



**NEWS RELEASE FROM
U.S. DEPARTMENT OF JUSTICE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION**

NOAA02-167

**FOR IMMEDIATE RELEASE
12/20/02**

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**TUG COMPANY TO PAY NEARLY \$1 MILLION FOR SEAGRASS DAMAGE
Settlement to Restore Seagrass & Coral in Florida Keys National Marine Sanctuary**

WASHINGTON, D.C. - Great Lakes Dredge and Dock Company of Oak Brook, Ill., will pay nearly \$1 million for damages to seagrass and other natural resources in the Florida Keys National Marine Sanctuary, the Justice Department and the Commerce Department's National Oceanic and Atmospheric Administration (NOAA) announced today.

The \$969,000 settlement reached on behalf of NOAA and the State of Florida is the largest ever obtained for damages to seagrass in the sanctuary. The funds, combined with an earlier \$618,485 settlement obtained from co-defendant Coastal Marine Towing, will help restore the injured areas and reimburse NOAA for response costs.

"We are pleased with the settlement," said Sharon Shutler, attorney for the NOAA General Counsel for Natural Resources. "We have wanted to restore this site since the groundings occurred in 1993. After many years of litigation, we finally have the means to restore these ecologically significant sanctuary resources."

In May 1993, four tug boats owned by the two companies were transporting heavy dredging equipment and dredge pipes from the Boca Grande Channel off Florida's west coast to Green Cove Spring on the east coast. Before the flotilla reached Seven Mile Bridge off Marathon, Fla., one or more of the dredge pipes being towed by one of the tugs came loose and dragged across the bottom of Florida Bay, causing a scar 13 miles long and destroying 196,764 square feet of seagrass and other sanctuary resources. The dragging pipe caused the tug to slow, and another tug attempted to pass her. The other vessel ran hard aground, creating a massive hole and destroying 80,675 square feet of seagrass and coral, about one and a half times the size of a football field, at an area called Red Bay Banks off Marathon.

While the coral reefs are the sanctuary's most famous resource, seagrass meadows and other habitats, such as the mixed seagrass and finger coral bottom at Red Bay Banks, are critical to fish and other marine life populations. Seagrass also filters and stabilizes sediments, helping to create clear waters.

"One of our highest priorities is the restoration of our natural resources, such as the Florida Keys National Marine Sanctuary," said Tom Sansonetti, Assistant Attorney General for the Justice Department's Environment and Natural Resources Division. "The funds provided as a result of today's settlement will help us achieve that goal."

The National Marine Sanctuaries Act authorizes NOAA to seek damages from the responsible

party in a grounding to cover response costs, injury and damage assessment costs, costs to restore or replace the damaged habitat or acquire equivalent habitat, and costs to compensate the public for the value of the damage resources until they fully recover.

NOAA developed a restoration strategy that involved stabilizing the blowhole and transplanting seagrasses into off-site areas damaged by boats to compensate for the lost services provided by the resources destroyed in the incident. NOAA sought the cost of the restoration and assessment costs from the two companies, eventually filing suit in Federal District Court. Both the Federal District Court and the 11th Circuit Court of Appeals found Great Lakes strictly liable for the injuries to sanctuary resources. Both courts upheld NOAA's methodologies for determining the appropriate amount of compensatory restoration, however, the courts had not agreed on the proper measure of damages necessary to restore the bank. As a result, a settlement was reached with the two companies.

The NOAA Florida Keys National Marine Sanctuary, designated in 1990, protects 2,896 square nautical miles of critical marine habitat, including coral reef, hard bottom, seagrass meadows, mangrove communities and sand flats. NOAA and the Florida Department of Environmental Protection manage the sanctuary. For more information about the Florida Keys National Marine Sanctuary, visit: <http://www.fknms.nos.noaa.gov>

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