



**Florida Department of Environmental Protection**  
**Florida Coastal Office – SE Region**

# Florida's Coral Reef Protection Act

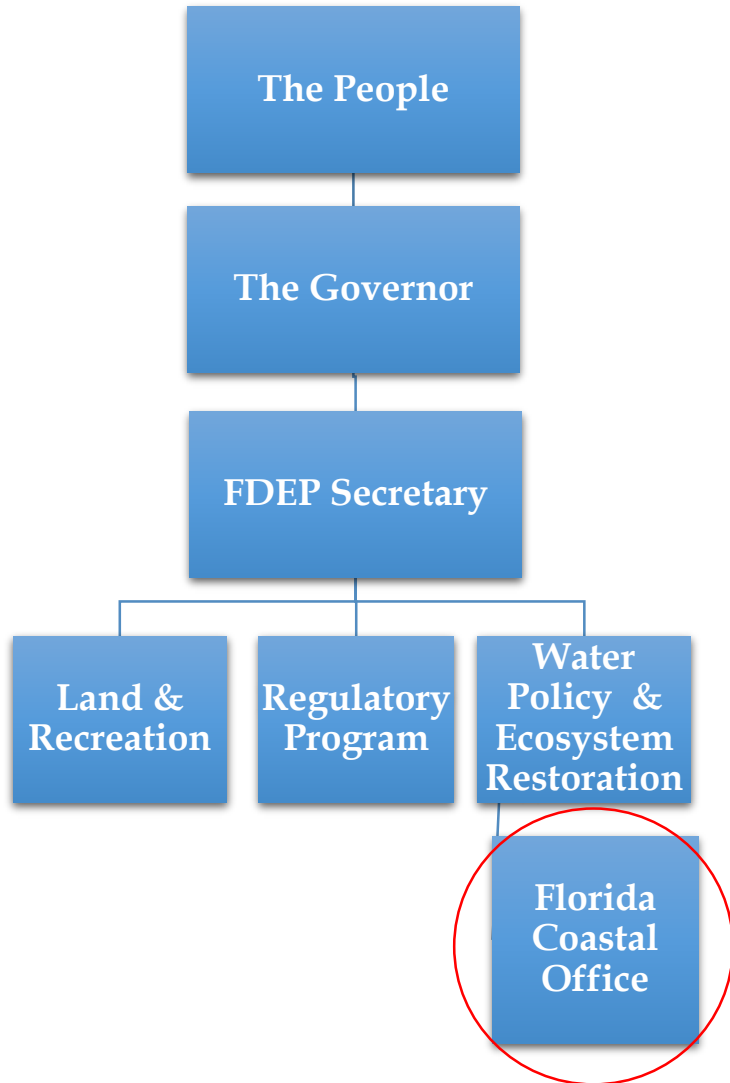
**March 2, 2016**

**Joanna C. Walczak**  
**Florida Coastal Office**  
**SE Regional Administrator**





# Florida Coastal Office (FCO)



## FCO Mission

*“Conserving and Restoring Florida’s Coastal and Aquatic Resources for the Benefit of People and the Environment.”*

## Vision

*“A healthy coastal and aquatic environment, achieved through credible science, partnerships, stakeholder input, and place-based management that encourages sustainable recreation, education, and economic opportunity.”*



