



FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Office
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Interim Secretary

July 15, 2021

Prock Homes, LLC
c/o Patty Rocklage
714 S Pennock Ln.
Jupiter FL 33458
procklage@mac.com

RE: Department of Environmental Protection v. Prock Homes, LLC
OGC File No.: 21-0528
Site No.: 400313, Project No.:395113
Palm Beach County

Dear Ms Rocklage,

Enclosed for your implementation is the fully executed Consent Order in the above-styled case. Please familiarize yourself with the compliance dates and terms of the Consent Order so the complete and timely performance of those obligations is accomplished.

Thank you for your cooperation in this matter. If you have any questions, please contact the case manager, Catrina Frey at 561-681-6677 or Catrina.N.Frey@FloridaDEP.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason Andreotta".

Jason Andreotta
Director, Southeast District
Florida Department of Environmental Protection

Enclosures: Consent Order OGC number: 21-0528

ec: Lea Crandall, Office of General Counsel, Lea.Crandall@FloridaDEP.gov
Scott Rocklage, scott@5amventrues.com

STATE OF FLORIDA DEPARTMENT)	IN THE OFFICE OF THE
OF ENVIRONMENTAL PROTECTION)	SOUTHEAST DISTRICT
)	
Complainant,)	
)	OGC FILE NO. 21-0528
vs.)	
)	
Prock Homes, LLC)	
)	
)	
Respondent.)	
_____)	

This Consent Order is entered into between the State of Florida Department of Environmental Protection ("Department"), and Prock Homes, LLC ("Respondent") to reach settlement of certain matters at issue between the Department and Respondent.

1. The Department is the administrative agency of the State of Florida having the power and duty to protect Florida's air and water resources and to administer and enforce Chapter 373, Part IV, and Chapter 403, Florida Statutes, and the rules promulgated and authorized thereunder, Title 62, Florida Administrative Code. The Department has jurisdiction over the matters addressed in this Consent Order.

3. Respondent is the owner of property located at 714 S Pennock Ln Jupiter in Jupiter River Estates (REPLAT LOT 8 BLK 10) in Palm Beach County (Parcel No.: 30-42-41-02-03-010-0080) at approximately 26° 55' 40.21", -80° 06' 38.41".

4. The Department finds that the Respondent altered mangroves without a valid permit. An inspection by Department personnel on March 11, 2021 revealed that approximately 1,300 ft² of mangrove canopy was altered without a valid permit from the Department.

Having reached a resolution of the matter, Respondent and the Department mutually agree, and it is,

ORDERED:

5. Within 30 days of the effective date of this Consent Order, Respondent shall pay the Department \$5,300.00 in settlement of the matters addressed in this Consent Order. This amount includes \$500.00 for costs and expenses incurred by the Department during the investigation of this matter and the preparation and tracking of this Consent Order. The civil penalties are apportioned as follows: \$4,800.00 for violation of Section 403.9328(1), Florida Statutes. Respondent shall make all payments required by this Order by cashier's check, money order or on-line payment. Cashier's check or money order shall be made payable to the "Department of Environmental Protection" and shall include both the OGC number assigned to this Order and the notation "Water Quality Assurance Trust Fund." Online payments by e-check can be made by going to the DEP Business Portal at <http://www.fldepportal.com/go/pay/>. It will take a number of days after this order becomes final, effective and filed with the Clerk of the Department before ability to make online payment is available.

6. With the exception of the activities described in the Restoration Actions, effective immediately and henceforth, Respondent shall not conduct any dredging, filling, or construction activities on or within the landward extent of waters of the state without first obtaining a valid Department permit or written notification from the Department that the activities appear to be exempt as proposed from Department permitting requirements; nor shall Respondent conduct any activities on state owned lands below the ordinary or mean high water lines without first obtaining a lease, easement, or other consent of use from the Department.

7. Respondent shall implement the Restoration Actions attached hereto and incorporated herein as Attachment I in the manner and within the time frames specified therein.

8. Once the Restoration Actions have been completed, the Respondent shall implement the Maintenance and Monitoring Actions attached hereto and incorporated herein as Attachment II in the manner and within the time frames specified therein.

