prohibited within 100 yards of any recreation area, water control structure, roadway, building, or hiking trail, unless otherwise posted." Would eliminate the need to post around every recreation area unless management would choose.</p> <p>{See comments above.}</p>										XX	
LRD	<p>For safety considerations, suggest that the following be added, "Hunting and trapping are prohibited within developed recreation areas".</p> <p>{Found that a number of projects in the Midwest authorize hunting in developed recreation areas during winter hunting season, when visitation is limited to basically hunters only. Suggestion would severely impact these projects, provide only limited enforcement improvement for others.}</p>										XX	
	Hunting, fishing and trapping are permitted except in areas where prohibited by the District Engineer. All Federal, state and local laws governing these activities apply on project lands and waters, as regulated by authorized enforcement officials.											

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SPD	<p>Rewrite to "Fishing is permitted except in areas where prohibited by the District Engineer. Hunting and trapping are prohibited except where authorized by the District Engineer. All Federal, state and local laws governing hunting, fishing and trapping apply on project lands and waters, as regulated by authorized enforcement officials."</p> <p>{Contrast of prohibited and permitted could be confusing, and project a negative, "prohibitionist" image. Suggestion is hopefully addressed by modification.)</p>									XX		
SWF	<p>Suggest a new sub-paragraph be added which states that "alcoholic beverage consumption, while in the possession of a firearm for hunting, shooting range activity or any other permitted activity where firearms are allowed, is prohibited".</p> <p>{Actually outside our authority at this time. This is addressed on a limited scale by modification to 327.26(f).}</p>			XX							XX	

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SWF	<p>[Break down to subsections]</p> <p>"(a) Hunting is permitted in locations and during periods designated by the District Engineer."</p> <p>"(b) Fishing is permitted except in swimming areas, at boat ramps, on courtesy docks, or other areas designated by the District Engineer."</p> <p>"(c) Trapping is permitted in areas designated by the District Engineer."</p> <p>"(d) All Federal, state and local laws governing these activities apply on project lands and waters, as regulated by authorized enforcement officials. Additional restrictions pertaining to these activities may be established by the District Engineer for reasons of public safety or resource management."</p> <p>These programs are so dissimilar as to merit breaking them down into subsections.</p> <p>At many projects, the reality is that more land is closed to hunting and trapping than not. The restrictions clause in subsection (d) merely legitimizes the numerous existing district and local hunting policies, permit programs, etc.</p> <p>{Allows local control, variations between areas (some actually allow hunting within rec areas during off times). Seems to address most all concerns. See modification.}</p>								XX			

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SWL	<p>Should be revised to read "Hunting, fishing, and trapping on project lands and waters are permitted, except in areas where prohibited by the District Engineer. Fishing should be prohibited inside designated swimming areas. Hunting and/or use of these items is not allowed in designated recreation areas. All Federal, state, and local regulations governing these activities are in effect on project lands and waters."</p> <p>(Disagree on total prohibition in designated rec areas, as explained above. Agree with other suggestions.)</p> <p>Suggested modification, 327.8 (delete all existing reg):</p> <ul style="list-style-type: none"> (a) <i>Hunting is permitted in areas and during periods designated by the District Engineer.</i> (b) <i>Trapping is permitted in areas and during periods designated by the District Engineer.</i> (c) <i>Fishing is permitted, except in swimming areas, at boat ramps, mooring points, public docks, or other areas designated by the District Engineer.</i> (d) <i>All Federal, state and local laws governing these activities apply on project lands and waters, as regulated by authorized enforcement officials. Additional restrictions pertaining to these activities may be established by the District Engineer.</i> <p>(NOTE: hunting and trapping are deliberately separated to allow for different forfeiture schedules. Any additional restrictions authorized by DE (such as permits) may result in regs that state officials may not enforce. Local control is needed for variances, but it must be used judiciously.)</p>									XX		
	327.9 Sanitation.											

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SPA	<p>Include specific language to prohibit the dumping or disposing of fish carcasses or entrails.</p> <p>{Fish disposal is a growing problem, especially as states modify their regs. Basically covered under 9(a), plus lots of differences between regions on what is allowed by states (growing number no longer allow dumping back in the lake). May have to resort to posted restrictions at this time, until state regs level out, or better on-site disposal technology appears. We cannot make them take them home. }</p> <p>Sanitation needs specific language to include the shampooing of dogs and people bathing in the lake or on the ground.</p> <p>{covered under 9(a) also.}</p>									XX		
LRD	<p>To simplify the problem dealing unauthorized dumping suggest that the following subsection be added, "For the purpose this regulation, the owner of any garbage, trash, rubbish, debris, dead animals or litter of any kind shall be presumed to be responsible for proper disposal. Such presumption will be sufficient to issue a citation for violation".</p> <p>{Recommend adoption, append to end of 9(b).}</p>									XX		
	(a) Garbage, trash, rubbish, litter, or any other waste material or waste liquid generated on the project and incidental to authorized recreational activities shall be either removed from the project or deposited in receptacles provided for that purpose. The improper disposal of such wastes, human and animal waste included, on the project is prohibited.											