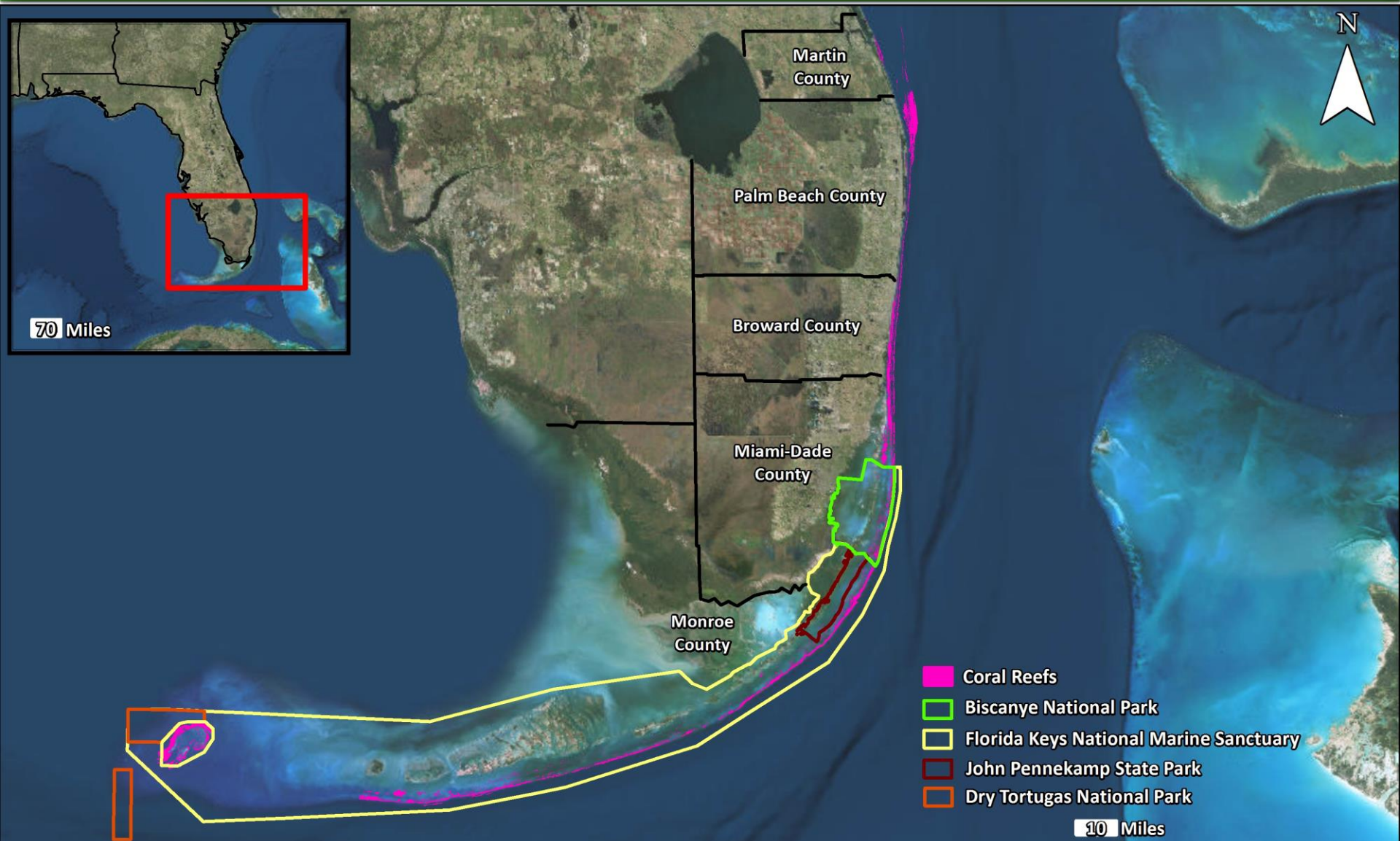
# Florida Coastal Office (FCO)

- Florida's Coastal Office (FCO) [formerly CAMA]
  - 41 Aquatic Preserves (AP)
  - Coastal Zone Management (CZM)
  - Coral Reef Conservation Program (CRCP)
  - Florida Keys National Marine Sanctuary (FKNMS)
  - 3 National Estuary Research Reserve (NERR)
  - Outer Continental Shelf (OCS)