9. Upon notice from the Department that the Restoration Actions and the Maintenance and Monitoring Actions outlined within Attachments I and II of this Order were not successfully met, Respondent shall implement the Alternative Restoration Actions and Maintenance and Monitoring Actions outlined in Attachment III in the manner and within the timeframes specified therein.

10. Respondent agrees to pay the Department stipulated penalties in the amount of \$100.00 per day for each and every day Respondent fails to timely comply with any of the requirements of paragraphs 7 and 8 of this Consent Order. A separate stipulated penalty shall be assessed for each violation of this Order. Within 30 days of written demand from the Department, Respondent shall make payment of the appropriate stipulated penalties to the "The Department of Environmental Protection" by cashier's check or money order and shall include thereon the OGC number assigned to this Consent Order and the notation "Water Quality Assurance Trust Fund." The Department may make demands for payment at any time after violations occur. Nothing in this paragraph shall prevent the Department from filing suit to specifically enforce any of the terms of this Consent Order. Any penalties assessed under this paragraph shall be in addition to the settlement sum agreed to in paragraph 5 of this Consent Order. If the Department is required to file a lawsuit to recover stipulated penalties under this paragraph, the Department will not be foreclosed from seeking civil penalties for violations of this Consent Order in an amount greater than the stipulated penalties due under this paragraph.

11. If any event, including administrative or judicial challenges by third parties unrelated to the Respondent, occurs which causes delay or the reasonable

likelihood of delay, in complying with the requirements of this Consent Order, Respondent shall have the burden of proving the delay was or will be caused by circumstances beyond the reasonable control of the Respondent and could not have been or cannot be overcome by Respondent's due diligence. Economic circumstances shall not be considered circumstances beyond the control of Respondent, nor shall the failure of a contractor, subcontractor, materialman or other agent (collectively referred to as "contractor") to whom responsibility for performance is delegated to meet contractually imposed deadlines be a cause beyond the control of Respondent, unless the cause of the contractor's late performance was also beyond the contractor's control. Upon occurrence of an event causing delay, or upon becoming aware of a potential for delay, Respondent shall notify the Department orally within 24 hours or by the next working day and shall, within seven calendar days of oral notification to the Department, notify the Department in writing of the anticipated length and cause of the delay, the measures taken or to be taken to prevent or minimize the delay and the timetable by which Respondent intend to implement these measures. If the parties can agree that the delay or anticipated delay has been or will be caused by circumstances beyond the reasonable control of the Respondent, the time for performance hereunder shall be extended for a period equal to the agreed delay resulting from such circumstances. Such agreement shall adopt all reasonable measures necessary to avoid or minimize delay. Failure of Respondent to comply with the notice requirements of this Paragraph in a timely manner shall constitute a waiver of Respondent's right to request an extension of time for compliance with the requirements of this Consent Order.

12. Respondent shall allow all authorized representatives of the Department access to the property at reasonable times for the purpose of determining compliance with the terms of this Consent Order and the rules and statutes of the Department.

13. Entry of this Consent Order does not relieve Respondent of the need to comply with applicable federal, state or local laws, regulations or ordinances.

14. The terms and conditions set forth in this Consent Order may be enforced in a court of competent jurisdiction pursuant to Sections 120.69 and 373.129, Florida Statutes. Failure to comply with the terms of this Consent Order shall constitute a violation of Section 373.430, Florida Statutes.

15. Respondent is fully aware that a violation of the terms of this Consent Order may subject Respondent to judicial imposition of damages, civil penalties of up to \$15,000 per day per violation and administrative fines of up to \$15,000 per day per violation and criminal penalties.

16. Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:

- (a) The Department's Consent Order identification number and the county in which the subject matter or activity is located;
- (b) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding;
- (c) An explanation of how the petitioner's substantial interests will be affected by the Consent Order;
- (d) A statement of when and how the petitioner received notice of the Consent Order;

- (e) A statement of all material facts disputed by petitioner, if any;
- (f) A statement of the specific facts the petitioner contends warrant reversal or modification of the Consent Order;
- (g) A statement of which rules or statutes the petitioner contends require reversal or modification of the Consent Order; and
- (h) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, Florida Administrative Code.

A person whose substantial interests are affected by the Consent Order may file a timely petition for an administrative hearing under Sections 120.569 and 120.57, Florida Statutes, or may choose to pursue mediation as an alternative remedy under Section 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth below.