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SWF	<p>"Garbage, trash...or waste liquid (including but not limited to gray water)generated on the project and incidental to authorized recreational activities..."</p> <p>The addition of "gray water" was to clarify to campers that gray water cannot be drained onto the ground. Specifying this will end many arguments.</p> <p>There is some debate as to what purpose the stricken phrase serves, and it would appear that the subsection is strengthened by its removal.</p> <p>{Agree to add graywater to (a). The stricken phrase in the above does specify what is allowed, does give some teeth to distinguishing between trash brought in, and that generated by legitimate campers, day users, etc. Keep "generated on the project.."</p> <p>Suggested modification, 327.9(a):</p> <p>(a) Garbage, trash, rubbish, litter, graywater, or any other waste material or waste liquid generated on the project and incidental to authorized recreational activities shall be either removed from the project or deposited in receptacles provided for that purpose. The improper disposal of such wastes, human and animal waste included, on the project is prohibited.</p>	+++				—				XX		
	(b) It is a violation to bring onto a project any household or commercial garbage, trash, rubbish, debris, dead animals or litter of any kind for disposal or dumping without the written permission of the District Engineer.											

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SWT	<p>Add statement "Two articles of mail or other items which contain a common name and /or address shall constitute probable cause to issue a citation."</p> <p>{this will vary between magistrate courts - adding such a specific would not likely stand review, nor would magistrates be required to honor it. In the absence of a witness, need a preponderance of evidence; two pieces of mail may not be adequate in some courts. Dumping is a significant and growing problem, possibly addressed by the following:</p> <p>Suggested modification, 327.9(b):</p> <p>(b) It is a violation to bring onto a project any household or commercial garbage, trash, rubbish, debris, dead animals or litter of any kind for disposal or dumping without the written permission of the District Engineer. <i>For the purpose of this regulation, the owner of any garbage, trash, rubbish, debris, dead animals or litter or any kind shall be presumed to be responsible for proper disposal. Such presumption will be sufficient to issue a citation for violation..</i></p>									XX		
	(c) The spilling, pumping or other discharge of contaminants, pollutants or other wastes, including, but not limited to, human or animal waste, petroleum, industrial and commercial products and by-products, on project lands or into project waters is prohibited.											
SAD	<p>Revise to add - "...human or animal waste, galley waste, gray water, petroleum..."</p> <p>{9(c) has potential for more significant pollution, such as trucks bringing in industrial pollutants, or large quantities of waste being dumped. Should have big fine or MA capability. Fine should be different from 9(a) or (e). Add graywater to (a), but adding here would dilute the intent.)</p>	+++	XX							XX		
SPA	Although the dumping of gray water is a contaminant, campers do not see the words "gray water" and thus do not understand "gray water" to be a contaminant. {Agree, add to 9(a)}	+++	XX							XX		
CENWK-CO-TR	Specify that "greywater" is included. {Agree, add to 9(a)}	+++	XX							XX		

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SWF	<p>After "discharge" add "or disposal". {Would fit some instances, give more flexibility.}</p> <p>Suggested modification, 327(9(c)):</p> <p>(c) The spilling, pumping or other discharge or disposal of contaminants, pollutants or other wastes, including, but not limited to, human or animal waste, petroleum, industrial and commercial products and by-products, on project lands or into project waters is prohibited.</p>									XX		
	(d) Campers, picnickers, and all other persons using a water resources development project shall keep their sites free of trash and litter during the period of occupancy and shall remove all personal equipment and clean their sites upon departure.											
SWL	<p>Should be revised to state "Campers, picnickers, and all other persons using a water resource development project shall keep their sites free of trash, refuse, and litter at all times during the period of occupancy, and shall remove all personal property, including trash and refuse, and clean their sites upon departure."</p> <p>{Consensus is this would be hard to enforce, campers could see as harassment. Existing reg adequate.}</p>									XX		
	(e) The discharge or placing of sewage, galley waste, garbage, refuse, or pollutants into the project waters from any vessel or watercraft is prohibited.											
SAD	<p>Delete this section as it will now be covered by the above revised Section 327.9(c).</p> <p>{Different forfeiture schedules could assist in areas with big offenders, such as industrial dumping. This one should be for rec users.}</p>	+	XX								XX	
LRD	<p>Amend this sentence to add the following wording, "...refuse, pollutants, or the discharge of wastes (liquids or solids) from recreational equipment (camping units, recreational vehicles, or marine sanitation devices) into project lands or into project waters is prohibited".</p> <p>{Already covered by 9(a), which includes discharge into water.}</p>	+	XX								XX	

