(b) The placement and/or operation of any vessel or watercraft for a fee or profit upon project waters or lands is prohibited except as authorized by permit, license, or other written agreement with the District Commander or aircraft forced to land due to circumstances beyond the control of the operator of the vessel or aircraft. Nothing in this section bestows authority to deviate from rules and regulations or permits or authorizes the operation of water resources development projects which are under the administrative jurisdiction of the Chief of Engineers.

327.26 Vessels.
(a) This section pertains to all vessels, including, but not limited to, powerboats, non-powered flight devices or any other such equipment. Vessels shall not be parked in violation of posted restrictions and regulations, or in such a manner as to obstruct or impede normal or emergency traffic movement or the parking of other vehicles, create a safety hazard, or endanger any person, property or environment. Vehicles so parked are subject to removal and impoundment at the owner's expense.
(b) Vessels shall be operated in accordance with posted restrictions and regulations. No person shall operate any vessel on project waters or lands in a careless, negligent, or reckless manner so as to endanger any person, property or environmental feature.
(c) Vessels or other watercraft may be operated on the project waters, except in prohibited or restricted areas, in accordance with posted regulations and restrictions, including buoys. All vessels or watercraft so required by applicable Federal, state and local laws shall display an appropriate registration on board whenever the vessel is on project waters.
(d) No person shall operate any vessel or other watercraft in a careless, negligent, or reckless manner so as to endanger any person, property, or environmental feature. Vessels shall not be parked or anchored to structures such as locks, dams, buoys or other structures unless authorized by the District Commander. All vessels not in actual use shall be removed from project lands and waters unless securely moored or stored at designated areas approved by the District Commander. The placing of fishing or stationary mooring facilities, without prior authorization or mooring works, or unmoored vessels or non-powered flight devices, or any other such equipment, renders the exhaust muffler ineffective in muffling the sound of engine exhaust. No vessel, when on project waters, shall have safety equipment, including personal flotation devices, on board in compliance with U.S. Coast Guard boating safety requirements and in compliance with boating safety laws and regulations issued by the chief of the state in which the vessel is located. Owners or operators of vessels not in compliance with this section may be required to remove the vessel immediately from project waters until such time as items of non-compliance are corrected.
(e) No person operating any aircraft shall be presumed to be responsible for its use on project lands and waters unless securely moored or stored at designated areas approved by the District Commander. The placing or operation of any vehicle, vessel or aircraft as described in this part shall be presumed to be responsible for its use on project lands and waters unless proven otherwise. Such presumption will be sufficient to issue a citation for the violation of regulations applicable to the use of such vessels, vessel or aircraft as provided for in Sec. 327.25.
(f) All vessels, when on project waters, shall have safety equipment, including personal flotation devices, on board in compliance with U.S. Coast Guard boating safety requirements and in compliance with boating safety laws and regulations issued by the chief of the state in which the vessel is located. Owners or operators of vessels not in compliance with this section may be required to remove the vessel immediately from project waters until such time as items of non-compliance are corrected.
(g) Water ski, parasails, ski-kites and similar devices are permitted in nonrestricted areas except that they may not be used in a careless, negligent, or reckless manner so as to endanger any person, property or environmental feature.
(h) Vessels shall not be parked or anchored to structures such as locks, dams, buoys or other structures unless authorized by the District Commander. All vessels not in actual use shall be removed from project lands and waters unless securely moored or stored at designated areas approved by the District Commander. The placing of fishing or stationary mooring facilities, without prior authorization, or mooring works, or unmoored vessels or non-powered flight devices, or any other such equipment, renders the exhaust muffler ineffective in muffling the sound of engine exhaust.

Title 36 — Parks, Forests, and Public Property

Chapter 111 — U.S. ARMS CORPS OF ENGINEERS

PART 327—RULES AND REGULATIONS GOVERNING PUBLIC USE OF WATER RESOURCES DEVELOPMENT PROJECTS ADMINISTERED BY THE CHIEF OF ENGINEERS

