**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** |
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| De minimis alteration of, destruction of, or construction on seabed  in a special marine protected area[[1]](#footnote-1) of any type | $500  $1,000 |
| Use of sanctuary moorings in a prohibited manner  in a special marine protected area of any type | $250  $500 |
| Possessing minor amounts of explosives, electrical charges, poisons, or similar destructive devices  in a special marine protected area of any type | $300  $600 |
| 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  in a special marine protected area of any type | $350  $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  in a special marine protected area of any type | $400  $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  in a special marine protected area of any type | $400  $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  in a special marine protected area of any type | $750  $1500 |
| Possessing prohibited fishing gear (with no fish onboard) or failing to have gear not available for immediate use / failing to stow when required  in a special marine protected area of any type | $100  $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  in a special marine protected area of any type (including Key Largo and Looe Key Management Areas) | $300  $600 |
| Diving, snorkeling or conducting diving operations from a vessel in a prohibited manner or prohibited area, including failure to display a dive flag  in a special marine protected area of any type | $150  $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  in a special marine protected area of any type | $500  $1,000 |
| Unsecured Marine Sanitation Device on board a vessel  in a special marine protected area of any type | $400  $800 |
| Discharge of raw or primary treated sewage from a vessel  in a special marine protected area of any type | $800  $1,600 |
| Unauthorized discharge from a cruise ship (< 1,000 gallons)  in a special marine protected area of any type | $1,500  $3,000 |
| Discharge of dredge spoil or construction / maintenance sediment spoils in a de minimis amount (<50 yds3  in a special marine protected area of any type | $1,500  $3,000 |
| Unauthorized dredge operations  in a special marine protected area of any type | $1,500  $3,000 |
| Conducting permitted activities without a Sanctuary permit on site  in a special marine protected area of any type | $100  $200 |
| Attracting or approaching any white shark (*Carcharodon carcharias)* 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 |
| 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  in a special marine protected area of any type | $300  $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  Non-Commercial operator | $750  $350 |

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 [↑](#footnote-ref-1)