SOURCE	REVIEW	Significant Resource Protection	Forfeiture Schedule Adjust	Not Consistent with Ranger Role	Significant Safety Issue	Ease of Enforc.	Local Issue	Cosmetic/Semantic	Policy Chgs	Yes	No	No Consensus
SPD	<p>Rewrite to add "gray water". "The discharge or placing of sewage, galley waste, gray water, garbage, refuse, or pollutants into project waters from any vessel or watercraft is prohibited."</p> <p>{Technically, graywater is covered under either galley waste or pollutants on a vessel. Not really necessary to add. Coverage under 9(a) can still apply, if needed.}</p>							XX			XX	
	327.10 Fires.											
SPA	<p>Fires needs specific language to prohibit the dumping of live or "dead" charcoal coals on the ground or in a refuse dumpster.</p> <p>{Already covered under 10(c).}</p>									XX		
	(a) Gasoline and other fuels, except that which is contained in storage tanks of vehicles, vessels, camping equipment, or hand portable containers designed for such purpose, shall not be carried onto or stored on the project without written permission of the District Engineer.											
	(b) Fires shall be confined to those areas designated by the District Engineer, and shall be contained in fireplaces, grills, or other facilities designated for this purpose. Fires shall not be left unattended and must be completely extinguished prior to departure. The burning of materials that produce toxic fumes, including, but not limited to, tires, plastic or treated wood products is prohibited.											
CEMVK	<p>This article should be revised as follows: "Fires shall be confined to those areas designated by the District Engineer, and shall be contained in fireplaces, grills, fire rings or other facilities designated for this purpose. Fires shall not be left unattended and must be completely extinguished prior to departure. The burning of materials that produce toxic fumes, including but not limited to, tires, plastic or treated wood products is prohibited."</p> <p>{Leave out suggestion, for if included people could make their own "fire ring" out of rocks, etc, claim they are designated.}</p>									XX		

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LRD	<p>Add styrofoam to the list of prohibited items.</p> <p>(Due to phase-out of styrofoam as a flotation material, may be helpful to include this term. Burning of styrofoam cups also produces noxious fumes, but typically burned only in nominal amounts. May be a real problem in areas of strict air pollution standards.)</p>									XX		
SWF	<p>After first sentence, add " Lighting, maintaining, or tending a fire, except at such areas or facilities, is prohibited."</p> <p>Add, as final sentence, " The District Engineer may prohibit all open burning during periods of increased fire danger." (Ban on open burning would give more local flexibility, would not have to wait on counties, etc to declare ban if conditions warrant. Should be within authority of DE.)</p> <p>The first addition clarifies that "It was already burning when we got here!" is not a valid defense for utilizing and tending a fire. The second addition makes clear that the District Engineer may ban open fires during, for example, regional fire emergencies.</p> <p>(Little too weak to defend-could be abused by overzealous rangers. If person is seen with any fuel (sticks, etc) or actively tending the fire, they could be cited under existing regs.)</p>									XX	XX	
SWL	<p>Should include "Fires in recreational areas shall be subject to applicable state, county, municipal, or other local restrictions."</p> <p>(Already are in many places, could become too restrictive in some regions with overzealous regulators; DE control which would allow for this is preferred.)</p> <p>Suggested modification, 327.10(b):</p> <p>(b) Fires shall be confined to those areas designated by the District Engineer, and shall be contained in fireplaces, grills, or other facilities designated for this purpose. Fires shall not be left unattended and must be completely extinguished prior to departure. The burning of materials that produce toxic fumes, including, but not limited to, tires, plastic, styrofoam, flotation materials or treated wood products is prohibited. <i>The District Engineer may prohibit all open burning during periods of increased fire danger.</i></p>										XX	

SOURCE	REVIEW	Significant Resource Protection	Forfeiture Schedule Adjust	Not Consistent with Ranger Role	Significant Safety Issue	Ease of Enforc.	Local Issue	Cosmetic/Semantic	Policy Chgs	Yes	No	No Consensus
	(c) Improper disposal of lighted smoking materials, matches or other burning material is prohibited.											
	327.11 Control of Animals.											
MVP	Control of Animals. (c) & (d) It would appear that these paragraphs could be combined. {No, as fines need to be different, allowing different degrees of control.}									XX		
NAB	Add section - "Persons will not allow pets to be left unattended in vehicles, at campsite or picnic sites." We have numerous problems with pets left in hot vehicles or tied up a campsites while the owner is gone. (Corps in the business of people safety, but not in the business of animal safety. T36 intent on animal control has always focused on protecting people and resources from animals, while leaving protection of animals themselves to state and local authorities. Guidance indicates this focus has not changed.) Add section - "Loud and/or continuous barking by pets, that would unreasonably disturb others, is prohibited." Usually occurs in the situations above. {Will address under 11(a).}								XX	XX		
LRD	In order to provide emphasis suggest the portion of section b referring to animals on a beach be modified and presented as a separate subsection with the following wording, "All animals and pets are prohibited on beaches, in playgrounds and sanitary facilities, or other areas so designated by the District Engineer". (Agree to modify, but keep in 11(a). See modification.)					+				XX		
SWF	Much addition and re-organizing. This is an area of considerable concern to visitors and rangers.											