Mediation may only take place if the Department and all the parties to the proceeding agree that mediation is appropriate. A person may pursue mediation by reaching a mediation agreement with all parties to the proceeding (which include the Respondent, the Department, and any person who has filed a timely and sufficient

petition for a hearing) and by showing how the substantial interests of each mediating party are affected by the Consent Order. The agreement must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within 10 days after the deadline as set forth above for the filing of a petition.

The agreement to mediate must include the following:

- (a) The names, addresses, and telephone numbers of any persons who may attend the mediation;
- (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;
- (c) The agreed allocation of the costs and fees associated with the mediation;
- (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;
- (e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;
- (f) The name of each party's representative who shall have authority to settle or recommend settlement; and
- (g) Either an explanation of how the substantial interests of each mediating party will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that each party has already filed, and incorporating it by reference.
- (h) The signatures of all parties or their authorized representatives.

As provided in Section 120.573, Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final

decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above, and must therefore file their petitions within 21 days of receipt of this notice. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57, Florida Statutes, remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

17. The Department hereby expressly reserves the right to initiate appropriate legal action to prevent or prohibit any violations of applicable statutes, or the rules promulgated thereunder that are not specifically addressed by the terms of this Consent Order.

18. The Department, for and in consideration of the complete and timely performance by Respondent of the obligations agreed to in this Consent Order, hereby waives its right to seek judicial imposition of damages or civil penalties for alleged violations addressed in this Consent Order.

19. Respondent acknowledges and waives its right to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, on the terms of this Consent Order. Respondent acknowledges its right to appeal the terms of this Consent Order pursuant to Section 120.68, Florida Statutes, and waives that right upon signing this Consent Order.

20. Electronic signatures or other versions of the parties' signatures, such as .pdf or facsimile, shall be valid and have the same force and effect as originals. No modifications of the terms of this Consent Order shall be effective until reduced to writing and executed by both Respondent and the Department.

21. All submittals and payments required by this Consent Order to be submitted to the Department shall be sent to the Florida Department of Environmental Protection, Southeast District, attn. Catrina Frey, 3301 Gun Club Road MSC 7210-1, West Palm Beach, FL 33406, or by email at SED_Compliance@FloridaDEP.gov.

22. In the event of a sale or conveyance of the property, if all of the requirements of this Consent Order have not been fully satisfied, Respondents shall, at least 30 days prior to the sale or conveyance of the property, (1) notify the Department of such sale or conveyance and (2) provide a copy of this Consent Order with all attachments to the new owner. The sale or conveyance of the property shall not relieve the Respondent of the obligations imposed in this Consent Order.

23. This Consent Order is a settlement of the Department's civil and administrative authority arising under Florida law to resolve the matters addressed herein. This Consent Order is not a settlement of any criminal liabilities which may arise under Florida law, nor is it a settlement of any violation which may be prosecuted criminally or civilly under federal law.

24. This Consent Order is a final order of the Department pursuant to Section 120.52(7), Florida Statutes, and it is final and effective on the date filed with the Clerk of the Department unless a Petition for Administrative Hearing is filed in accordance with Chapter 120, Florida Statutes. Upon the timely filing of a petition this Consent Order will not be effective until further order of the Department.

FOR THE RESPONDENT:

DATE 7/7/2021

(Name) Patty Rocklage
(Title) Property Owner

DONE AND ORDERED this 15th day of July, 2021, in Orange County,
Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Jason Andreotta
Director
Southeast District

Filed, on this date, pursuant to Section 120.52, F.S., with the designated Department
Clerk. receipt of which is hereby acknowledged.