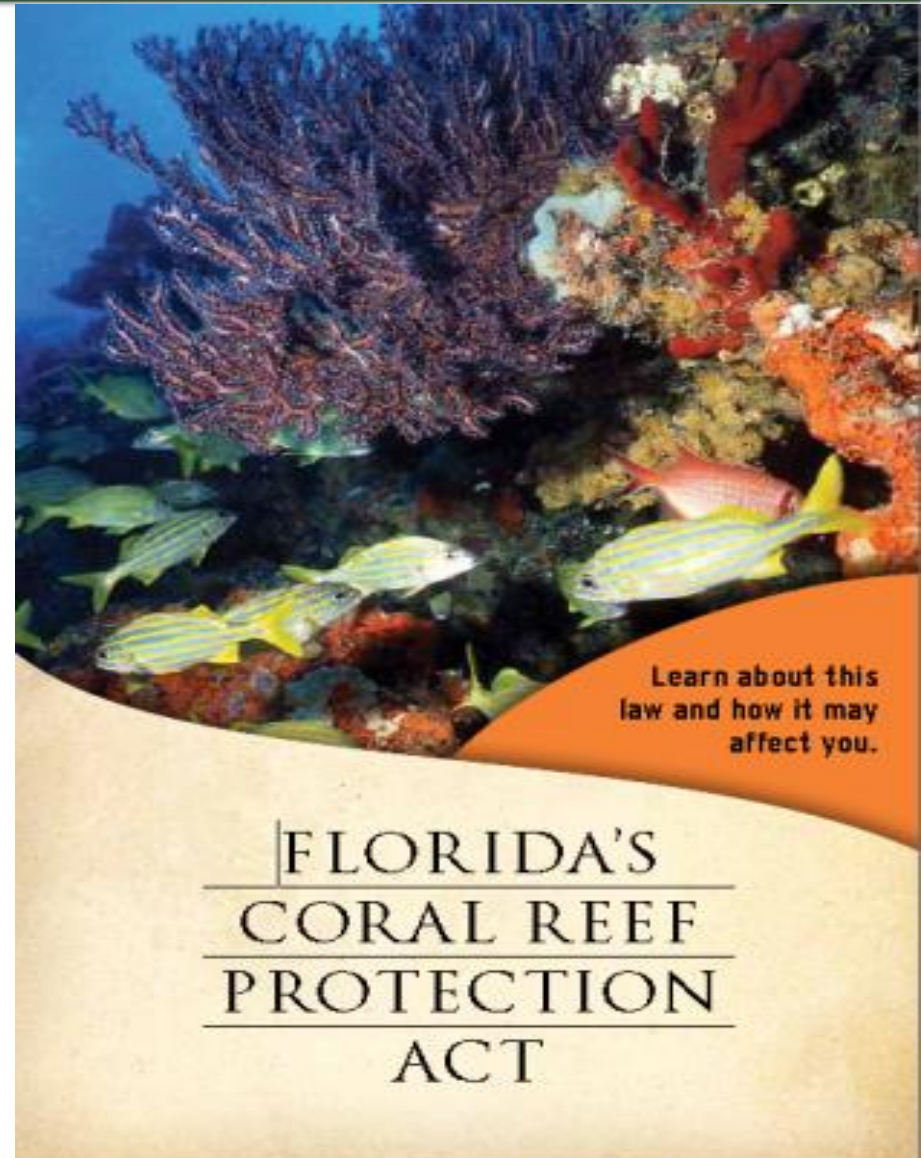
# SE Region - Florida Reef Tract





# Florida's Coral Reef Protection Act

- Based on a recommendation from the Southeast Florida Coral Reef Initiative (SEFCRI) – DEP staff co-authored the language.
- Florida Legislature passed the Coral Reef Protection Act (CRPA) in July 2009.
- Florida Statue *403.93345*.
- Makes it illegal to anchor on and/or otherwise damage coral reef in State waters.
- Gives DEP the authority to enforce such violations and collect damages from responsible parties. DEP is the only agency enforcing the CRPA.
- Provides protection to corals reef resources in the Florida Reef Tract (5 counties).





# Florida's Coral Reef Protection Act



- DEP can pursue the owner, operator, insurer, or manager of the vessel as the Responsible Party (RP).
- The RP must notify DEP within 24 hours of damage and remove vessel within 72 hours in a way that minimizes any additional impacts.
- RP must cooperate with DEP in all efforts of restoring the coral reef to pre-impact conditions, in a timely manner.
- Penalty and compensatory mitigation options available, as well as recovery of Resource Trustee response costs.
- Educational or warning letter issued for 1<sup>st</sup> time recreational impacts, unless damage is greater than 1m<sup>2</sup>.