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NWO	<p>A clarification is needed in the regulations that deals with the use of animals (dogs) for hunting purposes. Currently, according to the regulations, the dog must be on a leash, regardless.</p> <p>{These regs specifically apply only in developed areas of parks - outside the developed areas (even if undeveloped park area) the dog should be allowed to run loose. If a campground is later designated a hunting area (see 327.8 notes), not a rec area, the dog can range.}</p>											
	(a) No person shall bring or allow dogs, cats, or other pets into developed recreation areas unless penned, caged, on a leash under six feet in length, or otherwise physically restrained. No person shall allow animals to impede or restrict otherwise full and free use of project lands and waters by the public. All animals and pets are prohibited on swimming beaches. Animals and pets, except properly trained animals assisting the handicapped (such as seeing-eye dogs), are prohibited in sanitary facilities or other areas so designated by the District Engineer. Unclaimed or unattended animals are subject to immediate impoundment and removal in accordance with state and local laws.											
LRD	<p>Separate out the reference to seeing dogs and make it a specific subsection using the following wording, "Properly trained service animals assisting physically challenged persons are not considered pets for the purposes of this section.".</p> <p>{See modification, should cover.}</p>									XX		
NWO	<p>Dogs swimming in project waters unrestrained: Is this allowable at all times unless it IMPEDES OR RESTRICTS FULL AND FREE USE? This may apply to designated swim areas, but what about developed recreation areas or other project waters?</p> <p>This is a continuous problem in some recreation areas - often times users are warned about having their dog off-leash in the campground but there is confusion about enforcement of dogs swimming in project waters unrestrained.</p> <p>{See modification.}</p>											

SOURCE	REVIEW	Significant Resource Protection	Forfeiture Schedule Adjust	Not Consistent with Ranger Role	Significant Safety Issue	Ease of Enforc.	Local Issue	Cosmetic/Semantic	Policy Chgs	Yes	No	No Consensus
NWO	<p>Unrestrained pets on project lands: INTO DEVELOPED RECREATION AREAS pets are required to be physically restrained, but what about other project lands or outgranted areas? Does this fall under FULL AND FREE USE?</p> <p>This can cause confusion and conflicts between different user groups. Are hunting dogs allowed to be utilized unrestrained?</p> <p>{As written, restraint applies only in developed rec areas. However, second sentence of 11(a) still holds owners responsible for not impeding use by others anywhere on project lands and waters.}</p>											
NWO	<p>Unattended dogs (pets) making excessive noise: UNATTENDED ANIMALS ARE SUBJECT TO IMPOUNDMENT, but what about a citation.</p> <p>{T36 authorizes citations, not just impoundment. Impoundment may be in addition to citation.}</p>											
SWF	<p>"(a) No person shall bring or allow dogs, cats, or other pets into developed recreation areas unless penned or caged in a single structure not larger than 6' by 10' in area, or on a leash under 6 feet in length, or otherwise physically restrained. No person shall allow animals to impede or restrict otherwise full and free use of project lands and water by the public. All animals and pets are prohibited on swimming beaches, sanitary facilities, or other areas so designated by the District Engineer except properly trained animals assisting the disabled, such as seeing-eye dogs."</p> <p>{Single structure idea poses lots of problems, open to many different interpretations. May address with posted restrictions.}</p> <p>"Under physical restraint" was removed as it serves no purpose other than to engender heated arguments as to what constitutes such restraint. A size limit for pens is specified, because we are beginning to see dog pens which occupy most of a campsite (some in the range of 20' by 30') and may contain up to ten dogs. The "impede or restrict" clause would be moved to the next subsection. The final sentence was merely re-organized.</p>					—			XX			

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SWT	A sentence should be added to this section stating any animals deemed to be a nuisance or vicious shall be subject to immediate removal from project lands. (Addressed under new 11(g).)					++				XX		
SWL	<p>Add: "Abandonment of any animal on project lands or waters is prohibited" and "Animals exhibiting aggressive behavior shall be removed from the project upon request from an authorized representative of the District Engineer. Owners and trainers of animals are liable for any threats, disturbance (including violations of quiet hours), or incident caused by the animals."</p> <p>(Addressed under 11(a) and 11(g).</p> <p>Suggested modification, 327.11(a):</p> <p>(a) No person shall bring or allow dogs, cats, or other pets into developed recreation areas or adjacent waters unless penned, caged, on a leash under six feet in length, or otherwise physically restrained. No person shall allow animals to impede or restrict otherwise full and free use of project lands and waters by the public. <i>Barking or other noise from pets which unreasonably disturbs persons is prohibited.</i> All animals and pets are prohibited on swimming beaches. Animals and pets, except properly trained animals assisting the handicapped those with disabilities (such as seeing-eye dogs), are prohibited in sanitary facilities, playgrounds, swimming beaches or other areas so designated by the District Engineer. <i>Abandonment of any animal on project lands or waters is prohibited.</i> Such unclaimed or unattended animals are subject to immediate impoundment and removal in accordance with state and local laws.</p>								XX			
	(b) Persons bringing or allowing pets in designated public use areas shall be responsible for proper removal and disposal, in sanitary facilities, of any waste produced by these animals.											
NAP	<p>replace "designated public use areas" with "developed recreation areas." RATIONALE: The public is more apt to understand what a "developed recreation area" is.</p> <p>{It is true the public may understand "developed" more, but use of "designated" allows more DE control, allowing more animal control in some undeveloped areas that see heavy use.}</p>									XX		

