



U.S. Coast Guard Sector Key West

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MARINE SAFETY INFORMATION BULLETIN 10-06

September 17, 2010

DISCHARGING FOOD OR OTHER MATERIALS INTO THE FLORIDA KEYS NATIONAL MARINE SANCTUARY

During a recent investigation of an injury to a snorkeler, a U. S. Coast Guard (USCG) Investigating Officer determined that it is routine and common practice for crew and passengers from vessels operating in Florida Keys National Marine Sanctuary (FKNMS) to engage in feeding fish to attract large concentrations of fish for viewing. The National Oceanic and Atmospheric Administration (NOAA) in conjunction with the USCG are issuing this Bulletin to address the legality of discharging food and other materials from a vessel while in the Sanctuary.

The regulation governing prohibited activities within FKNMS is contained in Title 15 Code of Federal Regulations (CFR) Part 922.163 and applies to all commercial and recreational vessels. Discharging food or other materials is prohibited with a few exceptions for discharges associated with fishing and boating. Fishing is considered the actual or attempted catching, taking, or harvesting of fish. Vessels engaged in fishing are allowed to discharge fish, fish parts, chumming materials, or bait while in FKNMS. Allowable boating discharges include cooling water, engine exhaust, and graywater. It is the vessel operator's responsibility to ensure compliance with these regulations by all crew and passengers. The consequences for violating National Marine Sanctuary Act regulations are substantial and could involve civil penalties at a rate of up to \$140,000 per day, per violation. However, it is NOAA's and USCG's goal to end this practice via education as opposed to monetary penalties.

For any questions concerning this notice contact the FKNMS at (305)-809-4700 or the Coast Guard's Sector Key West Prevention Department Office at (305) 292-8809.

A handwritten signature in blue ink, appearing to read "Pat DeQuattro".

Pat DeQuattro
Captain, U.S. Coast Guard
Captain of the Port, Key West, FL

A handwritten signature in blue ink, appearing to read "Sean Morton".

Sean Morton
Superintendent, Florida Keys
National Marine Sanctuary
Key West, FL