

NATIONAL MARINE SANCTUARIES ACT SUMMARY SETTLEMENT SCHEDULE

This schedule is intended to apply solely to de minimis or technical violations of the prohibitions outlined below. It should not be used in any case that has aggravating factors. It should also not be used if the issuing officer or agent has knowledge of repeat or prior violations by the same offender(s) or when discovered in conjunction with other violations. In situations where this schedule does not apply, the Policy for the Assessment of Civil Administrative Penalties and Permit Sanctions shall apply.

Summary Settlements are to be issued only to the extent those activities are prohibited in the specific sanctuary.

VIOLATION	VIOLATION HISTORY – PENALTY AMOUNT FIRST VIOLATION
De minimis alteration of, destruction of, or construction on seabed	\$500
in a special marine protected area ¹ of any type	\$1,000
Use of sanctuary moorings in a prohibited manner	\$250
in a special marine protected area of any type	\$500
Possessing minor amounts of explosives, electrical charges, poisons, or similar destructive devices	\$300
in a special marine protected area of any type	\$600

¹ For the purposes of this Summary Settlement schedule, special marine protected areas include, but are not limited to: Ecological Reserves, Wildlife Management Areas, Marine Reserves, Marine Conservation Areas, Special Use Areas and Sanctuary Preservation Areas

VIOLATION	VIOLATION HISTORY – PENALTY AMOUNT FIRST VIOLATION
Operating a motorized personal watercraft or aircraft in prohibited areas or in a prohibited manner that results in no impact or only de minimis impact to the sanctuary	\$350
in a special marine protected area of any type	\$700
Injuring, moving, removing, taking, possessing, harvesting, landing, damaging, disturbing, or possessing (or attempting the same) living marine organisms or specimens (birds, live rock, tropical fish, invertebrates, algae, marine plants, etc.), bottom formations, or shells with only de minimis impact to the sanctuary	\$400
in a special marine protected area of any type	\$800
Marking, defacing, damaging or tampering with any official signage, boundary markers, stakes, posts, mooring buoys, boundary buoys, trap buoys, scientific equipment, navigation aids, monuments, notices or placards	\$400
in a special marine protected area of any type	\$800
Displacing or removing any official signage, boundary markers, stakes, posts, mooring buoys, boundary buoys, trap buoys, scientific equipment, navigation aids, monuments, notices or placards	\$750
in a special marine protected area of any type	\$1500

VIOLATION	VIOLATION HISTORY – PENALTY AMOUNT FIRST VIOLATION
Possessing prohibited fishing gear (with no fish onboard) or failing to have gear not available for immediate use / failing to stow when required	\$100
in a special marine protected area of any type	\$200
Fishing, or possessing up to ten fish, in a prohibited area, or while using prohibited gear or while using gear in a prohibited manner	\$300
in a special marine protected area of any type (including Key Largo and Looe Key Management Areas)	\$600
Diving, snorkeling or conducting diving operations from a vessel in a prohibited manner or prohibited area, including failure to display a dive flag	\$150
in a special marine protected area of any type	\$300
Discharge or deposit of any non-exempt material or matter (e.g., fuel, oil, oily bilge waste, unprocessed non-hazardous trash or raw material or entangling material) that results in no impact or de minimis impact to the sanctuary	\$500
in a special marine protected area of any type	\$1,000
Unsecured Marine Sanitation Device on board a vessel	\$400
in a special marine protected area of any type	\$800

VIOLATION	VIOLATION HISTORY – PENALTY AMOUNT FIRST VIOLATION
Discharge of raw or primary treated sewage from a vessel	\$800
in a special marine protected area of any type	\$1,600
Unauthorized discharge from a cruise ship (< 1,000 gallons)	\$1,500
in a special marine protected area of any type	\$3,000
Discharge of dredge spoil or construction / maintenance sediment spoils in a de minimis amount (<50 yds ³)	\$1,500
in a special marine protected area of any type	\$3,000
Unauthorized dredge operations	\$1,500
in a special marine protected area of any type	\$3,000
Conducting permitted activities without a Sanctuary permit on site	\$100
in a special marine protected area of any type	\$200
Attracting or approaching any white shark (<i>Carcharodon carcharias</i>) in a prohibited area of the sanctuary	\$500
Operating a vessel in such a manner as to strike or otherwise injure seagrass or any other immobile organism attached to the seabed	Seagrass and hardbottom under 1 square yard damage = \$100; in addition, \$75 for each additional square yard up to 10 square yards
Anchoring in a seagrass bed	Seagrass and hardbottom under 1 square yard damage = \$100; in addition, \$75 for each additional square yard up to 10 square yards

VIOLATION	VIOLATION HISTORY – PENALTY AMOUNT FIRST VIOLATION
Touching living or dead coral, including but not limited to, standing on a living or dead coral formation in a sanctuary preservation area	\$100
Collecting jade	\$300
in a special marine protected area of any type	\$600
Approaching or causing a vessel to or other object to approach, by any means, within 100 yards of any humpback whale except as authorized under the MMPA or ESA	
Commercial operator	\$750
Non-Commercial operator	\$350