SOURCE	REVIEW	Significant Resource Protection	Forfeiture Schedule Adjust	Not Consistent with Ranger Role	Significant Safety Issue	Ease of Enforc.	Local Issue	Cosmetic/Semantic	Policy Chgs	Yes	No	No Consensus
LRD	<p>Suggest wording of this section be modified to the following, "No person shall bring or allow dogs, cats, or other pets into recreation areas unless penned, caged, on a leash under six feet in length, or otherwise physically restrained. No person shall allow animals to impede or restrict otherwise full and free use of project lands and waters by the public or to unreasonably annoy another person. Unclaimed or unattended animals are subject to immediate impoundment and removal in accordance with state and local laws". The word "developed" is omitted because animals can be problems in recreation areas that get visitation but are not actually developed.</p> <p>{Addressed under 11(a).}</p>									XX		
SWF	<p>"(b) [from subsection(a)] No person shall allow animals/pets to impede or restrict otherwise full and free use of project lands and waters by the public. Dangerous pets and animals (including but not limited to such animals as cougars, lions, bears, bobcats, wolves, and snakes), or any pet or animal displaying vicious or aggressive behavior, or which otherwise pose a threat to public safety, are prohibited from being brought on to project lands and waters."</p> <p>The word "pets" was substituted to clarify the intent of the first clause; the present wording could boomerang on Corps employees should a native animal injure a visitor. The second sentence gives clear authority for the Corps to prohibit visitors' bringing clearly inappropriate animals into public use areas. Such an occurrence resulted in the mauling of a two-year-old child by a leashed cougar at a Fort Worth District lake. Many visitors are bitten by aggressive (but often leashed) dogs, and several park rangers have been bitten in the parks over the past few years.</p> <p>{Issue addressed under 11(g).}</p>				+++					XX		
	<p>(c) No person shall bring or allow horses, cattle, or other livestock in camping, picnicking, swimming or other recreation areas except in areas designated by the District Engineer.</p>											

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LRD	<p>Insert the words "wild animals" after the word "allow" in the sentence. This necessary to deter individuals from bringing caged or leased wild animals into recreation areas.</p> <p>Substitute term "on project lands" for "in camping, picnicking, swimming or other recreation areas".</p> <p>{Intended to address domesticated livestock, allow different forfeiture schedule than 11(a). Wild animals addressed under 11(g).}</p>									XX		
NWO	<p>Unattended dogs (pets) making excessive noise: DISRUPTIVE BEHAVIOR BY ANY PERSON, or animal (pet) needs to be included, WHICH INTERFERES...OR IMPAIRS THE SAFETY...</p> <p>I have received numerous complaints about unattended dogs making excessive noise in recreation areas. There have also been occasions which an unattended dog has been tied up too close to the roadway and causes a safety hazard to vehicles and/or pedestrians.</p> <p>{See 11(a) modification, should address.}</p>									XX		
CENWK-CO-TR	<p>Insert "wild animals" after the word "allow". (This is needed to deter those who bring in caged or leashed wild or exotic animals.)</p> <p>{See above}</p>									XX		
SWF	<p>Pets may not be left unattended and tied to an object. Free-roaming, feral, unclaimed or unattended animals are subject to immediate impoundment and removal in accordance with state and local laws."</p> <p>{Outside our authority at present.}</p> <p>Unattended animals can, and often do, free themselves and endanger nearby campers. In this situation, it is difficult and dangerous to attempt to approach the animal.</p> <p>[Remaining subsections (b) through (f) of present regulation would then be relabeled (d) through (h).]</p>									XX		
	(d) Ranging, grazing, watering or allowing livestock on project lands and waters is prohibited except when authorized by lease, license or other written agreement with the District Engineer.											

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SAD	Sections 327.11(d) and (e): Combine these sections. (No-different forfeiture schedules for illegal grazing and impoundment fees for impounded cattle. Perhaps 11(e) and 11(f) could be combined, but it has not posed problems to date.)							XX			XX	
	(e) Unauthorized livestock are subject to impoundment and removal in accordance with Federal, state and local laws.											
SAD	Sections 327.11(d) and (e): Combine these sections.						XX			XX		
	(f) Any animal impounded under the provisions of this section may be confined at a location designated by the District Engineer, who may assess a reasonable impoundment fee. This fee shall be paid before the impounded animal is returned to its owner(s).											
CENWK-CO-TR	Add new subparagraph (g). The owner or responsible party shall be required to remove any dog which displays aggressive behavior or which poses a threat to public safety even though it is physically restrained. (More and more visitors are bringing in vicious dogs. Dog attacks on other visitors and Corps employees are increasing in number. The potential for a small child wandering too close to a vicious dog, leashed or not, and being seriously mauled or killed is frightening.) (See 11(g).)									XX		
SWL	Section 327.11(g). Add a phrase prohibiting potentially dangerous non-typical pets from the parks. Possible wording could be "Exotic animals and other non-typical pets including, but not limited to, bears; cougars; lions; wolves; and reptiles are prohibited in all parks, recreation areas, administrative, and interpretative facilities." Suggested new subsection 327.11(g): (g) Wild or exotic pets and animals (including, but not limited to cougars, lions, bears, bobcats, wolves and snakes), or any pets or animals displaying vicious or aggressive behavior, otherwise pose a threat to public safety, or are deemed a public nuisance, are prohibited from project lands and waters, and are subject to removal in accordance with Federal, state and local laws.		XX		++	++				XX		
	327.12 Restrictions.											