# Florida's Coral Reef Protection Act

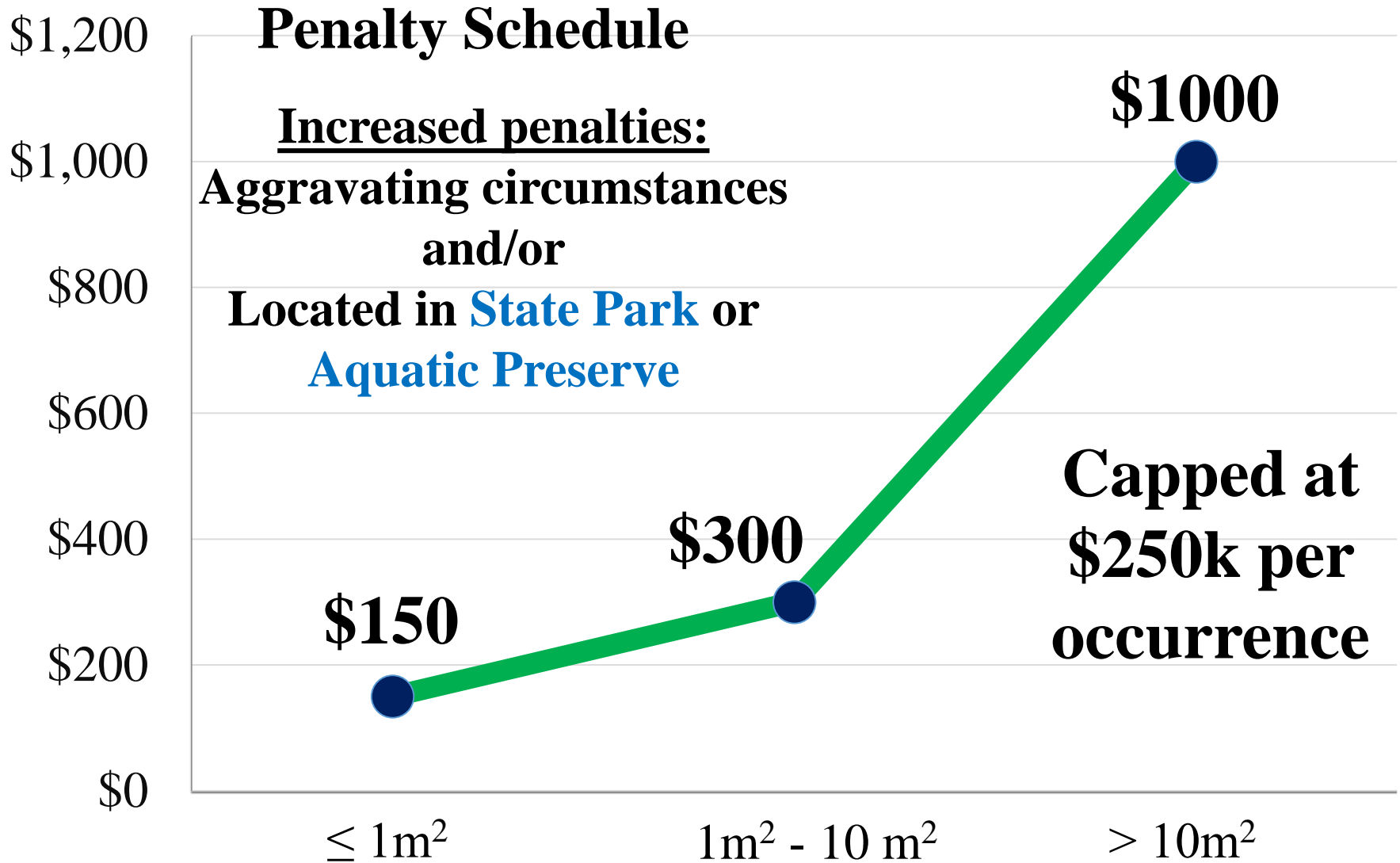
## Civil Penalties

- Used for triggering immediate and continued compliance with the CRPA.
- Imposed in an effort to deter the RP and other vessel operators from violating the CRPA in the future.
- Originally based solely on size of injury area.
- Now assessed based on factors including: the area of impact or damage to the coral reef (measured in square meters), violation history of offender, and the occurrence of aggravating circumstances.