Sec. 327.1 Policy.
(a) It is in the policy of the Secretary of the Army, acting through the Chief of Engineers, to manage the national, cultural, and developed resources of each project in the public interest, providing the public with safe and healthful recreational opportunities while protecting and enhancing these resources.
(b) Unless otherwise indicated in this part, the term "District Commander" shall include the authorized representative of the District Commander.
(c) The term project, or water resources development project, refers to the waters area of any water resources development project administered by the Chief of Engineers, without regard to ownership of underlying land, to all lands owned in fee by the United States or all lands, including, but not limited to, permits, easements, leases, licenses or other written agreements, in whole or in part, within any water resources development project administered by the Chief of Engineers, or to the extent that the regulations in this part 327 are not inconsistent with such permits and Federal laws and regulations.
(d) All water resources development projects open for public use shall be available to the public without regard to sex, race, color, creed, age, nationality, or place of origin in the conduct of the operations under the lease, license or concessions containing the project lands and waters.
(e) In addition to the regulations in this part 327, all applicable Federal, state and local laws and regulations remain in full force and effect on project lands or waters which are regulated by the District Commander by lease, license or other written agreement.
(f) The regulations in this part 327 shall be deemed to apply to those lands and waters which are subject to permits and Federal laws and regulations concerning the rights of Indian Nations and which lands and waters are incorporated, in whole or in part, within water resources development projects administered by the Chief of Engineers, to the extent that the regulations in this part 327 are not inconsistent with such permits and Federal laws and regulations.
(g) Any violation of any section of this part 327 shall constitute a separate violation for each calendar day in which it is violated.
(h) For the purposes of this part 327, the operator of any vehicle, vessel or aircraft as described in this part shall be presumed to be responsible for its use on project lands and waters unless proven otherwise. Such presumption will be sufficient to issue a citation for the violation of regulations applicable to the use of such vessels, vessel or aircraft as provided for in Sec. 327.25.
(i) The use of a project at any vessel not constructed or maintained in compliance with the standards and requirements established by the Federal Waterways Estate Act of 1917 (Pub. L. 60-75, 39 Stat. 746) is prohibited. The regulations covered in this part 327 shall be applicable to water resources development projects, completed or under construction, administered by the Chief of Engineers, and to those portions of jointly administered water resources development projects which are under the administrative jurisdiction of the Chief of Engineers. ALL OTHER FEDERAL, STATE AND LOCAL LAWS AND REGULATIONS REMAIN IN FULL FORCE AND EFFECT WHERE APPLICABLE TO THESE WATER RESOURCES DEVELOPMENT PROJECTS.
(a) Any animal impounded under the provisions of this section may be confined at a project site or premises, except in areas designated by the District Commander, and are subject to removal in accordance with Federal, state and local laws.

327.12 Restrictions.

(a) The District Commander 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 Commander may close or restrict the use of a project or portion of a project when

(1) The District Commander has determined that the project is prohibited.

(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 Commander. Excessive noise during such periods or any time of the day or night may result in the relocation of the seaplane if necessary.

(c) Any act or conduct by any person which interferes with, impedes or disrupts the use of the project or impairs the safety of any person is prohibited. Individuals who are found to be engaging in activities that otherwise physically restrain or otherwise full and free use of project lands and waters by the public. No person shall allow animals to impede or restrict otherwise full and free use of project lands and waters by the public.

(d) The operation or use of any sound producing or motorized equipment, including but not limited to generators, vessels or vehicles, in such a manner as to unreasonably annoy or endanger others at any time or exceed state or local laws governing noise levels from motorized equipment is prohibited.

(e) The possession and/or consumption of alcoholic beverages on any portion of the project land or waters, or the entire project, may be prohibited when designated and posted by the District Commander.

(f) Unless authorized by the District Commander, smoking is prohibited in Visitor Centers, enclosed park buildings and in areas posted to restrict smoking.

327.13 Explosives, firearms, other weapons and fireworks.

(a) The possession of loaded firearms, ammunition, loaded projectiles (firing devices), bows and arrows, crossbows, fireworks, firecrackers, demolition charges, etc. is prohibited.

(b) In the possession of a Federal, state or local law enforcement officer.

(c) Being used for hunting or fishing as permitted under 327.8, with devices being unloaded when transported to, from between hunting and fishing sites;

(d) Being used at authorized shooting ranges, or

(e) Written permission has been received from the District Commander.

(f) Possession of explosives or explosive devices of any kind, including fireworks or other pyrotechnic devices, is prohibited unless written permission has been received from the District Commander.

327.14 Public property.

(a) Distraction, injury, defacement, removal or alteration of public property including damage to or theft of natural formations, wildlife, historical and architectural features, boundary markers and other signs, is prohibited except when in accordance with written permission of the District Commander.

(b) Cutting or gathering of trees or parts of trees and/or the removal of wood from project lands is prohibited.

(c) Gathering of dead wood on the ground for use in designated recreation areas as firewood is permitted, unless prohibited by the District Commander.