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LRD	<p>Statements regarding the use of alcohol, restricted areas, beach rules, and the wearing of PFDs should be developed and placed in this section. If the decision is made to adopt a restrictive alcohol policy then the following restriction could be added to this section, "The use or possession of alcoholic beverages on project lands and waters is prohibited unless authorized by lease, license, permit, or other written agreement by the District Engineer".</p> <p>{As per Ranger Safety Committee, alcohol would have to be handled locally-no feasible way or rationale to prohibit it nationally. Restricted areas already covered here (2nd sentence). Others are state/local laws.}</p>			XX							XX	
	(a) The District Engineer may establish and post a schedule of visiting hours and/or restrictions on the public use of a project or portion of a project. The District Engineer may close or restrict the use of a project or portion of a project when necessitated by reason of public health, public safety, maintenance, or other reasons in the public interest. Entering or using a project in a manner which is contrary to the schedule of visiting hours, closures or restrictions is prohibited.											
CELMVROD-T	<p>Remove the words "and post" from the first line and add the statement " Specific restriction of use are available at the project office and other staffed recreation areas."</p> <p>Although we will continue to place signs, this would eliminate the requirement to have signs posted at every conceivable location in order to enforce the restrictions.</p> <p>{Magistrates require a sign posted in a public place, but not in every single location. Unless there are public signs (especially for local restrictions) they will not convict.}</p>										XX	

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CEMVK	<p>Restrictions - This article should be revised as follows: "The District Engineer may establish and post a schedule of visiting hours and/or restrictions on the public use of a project or portion of a project. The District Engineer may close or restrict the use of a project or portion of a project when necessitated by reason of public health, public safety, maintenance, natural resources or other reasons in the public interest. Entering or using a project in a manner which is contrary to the schedule of visiting hours, closures or restrictions is prohibited." {See modification below.}</p> <p>Add that a violation of this section will be considered trespassing. For instance, if a Federal Magistrate has ordered an individual banned from all federal property for a specified period and the individual returns to the property. (Rangers cannot enforce a magistrate edict - this is a law enforcement issue, outside our role. Even if someone is banned from a park, if they return, we can only request they leave. We must get law enforcement help to remove them.)</p> <p>Suggested modification, 327.12(a): (a) The District Engineer may establish and post a schedule of visiting hours and/or restrictions on the public use of a project or portion of a project. The District Engineer may close or restrict the use of a project or portion of a project when necessitated by reason of public health, public safety, maintenance, protection of natural resources or other reasons in the public interest. Entering or using a project in a manner which is contrary to the schedule of visiting hours, closures or restrictions is prohibited.</p>			XX	—	—				XX	XX	
	(b) Quiet shall be maintained in all public use areas between the hours of 10 p.m. and 6 a.m., or those hours designated by the District Engineer. Excessive noise during such times which unreasonably disturbs persons is prohibited.											
CENWK-CO-TR	<p>Delete "public use areas". Revelers are very often found outside the park disturbing those within and adjacent private neighbors.</p> <p>{Guidance suggests such cases should be handled by law enforcement contracts, especially during the quiet time hours. Rangers typically should not be handling such situations alone. }</p>											

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SWF	<p>"Quiet shall be maintained in all public use project areas, including water areas, between the hours of 10 p.m. and 6 a.m...."</p> <p>This change would help curtail late night "drag racing" noise on the lake, an unreasonable disturbance to most campers. It would also allow rangers to tone down shoreline groups anywhere on the project which unreasonably disturb adjacent residents.</p> <p>(Again, law enforcement should be involved in some of these areas.)</p>			XX	—		XX				XX	
	(c) Any act or conduct by any person which interferes with, impedes or disrupts the use of the project or impairs the safety of another person is prohibited. Individuals who are boisterous, rowdy, disorderly or otherwise disturb the peace on project lands or waters may be requested to leave the project.											
CEMVK	<p>This article should be revised as follows:</p> <p>"Any act or conduct by any person which interferes with, impedes or disrupts the use of the project or impairs the safety of another person is prohibited. Individuals who are boisterous, rowdy, disorderly, <u>indecently exposed</u>, or otherwise disturb the peace on project lands or waters may be requested to leave the project <u>and forfeit any user fees paid</u>."</p> <p>(Adopt, as this is a problem on the increase. Input received indicated "lewd" may be a more legally useful term than "indecent," which is apparently very difficult to define in a legal sense. Under request to "forfeit fees;" under existing Corps-wide policy, refunds cannot be given at the field level, PERIOD. Giving Credit Vouchers for any remaining portion of rec use fees is administered in accordance with ER 1130-2-550 and other Division/District policies, handled separately from T36. Credit Vouchers are awarded at the discretion of the Project Manager, who is under no obligation to issue a voucher to someone removed from a park. We basically have the authority to not return use fees; adding this terminology to T36 would not likely pass legal review.)</p>								XX			