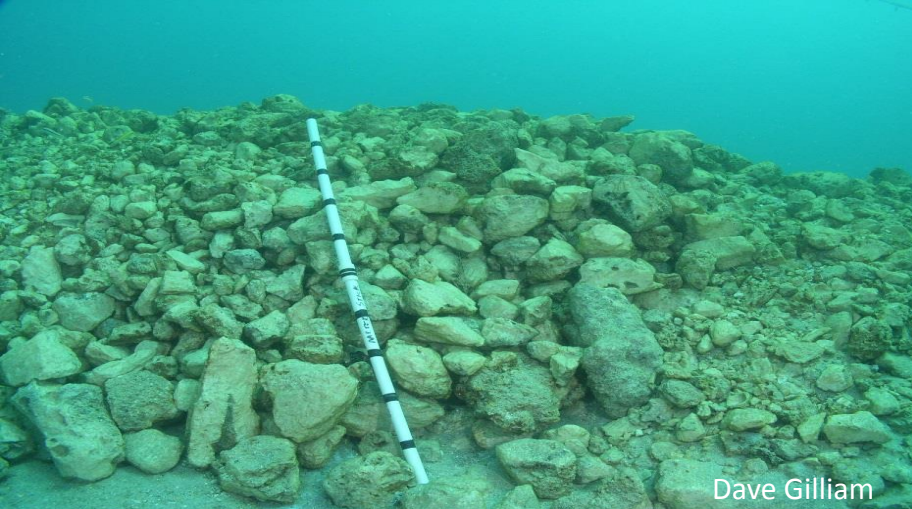
# Florida's Coral Reef Protection Act







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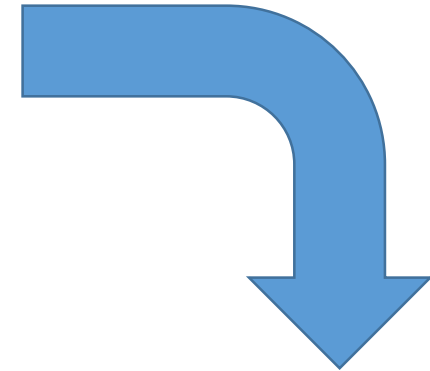
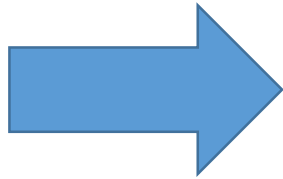


## Compensatory Mitigation

- Fines levied against violators, in order to compensate for damage and lost ecosystem services.
- Determined on a case-by-case basis and has no maximum in dollar amount.
- Violators required to pay compensatory damages in the amount equal to the costs required to return the coral reef to pre-injury condition.
- Calculated using a model called the Habitat Equivalency Analysis (HEA).