Clerk

July 15, 2021

Date

Final Clerked Copies to: Lea Crandall, Agency Clerk

ATTACHMENT I
RESTORATION ACTIONS
OGC 21-0528
DEP VS PROCK HOMES, LLC

1. Within 30 days of the effective date of this Order, Respondent shall complete the following Restoration Actions:

- a. Respondent shall notify the Department at least 48 hours prior to the commencement of work under these Restoration Actions.
- b. Any re-grading or planting of the restoration area, as depicted in Attachment V, shall be conducted so as not to affect wetland areas outside the restoration area.
- d. Prior to monitoring but after any required re-grading, Respondent shall remove all exotic and nuisance vegetation. Nuisance and exotic vegetation include all species of vegetation listed on the Florida Exotic Pest Plant Council's 2019 List of Invasive Plant Species, attached hereto as Attachment IV.
- e. All exotic vegetation shall be removed from the restoration area using hand-held equipment in a manner that will minimize impacts to any existing wetland plants and will not cause ruts in any wetland soils which will impede or divert the flow of surface waters.
- f. The stumps of exotic plants previously removed shall be treated annually or as necessary to prevent regrowth, with an appropriate systemic herbicide approved by the Department in advance.
- g. Debris from earlier trimming and cutting shall be removed from the restoration area and placed in an upland location.

2. Within 30 days of completion of these Restoration Actions, Respondent shall submit the following information to the Department:

- a. Written notification that the Restoration Actions have been completed.
- b. Enough color photographs to show the entire completed restoration area taken from fixed reference points.

ATTACHMENT II
MONITORING ACTIONS
OGC NO. 21-0528
DEP VS PROCK HOMES, LLC

The purpose of this monitoring shall be to ensure and determine the success of the restoration.

1. During the 6-month monitoring period, if the Respondent becomes aware that the restoration is not trending towards success and probably will not meet the success criteria outlined in paragraph 2 of this attachment based on site observations, then the Respondent shall notify the Department.

2. "Success of the natural recruitment", means that at the end of the natural recruitment process a total coverage of 1,300 square feet must be restored. The Department shall deem the restoration a success if it meets the following:

a. All impacted mangroves have survived and achieved new growth. None of the impacted mangroves have died.

b. The total contribution to percent cover by the nuisance and exotic vegetation is less than 10%.

c. The Department has inspected the restoration area and informed Respondent in writing that the restoration area has achieved the required success criteria.

4. If after a period of six months from the effective date of this Order, the Restoration Area is not clearly trending towards meeting the success criteria, Respondent shall hire a Professional Mangrove Trimmer and submit a Restoration Plan as outlined in Attachment III to the Department for approval and implementation.

ATTACHMENT III
ALTERNATE RESTORATION ACTIONS AND MAINTENANCE AND MONITORING
ACTIONS
OGC NO. 21-0528
DEP VS. PROCK HOMES, LLC

1. Within 90 days of notification that Restoration is not trending toward success, Respondent shall complete the following Alternative Restoration Actions:
 - a. Hire a Professional Mangrove Trimmer to prepare and submit an alternative planting plan for Department review and approval. The plan should include planting of red mangroves (*Rhizophora mangle*) and white mangroves (*Laguncularia racemosa*) in the restoration area and a schedule. Notify the Department at least 48 hours prior to the commencement of work under these Restoration Actions.
 - b. Stake the boundaries of the Restoration Area for approval by the Department, prior to undertaking any restoration work required in these Restoration Actions. This staked line shall remain in place during all phases of restoration and no wetlands or waters of the state shall be disturbed or affected by restoration activities.
 - c. Remove all exotic vegetation from the restoration area using hand-held equipment in a manner that will minimize impacts to any existing wetland plants and will not cause ruts in any wetland soils which will impede or divert the flow of surface waters.
 - d. The stumps of exotic plants previously removed shall be treated annually or as necessary to prevent regrowth, with an appropriate systemic herbicide approved by the Department in advance. Mark each planted mangrove with flagging tape. Flagging tape shall remain in place during all phases of restoration and shall be replaced if damaged.

2. Within 30 days of completion of these alternative Restoration Actions, Respondent shall submit a Time Zero Report to the Department containing the following information:

- a. Written notification that the Restoration Actions have been completed.
- b. Enough color photographs to show the entire completed restoration area taken from fixed reference points shown on a plan-view drawing.
- c. Nursery receipts for all plants used in the Restoration Actions.
- d. Number and spacing of each species planted

3. For five years following completion of the Restoration Actions and the Time Zero report, Respondent shall inspect the restoration quarterly for the first year and annually for years two through five. The purpose of this monitoring is to document the health of each mangrove planted within the Restoration Area, to document any new mangrove growth (i.e., mangrove saplings, new mangrove recruits), and determine the success of the restoration.