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NAP	<p>change the last sentence to read: "Individuals who are boisterous, rowdy, disorderly or otherwise disturb the peace on project lands or waters may be required to leave the project, and prohibited from using it in the future.</p> <p>RATIONALE: This provides stronger language and allows management the option of citing a disorderly individual and of requiring him/her to leave the project, not just requesting them to leave. Additionally, it provides the mechanism of lawfully banning a troublemaker from returning to the project the next day, week, month, etc.</p> <p>{We have no authority to "require" them to leave. "Request" is there by design.}</p>			XX							XX	
NAB	<p>Change last sentence - "Actions by individuals who are boisterous....on public lands or waters are prohibited and the individuals may in addition be directed to leave the project." The current regulation does not clearly state that the individual may be cited as well as directed to leave.</p> <p>{Reg already says action is prohibited, therefore it is legally citable.}</p> <p>Add Section - "Persons shall not enter an area posted "No Trespassing or Restricted Access" unless authorized." Entering these areas (operations areas, compounds, etc.) are of a serious nature. As a separate section a greater forfeiture could be utilized than that covered under 12(a) which usually includes relatively minor situations such as campground rules, etc.</p> <p>{Local issue-should go to magistrate, get different fines for different areas they enter. Could also press state charges for trespassing in addition to T36 citation. On a serious issue, we should call the cops.}</p> <p>Add Section - "Persons shall not enter into an area posted as dangerous, hazardous, or other area posted that might endanger the violator or another." The intent is the same as above to provide for a more serious collateral for those that might enter into a marked - dangerous tailrace, discharge, intake area, etc.</p> <p>{Still does not give any more clout than 12(a) currently gives.}</p>						XX			XX		

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SPD	Rewrite "...impairs the safety of another person..." to "...impairs the safety of any person..." Makes Part consistent with Parts 327.3(d) and 327.4(c). (Add as suggested, consistent with Vehicles and Vessels, could include potential danger to self.)				+					XX		
SWT	Add the word "or oneself". ("any" preferred) Suggested modification, 327.12(c): (c) Any act or conduct by any person which interferes with, impedes or disrupts the use of the project or impairs the safety of another any person is prohibited. Individuals who are boisterous, rowdy, disorderly, lewd or otherwise disturb the peace on project lands or waters may be requested to leave the project.				+					XX		
	(d) The operation or use of any audio or other noise producing device including, but not limited to, radios, televisions, or musical instruments and motorized equipment, including vessels or vehicles, in such a manner as to unreasonably annoy or endanger persons at any time or exceed state or local laws governing noise levels from motorized equipment is prohibited.											
CEMVK	Restrictions, noise - This article should be revised as follows: "The operation or use of any audio or other noise producing device including, but not limited to, radios, televisions, cassette players, compact disc players, or musical instruments and motorized equipment including vessels or vehicles, in such a manner as to unreasonably annoy or endanger persons at any time or exceed state or local laws governing noise levels from motorized equipment is prohibited." (Need to take care we do not get too specific, or name items that may become obsolete within a few years. See modification.)					+				XX		
SAD	Delete the phrase "...or exceed state and local laws governing noise levels from motorized equipment..." for the same rationale as in Item 5 above. (Still, we must have some legal standard to base our judgment upon for it to stand up in court. The referenced laws provide this.)										XX	

SOURCE	REVIEW	Significant Resource Protection	Forfeiture Schedule Adjust	Not Consistent with Ranger Role	Significant Safety Issue	Ease of Enforc.	Local Issue	Cosmetic/Semantic	Policy Chgs	Yes	No	No Consensus
SPD	Rewrite to add "generators". "The operation or use of any audio or any other noise producing device including, but not limited to, radios, televisions, or musical instruments and motorized equipment including generators, vessels or vehicles, in such a manner as to unreasonably annoy or endanger persons at any time or exceed state or local laws governing noise levels from motorized equipment is prohibited." {See modification}									XX		
CENWK-CO-TR	Add "generators" to the list of noise producing devices.									XX		
SWL	<p>Delete the words "or exceed state or local laws governing noise levels from motorized equipment" from the phrase. This has been an unenforceable measure and contributes nothing to the regulation. A paragraph should be developed to prohibit the unauthorized use of project facilities contrary to design and construction for recreation purposes (e.g. vehicle engine maintenance such as, but not limited to, oil changes; use of electrical service for power tool operation for repair; maintenance; construction or painting of boats and/or trailers; water tank truck loading at boat ramps; cleaning fish in restrooms or at water fountains, and unsafe personal conduct acts such as climbing buildings, poles, towers, and other project facilities). A paragraph should also be developed to prohibit public nudity, lewd behavior, sexual indecency, and loitering for such purposes in the restrooms and restroom parking lots. Expulsion from the project should be stated as a consequence of violating this paragraph.</p> <p>{Generally appears everything covered under other regs and mods, except fish cleaning in restroom, which should be handled under local posted restrictions.}</p> <p>Suggested modification, 327.12(d):</p> <p>(d) The operation or use of any audio or other noise sound producing device including, but not limited to, radios, televisions, or musical instruments and or motorized equipment, including generators, vessels or vehicles, in such a manner as to unreasonably annoy or endanger persons at any time or exceed state or local laws governing noise levels from motorized equipment is prohibited.</p>									XX		