# Florida's Coral Reef Protection Act



Polaris Applies Sciences, Inc.,

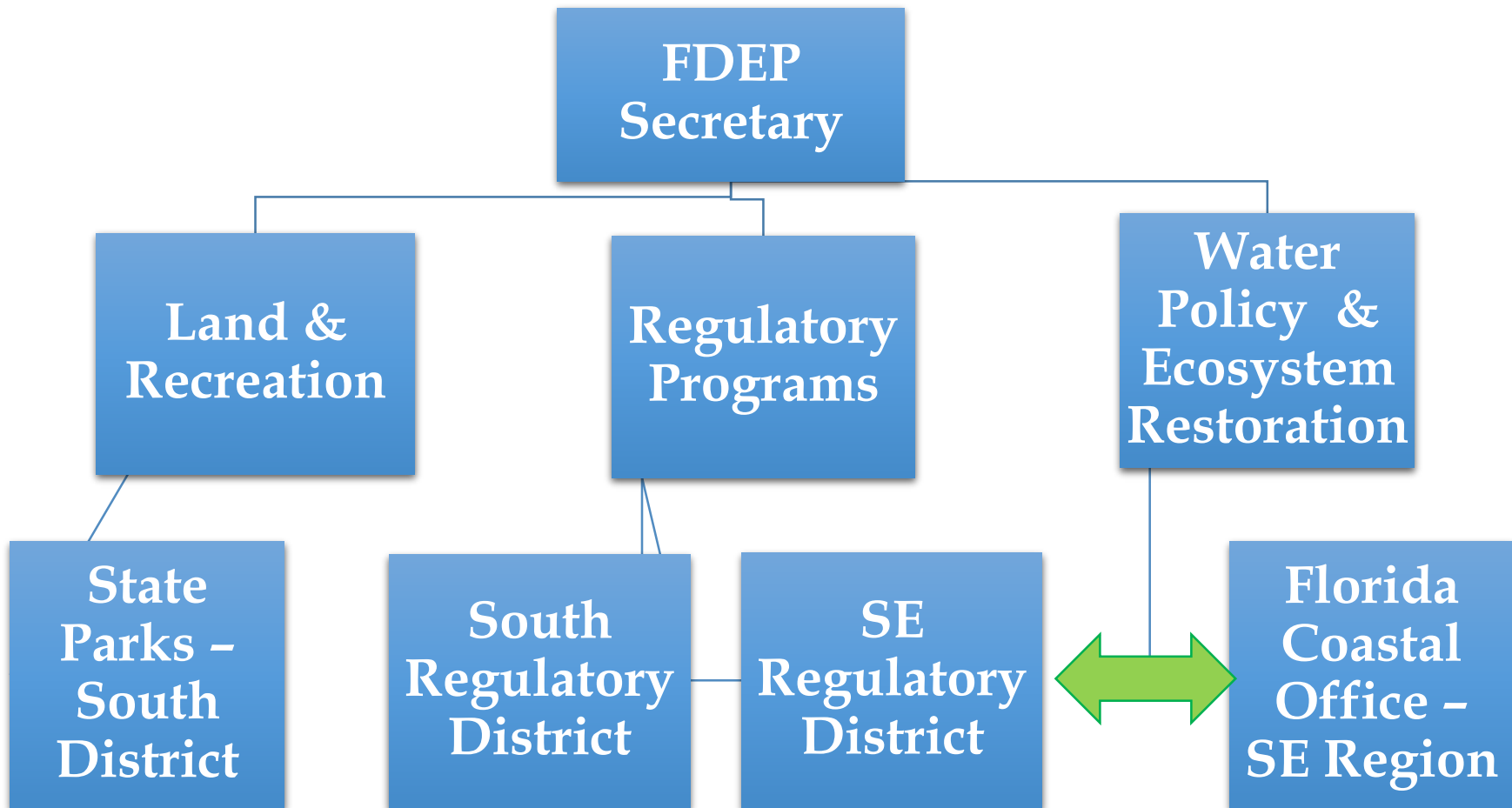


Kirk Kilfoyle Kirk Kilfoyle (NSU)

1. Reimburse agency response costs
2. Restoration of injury
3. Alternative projects that have benefit to the injured area and/or reef users of the injured area



# Current CRPA Coordination





# Reef Injury Prevention & Response (RIPR)

## Program Goal

To reduce impacts to coral reef habitat via education & outreach, increased enforcement, and targeted projects.

## Program Objectives

Coordinate response for groundings, anchoring, and sunken vessel incidents impacting coral reefs offshore of Miami-Dade, Broward, Palm Beach and Martin counties.





