

**NATIONAL MARINE SANCTUARIES
SUMMARY SETTLEMENT & FIX-IT SCHEDULE**

This schedule applies only to violations of the prohibitions listed below that cause no more than a de minimis impact to sanctuary resources. Whether a given violation causes only de minimis impact to the resource may vary for each National Marine Sanctuary. This schedule 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.

NOTE: These Summary Settlements are to be issued only to the extent these activities are prohibited in the specific National Marine Sanctuary where the violation occurred.

| VIOLATION | VIOLATION HISTORY – PENALTY AMOUNT |
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| Alteration of, destruction of, or construction on the seabed that causes no more than a de minimis impact to the sanctuary. | \$500 |
| in a special marine protected area ¹ of any type | \$1,000 |

¹ All violations have an elevated penalty amount when they occur in a special marine protected area of any type. For the purposes of this 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 or Existing Management Areas.

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| Use of sanctuary moorings in a prohibited manner that causes no more than a de minimis impact to the sanctuary. | \$250 |
| in a special marine protected area of any type | \$500 |
| Possessing minor amounts of explosives, electrical charges, poisons, or similar destructive devices that causes no more than a de minimis impact to the sanctuary. | \$300 |
| in a special marine protected area of any type | \$600 |
| Operating a vessel, motorized personal watercraft, airboat, or aircraft in prohibited areas or in a prohibited manner that causes no more than a de minimis impact to the sanctuary. | \$350 |
| in a special marine protected area of any type | \$700 |
| <p>In idle speed / no wake zone, operating a vessel at a speed greater than idle speed only / no wake that causes no impact to the sanctuary.</p> <p>In “no motor” zone, using internal combustion motors or engines for any purpose that causes no impact to the sanctuary.</p> <p>In “no-access buffer” zone, entering the area by vessel that causes no impact to the sanctuary.</p> <p>In those marine portions of any area designated as closed, entering or using the area that causes no impact to the sanctuary.</p> | Fix-It Notice (Exit area immediately or reduce speed, as applicable) |

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| 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 that causes no more than a 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 |
| 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 | \$600 |

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| 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 more than a de minimis impact to the sanctuary. | \$800 |
| in a special marine protected area of any type | \$1,600 |
| Unsecured Marine Sanitation Device on board a vessel | \$400 |
| in a special marine protected area of any type | \$800 |
| Discharge of raw or primary treated sewage from a vessel that results in no more than a de minimis impact to the sanctuary. | \$800 |
| in a special marine protected area of any type | \$1,600 |
| Unauthorized discharge from any vessel (< 1,000 gallons) that results in no more than a de minimis impact to the sanctuary. | \$1,500 |
| in a special marine protected area of any type | \$3,000 |
| in or adjacent to sensitive marine habitats, including coral reefs, eel grass beds, surf grass beds, and rocky shores (< 50 gallons) | \$1,500 |

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| Unauthorized dredge operations that results in no more than a de minimis impact to the sanctuary. | \$1,500 |
| in a special marine protected area of any type | \$3,000 |
| Conducting permitted activities without a Sanctuary permit on site/issued | \$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 that causes damage to seagrass attached to the seabed resulting in no more than a de minimis impact to the sanctuary. | \$350 |
| Anchoring instead of using a mooring buoy/designated anchoring area when available | \$1,500 |
| Anchoring when mooring buoy must be used | \$2,000 |
| Touching living or dead coral, including but not limited to, standing on a living or dead coral formation | \$100 |
| in a special marine protected area of any type | \$200 |
| Collecting jade | \$300 |
| in a special marine protected area of any type | \$600 |

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| Approaching, or causing a vessel or other object to approach, by any means, within 100 yards of any humpback whale | |
| Commercial operator | \$1,000 |
| Non-Commercial operator | \$500 |
| Operating/towing a vessel greater than 50 meters in length in an Area To Be Avoided in the Florida Keys National Marine Sanctuary - incursion of 2 miles or less | \$2000 |