SOURCE	REVIEW	Significant Resource Protection	Forfeiture Schedule Adjust	Not Consistent with Ranger Role	Significant Safety Issue	Ease of Enforc.	Local Issue	Cosmetic/Semantic	Policy Chgs	Yes	No	No Consensus
NAP	<p>327.12(e). Create this new section under 327.12 Restrictions. It shall read: The possession and/or consumption of alcoholic beverages at any portion of the project, or the entire project, is prohibited when designated by the District Engineer. RATIONALE: Currently, alcohol violations are enforced under 327.12(a) by most projects. It is a cumbersome section under which to enforce this regulation when the District Engineers elected to ban alcohol. Fortunately, in the Philadelphia District, our local rule adopted by the federal courts assigned a separate collateral forfeiture section for alcohol violations as 327.12 (e). To remain consistent throughout the Corps, we recommend that a separate section for alcohol violations, such as we have in this District, be adopted. (Agree, see new subsection 12(e))</p> <p>327.12(f). Create this as a new section specifically for beach regulations. Suggested wording would be as follows: The District Engineer may establish and post beach regulations, and may close or restrict the use of the beach, or portions thereof, when necessitated by reasons of public health, safety, maintenance operations or other reasons in the public interest. RATIONALE: Currently, beach regulations are enforced under 327.12 (a). Beach regulations can be quite lengthy and it would be better to have a separate collateral forfeiture section adopted just for these regulations. (Already covered, magistrates not likely to authorize a different forfeiture without a better rationale.)</p> <p>Suggested new subsection 327.12(e): <i>The possession and/or consumption of alcoholic beverages at any portion of the project land or waters, or the entire project, may be prohibited when designated and posted by the District Engineer.</i></p>		XX			+				XX		
	327.13 Explosives, Firearms, Other Weapons and Fireworks.											
	The possession of loaded firearms, ammunition, loaded projectile firing devices, bows and arrows, crossbows, explosives or explosive devices of any kind, including fireworks, is prohibited unless:											

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SAD	Revise to add - "The possession and/or discharge of ..." and delete the term "loaded" from "loaded firearms" and "loaded projectile firing devices." This should better clarify the issue of firearms and reduce risk to rangers. Also, need to add another exception to address concealed weapons carried in accordance with applicable state laws and permitting processes. (See modification and rationale that follows.)				XX					XX		
NAP	Delete the word "loaded" where it appears. RATIONALE: There is no logical reason for a person to carry a firearm of any type onto the project unless it is being used for legitimate hunting and fishing purposes. Therefore, by removing the word "loaded" from the regulations we are thus banning the carrying of firearms onto the project unless it is for legitimate purposes. We have had police respond to the project on various occasions when park patrons observed firearms on other visitors and feared for their own safety. When police arrive, there is no regulation they can apply to make the visitor take their firearm off the project, unless it was loaded. Rangers on night patrol have come upon visitors carrying firearms. The visitors claim they carry the firearms for their safety, yet our records show no incidents where a visitor would have needed a firearm to protect themselves. (See modification and rationale that follows.)				XX					XX		
NAB	Clarification - Separate fireworks from weapons, etc. and possession from use. This results in the same fine for possessing fireworks as a gun. Delete from first sentence "...including fireworks..." Add Section - "The possession or discharge of fireworks, as defined by state law, is prohibited unless permitted by a special events permit." (Agree to breakout, seek different forfeiture. See new subsection (b).)		XX							XX		

SOURCE	REVIEW	Significant Resource Protection	Forfeiture Schedule Adjust	Not Consistent with Ranger Role	Significant Safety Issue	Ease of Enforc.	Local Issue	Cosmetic/Semantic	Policy Chgs	Yes	No	No Consensus
LRD	<p>Recommend deletion of the term "loaded" from "loaded firearms" and "loaded projectile firing devices". This clarifies the issue of firearms and fireworks while not placing the ranger in situations of high risk where they may have to interact with a potentially dangerous armed individual.</p> <p>A statement will probably need to be added to this section that addresses concealed weapons as there are a number of state and local laws as well as ordinances that address this issue, particularly if we are going to continue to say that state and local laws shall apply on project lands and waters.</p> <p>{See modification and rationale that follows.}</p>				XX					XX		
SPD	<p>Add "chemical weapons". "The possession of loaded firearms, ammunition, loaded projectile firing devices, bows and arrows, crossbows, chemical weapons, or explosive devices..."</p> <p>{ie, pepper spray, mace. It is legal to carry these anywhere except on a commercial airplane. State law issue.}</p>										XX	
CENWK-CO-TR	<p>The possession of loaded firearms or other loaded projectile firing devices, explosives or explosive device of any kind including fireworks is prohibited unless: (1) in the possession a Federal, state or local law enforcement officer; (2) being used for hunting or fishing as permitted under Section 327.8, with devices being unloaded when transported to, from or between hunting and fishing sites; (3) being used at authorized shooting ranges; (4) participation in a living history program; or (5) written permission has been received from the District Engineer.</p> <p>{See modification and rationale that follows. Living history programs should have special event permit authorizing use of firearms.}</p>									XX		
CENWK-CO-TR	<p>Add the following sentence: "Target shooting is prohibited except where permitted."</p> <p>{Already declares limitations - would be redundant.}</p>										XX	