4. At each inspection in the Monitoring Schedule, Respondent shall replace enough dead plants to ensure that at least 80 percent of the original number of each species planted in the restoration areas is alive.

5. "Success of the restoration" means that at the end of the monitoring schedule the following success criteria are met:

- a. At least 80 percent of planted mangroves have survived and the survivors have achieved at least a 30% mean annual growth rate as measured by the statistically valid methods found in Daubenmire, R. (1968), Oosting (1956), or Mueller-Dombois and Ellenberg (1974).

b. The total contribution to percent cover by the nuisance and exotic vegetation listed on the Florida Exotic Pest Plant Council's 2019 List of Invasive Plant Species (Attachment IV) is less than 10%.

c. The restoration areas have been inspected by the Department and the Department has informed the Respondent in writing that all the restoration areas are within the landward extent of waters of the state as defined in Florida Administrative Code Rule 62-340.

5. If after a period of two years or the five year monitoring period from the original planting or subsequent alternative restoration plantings, whichever comes first, the Restoration Area is not clearly trending towards meeting the success criteria, Respondent shall hire a Professional Mangrove Trimmer and submit an additional Alternative Restoration Plan to the Department for approval and implementation.

6. If after a period of three years, the Restoration Area is clearly meeting the success criteria, Respondent may request, in writing, to the Department, to end the Maintenance and Monitoring Actions early. The Department expressly reserves the right to determine if the Maintenance and Monitoring Actions may be ended early.

7. If the restoration is not deemed successful after the fifth yearly monitoring event, Respondent must continue to perform the Maintenance and Monitoring actions until the Department has informed Respondent that the success criteria have been met, including the submittal and implementation of alternative planting plans if deemed necessary.

8. During each inspection, Respondent shall remove all nuisance and exotic vegetation listed in the Restoration Actions without disturbing the other existing vegetation in the restoration area.

9. Within 30 days after the completion of each inspection in the monitoring schedule, Respondent shall complete a monitoring report and submit it to the Department. The monitoring reports shall include the following information:

