



316018

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

The Committee on Environment and Natural Resources (Garcia)
recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Present subsections (5) through (12) of section
403.93345, Florida Statutes, are redesignated as subsections (6)
through (13), respectively, a new subsection (5) is added to
that section, and subsection (4) and present subsections (7) and
(8) of that section are amended, to read:

403.93345 Coral reef protection.—



316018

11 (4) (a) The Legislature finds that coral reefs are valuable
12 natural resources that contribute ecologically, aesthetically,
13 and economically to the state. Therefore, the Legislature
14 declares it is in the best interest of the state to clarify the
15 department's powers and authority to protect coral reefs through
16 timely and efficient recovery of monetary damages resulting from
17 vessel groundings and anchoring-related injuries.

18 (b) The Legislature further finds that coral reefs can help
19 mitigate the risks and related loss and damage from floods,
20 climate change, and natural disasters. The Legislature
21 recognizes that studies have shown that healthy coral reefs can
22 protect coastal properties from climate change-related risks and
23 disaster events, including storms, high wave events, sea level
24 rise, and flooding. The Federal Emergency Management Agency
25 (FEMA) is responsible for responding to natural disasters and
26 providing technical and financial hazard mitigation support,
27 primarily distributed as grant funding through FEMA's hazard
28 mitigation assistance programs. Coral reef restoration for risk
29 reduction, known as CR4, is an active restoration strategy with
30 the aim of increasing the structural integrity and complexity of
31 coral reef ecosystems to attenuate wave energy and reduce
32 coastal flooding. Legislative recognition of coral reefs as
33 critical natural infrastructure and a nature-based solution
34 demonstrates political support for nature-based solutions.

35 (c) It is the intent of the Legislature that the department
36 be recognized as the state's lead trustee for coral reef
37 resources located within waters of the state or on sovereignty
38 submerged lands unless preempted by federal law. This section
39 does not divest other state agencies and political subdivisions



316018

of the state of their interests in protecting coral reefs.

(5) The Legislature designates coral reefs as critical natural infrastructure and as a nature-based solution that helps mitigate climate change-related risks and disaster events, including storms, high wave events, sea level rise, and flooding. As such, the Legislature further designates the protection of corals, coral reefs, and coral reef-associated hardbottom in Broward, Martin, Miami-Dade, Monroe, and Palm Beach Counties as being in the public interest.

(8)~~(7)~~ The department may use habitat equivalency analysis as the method by which the compensation described in subsection (6)~~(5)~~ is calculated. The parameters for calculation by this method may be prescribed by rule adopted by the department.

(9)~~(8)~~ In addition to the compensation described in subsection (6)~~(5)~~, the department may assess, per occurrence, civil penalties according to the following schedule:

(a) For any anchoring of a vessel on a coral reef or for any other damage to a coral reef totaling less than or equal to an area of 1 square meter, \$225, provided that a responsible party who has anchored a recreational vessel as defined in s. 327.02 which is lawfully registered or exempt from registration pursuant to chapter 328 is issued, at least once, a warning letter in lieu of penalty; with aggravating circumstances, an additional \$225; occurring within a state park or aquatic preserve, an additional \$225.

(b) For damage totaling more than an area of 1 square meter but less than or equal to an area of 10 square meters, \$450 per square meter; with aggravating circumstances, an additional \$450 per square meter; occurring within a state park or aquatic



316018

69 preserve, an additional \$450 per square meter.

70 (c) For damage exceeding an area of 10 square meters,
71 \$1,500 per square meter; with aggravating circumstances, an
72 additional \$1,500 per square meter; occurring within a state
73 park or aquatic preserve, an additional \$1,500 per square meter.

74 (d) For a second violation, the total penalty may be
75 doubled.

76 (e) For a third violation, the total penalty may be
77 tripled.

78 (f) For any violation after a third violation, the total
79 penalty may be quadrupled.

80 (g) The total of penalties levied may not exceed \$375,000
81 per occurrence.

82 Section 2. This act shall take effect July 1, 2026.

83
84 ===== T I T L E A M E N D M E N T =====
85 And the title is amended as follows:

86 Delete everything before the enacting clause
87 and insert:

88 A bill to be entitled
89 An act relating to coral reefs; amending s. 403.93345,
90 F.S.; revising legislative findings; providing a
91 legislative designation; providing an effective date.