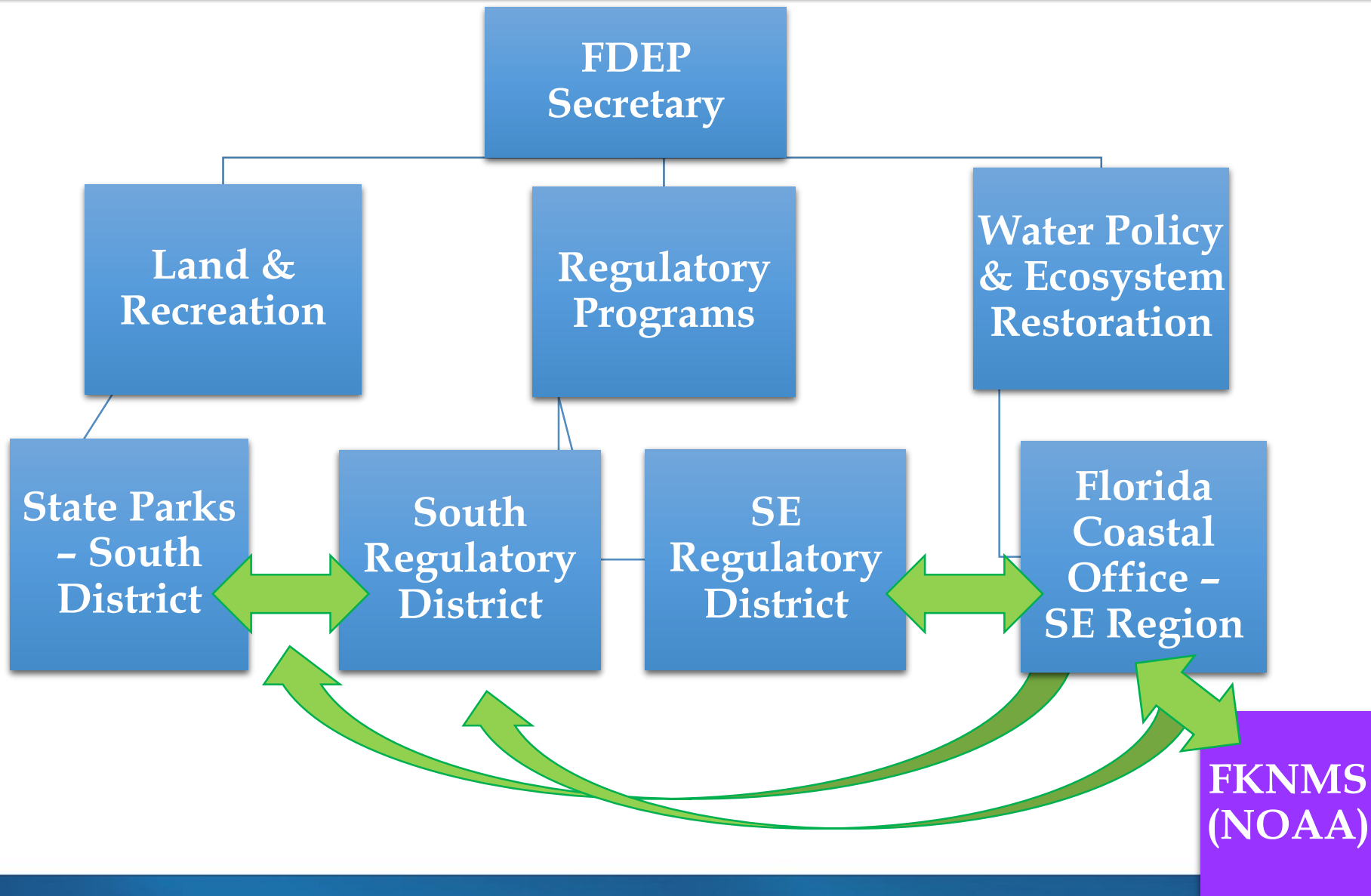
# Next Steps

## Next Steps:

- Expanding to State Parks in Monroe County
- Eventually expand to state waters of the FKNMS (~60%)



# Future CRPA Coordination





# Future Steps

Expand to seagrass injury enforcement!

Baby steps... let's get coral cases enforced first...