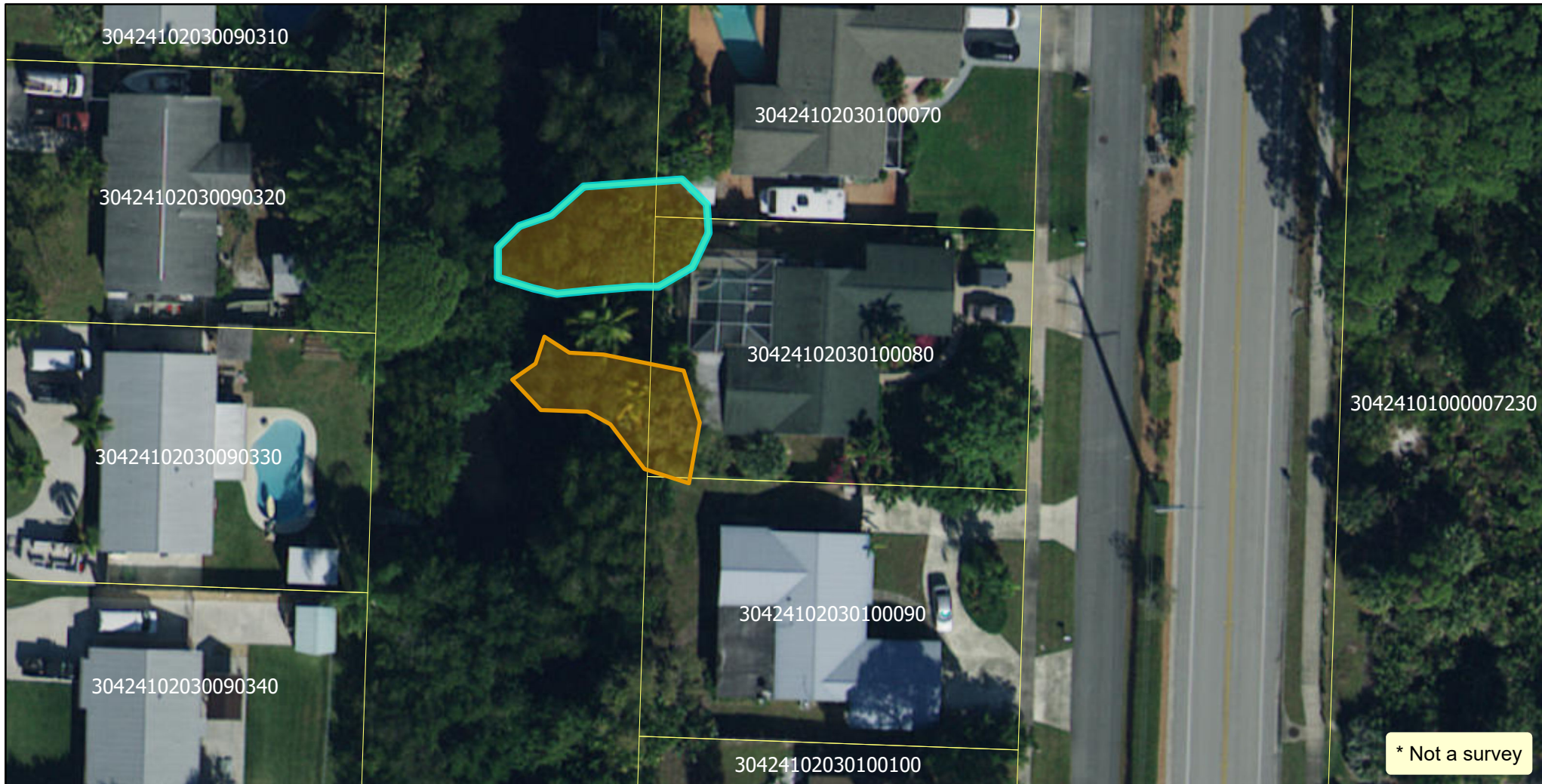
- a. Date of the inspection.
- b. Color photographs taken from the same locations as the pictures taken in the Restoration Actions.
- c. Either an actual count or a statistically valid estimate* of the percentage of each species planted in the Restoration Actions that has survived compared to the total number of plants in the restoration areas.
- d. The number of each species replanted to reach the 80 percent survival rate.
- e. Description of any nuisance or exotic species removal.
- f. A plan view noting the locations of all re-plantings and photograph reference points.



* Statistically valid estimating methods include those found in Daubenmire, R. (1968), Oosting (1956), or Mueller-Dombois and Ellenberg (1974), or other method approved by the Department. More information on these methods will be provided by the Department upon request.

10. Any mangrove trimming performed during the monitoring period shall be done in accordance with the 1996 Mangrove Trimming and Preservation Act, be limited to the established exemption criteria, be performed by a Professional Mangrove Trimmer, and not include any areas inside of the restoration area or include any of the restoration plantings.

Attachment V: Impact Area

Prock Homes, LLC / Mangroves
Site No.: 400313; Project No.: 395113

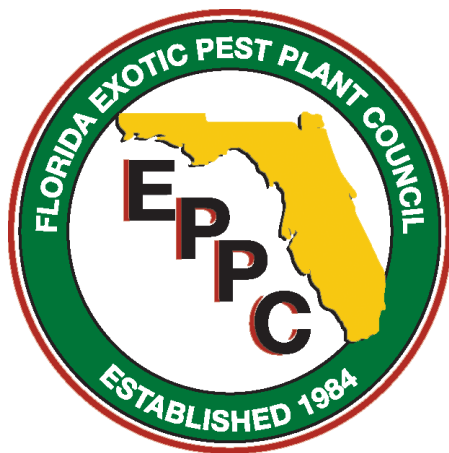


-  Cadastral 2020 (Property Appraiser Parcels) - Public View
-  Mangrove Impact Area

0 25 50 Feet

Created by FDEP
XX/XX/20XX





For more information on
invasive exotic plants
including links to related
web pages, visit:
www.fleppc.org

FLEPPC List Definitions:

Exotic—a species introduced to Florida, purposefully or accidentally, from a natural range outside of Florida. **Native**—a species whose natural range includes Florida. **Naturalized exotic**—an exotic that sustains itself outside cultivation (it is still exotic; it has not “become” native).

Invasive exotic— an exotic that has not only naturalized, but is expanding on its own in Florida native plant communities.