(d) The use of metal detectors is permitted on designated beaches or other previously disturbed areas unless prohibited by the District Commander for reasons of protection of cultural resources; special information regarding metal detector policy and designated areas are available at the Manager’s Office. Items found must be handled in accordance with Sections 327.15 and 327.16 except for non-identifiable items such as coats of value less than $25.

327.15 Abandonment and impoundment of personal property.

(a) No property of any kind shall be abandoned, stored or left unattended upon project lands or waters. After a period of 24 hours, or after a time posted by the District Commander, personal property may be impounded and stored in a storage room provided by the District Commander who may assess a reasonable impoundment fee. This fee shall be paid before the abandoned item is returned to its owner(s).

(b) Wild or exotic pets and animals (including but not limited to cougars, bears, boars, snakes, or other large animals) that are observed to be behaving in an abnormal manner or behavior or otherwise posing a threat to public safety or presumed to be infesting project lands shall be dealt with in accordance with state law, and are subject to removal in accordance with Federal, state and local laws.

327.16 Permits.

(a) It shall be a violation of this part to refuse to or fail to comply with the fee schedule and/or conditions of any permit issued by the District Commander.

(b) A permit for such a purpose shall be issued by the Manager of the facility, in accordance with the fee schedule and/or conditions of any permit issued by the District Commander.

(c) A permit for such a purpose shall be issued by the Manager of the facility, in accordance with the fee schedule and/or conditions of any permit issued by the District Commander.

(d) A permit for such a purpose shall be issued by the Manager of the facility, in accordance with the fee schedule and/or conditions of any permit issued by the District Commander.
(b) Where such fees are charged, the District Commander shall insure that clear notice of fee requirements is prominently posted at each area, and at appropriate locations therein and that the notice be included in publications distributed at such areas. Failure to pay authorized day use fees, and/or properly display applicable receipt, permit or pass is prohibited.

(4) Any Golden Age or Golden Access Passport permittee shall be entitled, upon presentation of such a permit, to million special recreation facilities at a cost of 50 percent off the established use fee for Federally operated areas. Freshwater use of a Golden Age or Golden Access Passport is prohibited.

327.24 Interference with Government employment.

(a) It is a Federal crime pursuant to the provisions of sections 111 and 1114 of Title 18, United States Code, to forcibly assault, resist, oppose, impede, intimidate, or otherwise interfere with, attempt to kill or kill any federal official or employee of the U.S. Army Corps of Engineers engaged in the performance of his or her official duties, or on account of the performance of his or her official duties. Such actions or interference directed against a Federal employee while carrying out the regulations in this part are also a violation of such regulations and may be a state crime pursuant to the laws of the state where they occur.

(b) Failure to comply with a lawful order issued by a Federal employee acting pursuant to the regulations in this part shall be considered as interference with that employee while engaged in the performance of his or her official duties. Such interference with a Federal employee violates section 202 of title 42, United States Code. Failure to provide a correct name, address or other information deemed necessary for identification upon request of the Federal employee, when that employee is authorized by the District Commander to issue citations in the performance of the employee's official duties.

327.25 Violations of rules and regulations.

(a) Any person who violates the provisions of this regulation in this part, other than for a felony to pay authorized recreation use fees as separately provided for in Sec. 327.23, may be punished by a fine of not more than $5,000 or imprisonment for not more than six months or both and may be tried and sentenced in accordance with the provisions of section 3463 of Title 18, United States Code. Persons designated by the District Commander shall have the authority to issue a citation for violations of the regulations in this part, requiring any person charged with the violation to appear before the United States Magistrate within whose jurisdiction the affected water resources development project is located (16 U.S.C. 460h).

(b) Any person who commits an act against any official or employee of the U.S. Army Corps of Engineers that is a crime under the provisions of section 111 or section 1114 of Title 18, United States Code or under provisions of pertinent state law may be tried and sentenced as further provided under Federal or state law, as the case may be.

327.26 State and local laws.

(a) Except as otherwise provided in this part or by Federal law or regulation, state and local laws and ordinances shall apply on project lands and waters. This includes, but is not limited to, state and local laws and ordinances governing:

1. Operation and use of motor vehicles, vessels, and aircraft;
2. Hunting, fishing and trapping;
3. Use or possession of firearms or other weapons;
4. Civil disobedience and criminal acts;
5. Lighting, sanitation and pollution; and
6. Alcohol or other controlled substances.

(b) These state and local laws and ordinances are enforced by those state and local enforcement agencies established and authorized for that purpose.

327.27 (Reserved)

327.28 (Reserved)

327.29 (Reserved)