Zone: N = north, **C** = central, **S** = south, Referring to each species’ general distribution in regions of Florida (not its potential range in the state). Please refer to the map below.



Citation example:

FLEPPC. 2019 List of Invasive Plant Species.
Florida Exotic Pest Plant Council. Internet: www.fleppc.org

The 2019 list was prepared by the FLEPPC Plant List Committee

Tony Pernas, Co-Chair, 2017-2019, National Park Service, Big Cypress National Preserve, tony_pernas@nps.gov

Dennis Giardina, Co-Chair, 2017-2019, Florida Fish and Wildlife Conservation Commission, dennis.giardina@myfwc.com

Janice Duquesnel, Florida Park Service, Florida Department of Environmental Protection, janice.duquesnel@dep.state.fl.us

Alan Franck, Florida International University, Department of Biological Sciences, afanck@fiu.edu

Roger L. Hammer, Retired Naturalist and Author, kaskazi44@comcast.net

John Kunzer, Florida Fish and Wildlife Conservation Commission, john.kunzer@myfwc.com

James Lange, Fairchild Tropical Botanic Garden, jlange@fairchildgarden.org

Kenneth Langeland, Professor Emeritus, University of Florida/IFAS, Agronomy Department, gator8@ufl.edu

Deah Lieurance, University of Florida/IFAS, Agronomy Department, dmlieurance@ufl.edu

Chris Lockhart, Habitats Specialists Inc., chris@lockharts.org

Jean McCollom, Natural Ecosystems, jeanm@naples.net

Gil Nelson, Professor Emeritus, Florida State University/iDigBio, gilnelson@bio.fsu.edu

Jennifer Possley, Fairchild Tropical Botanic Garden, jpossley@fairchildgarden.org

Jimi L. Sadle, National Park Service, Everglades National Park, jimi_sadle@nps.gov

Dexter Sowell, Florida State University, FNAI, dsowell@fnai.fsu.edu

Jessica Spencer, US Army Corps of Engineers, jessica.e.spencer@usace.army.mil

Arthur Stiles, Florida Park Service, arthur.stiles@dep.state.fl.us

Richard P. Wunderlin, Professor Emeritus, University of South Florida, rwunder@usf.edu

Florida Exotic Pest Plant Council’s 2019 List of Invasive Plant Species

*The mission of the **Florida Exotic Pest Plant Council** is to reduce the impacts of invasive plants in Florida through the exchange of scientific, educational, and technical information.*

Note: The FLEPPC List of Invasive Plant Species is not a regulatory list. Only those plants listed as Federal Noxious Weeds, Florida Noxious Weeds, Florida Prohibited Aquatic Plants, or in local ordinances are regulated by law.

Purpose of the List

To provide a list of plants determined by the Florida Exotic Pest Plant Council to be invasive in natural areas of Florida and routinely update the list based upon information of newly identified occurrences and changes in distribution over time. Also, to focus attention on:

- The adverse effects exotic pest plants have on Florida’s biodiversity and native plant communities,
- The habitat losses in natural areas from exotic pest plant infestations,
- The impacts on endangered species via habitat loss and alteration,
- The need for pest plant management,
- The socio-economic impacts of these plants (e.g., increased wildfires or flooding in certain areas),
- Changes in the severity of different pest plant infestations over time,
- Providing information to help managers set priorities for research and control programs.

www.fleppc.org

CATEGORY I

Invasive exotics that are altering native plant communities by displacing native species, changing community structures or ecological functions, or hybridizing with natives. This definition does not rely on the economic severity or geographic range of the problem, but on the documented ecological damage caused.

Scientific Name	Common Name	Zone	Scientific Name	Common Name	Zone
<i>Abrus precatorius</i>	rosary pea	C, S	<i>Melinis repens</i>	Natalgrass	C, S
<i>Acacia auriculiformis</i>	earleaf acacia	C, S	<i>Microsorum grossum</i> ⁴	serpent fern, wart fern	S
<i>Albizia julibrissin</i>	mimosa, silk tree	N, C	<i>Microstegium vimineum</i>	Japanese stiltgrass	N
<i>Albizia lebbbeck</i>	woman's tongue	C, S	<i>Mimosa pigra</i>	catclaw mimosa	C, S
<i>Ardisia crenata</i>	coral ardisia	N, C, S	<i>Nandina domestica</i>	heavenly bamboo, nandina	N, C
<i>Ardisia elliptica</i>	shoebutton ardisia	C, S	<i>Nephrolepis brownii</i>	Asian sword fern	C, S
<i>Asparagus aethiopicus</i>	asparagus fern	N, C, S	<i>Nephrolepis cordifolia</i>	sword fern	N, C, S
<i>Bauhinia variegata</i>	orchid tree	C, S	<i>Neyraudia reynaudiana</i>	Burma reed	S
<i>Bischofia javanica</i>	bishopwood	C, S	<i>Nymphoides cristata</i>	crested floatingheart	C, S
<i>Calophyllum antillanum</i>	Santa Maria	S	<i>Paederia cruddasiana</i>	sewer vine	S
<i>Casuarina equisetifolia</i>	Australian-pine	N, C, S	<i>Paederia foetida</i>	skunk vine	N, C, S
<i>Casuarina glauca</i>	suckering Australian-pine	C, S	<i>Panicum repens</i>	torpedograss	N, C, S
<i>Cenchrus purpureus</i> (<i>Pennisetum purpureum</i>)	elephantgrass, Napier grass	N, C, S	<i>Pistia stratiotes</i>	water-lettuce	N, C, S
<i>Cinnamomum camphora</i>	camphor-tree	N, C, S	<i>Psidium cattleianum</i>	stawberry guava	C, S
<i>Colocasia esculenta</i>	wild taro	N, C, S	<i>Psidium guajava</i>	guava	C, S
<i>Colubrina asiatica</i>	latherleaf	S	<i>Pueraria montana</i> var. <i>lobata</i>	kudzu	N, C, S
<i>Cupaniopsis anacardioides</i>	carrotwood	C, S	<i>Rhodomyrtus tomentosa</i>	downy rose-myrtle	C, S
<i>Deparia petersenii</i>	Japanese false spleenwort	N, C	<i>Ruellia simplex</i>	Mexican petunia	N, C, S
<i>Dioscorea alata</i>	winged yam	N, C, S	<i>Salvinia minima</i>	water spangles	N, C, S
<i>Dioscorea bulbifera</i>	air potato	N, C, S	<i>Scaevola taccada</i>	beach naupaka, half-flower	N, C, S
<i>Dolichandra unguis-cati</i> (<i>Macfadyena unguis-cati</i>)	cat's-claw vine	N, C, S	<i>Schefflera actinophylla</i>	schefflera, umbrella tree	C, S
<i>Eichhornia crassipes</i>	water-hyacinth	N, C, S	<i>Schinus terebinthifolia</i>	Brazilian pepper	N, C, S
<i>Eugenia uniflora</i>	Surinam cherry	C, S	<i>Scleria lacustris</i>	Wright's nutrush	C, S
<i>Ficus microcarpa</i> ¹	laurel fig	C, S	<i>Scleria microcarpa</i> [*]	tropical nutrush	C, S
<i>Hydrilla verticillata</i>	hydrilla	N, C, S	<i>Senna pendula</i> var. <i>glabrata</i>	Christmas senna, climbing cassia	C, S
<i>Hygrophila polysperma</i>	green hygro	N, C, S	<i>Solanum tampicense</i>	wetland night shade	C, S
<i>Hymenachne amplexicaulis</i>	West Indian marsh grass	N, C, S	<i>Solanum viarum</i>	tropical soda apple	N, C, S
<i>Imperata cylindrica</i>	cogongrass	N, C, S	<i>Sporobolus jacquemontii</i>	West Indian dropseed	C, S
<i>Ipomoea aquatica</i>	water-spinach	C	<i>Syngonium podophyllum</i>	arrowhead vine	N, C, S
<i>Jasminum dichotomum</i>	Gold Coast jasmine	C, S	<i>Syzygium cumini</i>	Java plum	C, S
<i>Jasminum fluminense</i>	Brazilian Jasmine	C, S	<i>Tectaria incisa</i>	incised halberd fern	S
<i>Lantana strigocamara</i> ²	lantana, shrub verbena	N, C, S	<i>Thelypteris opulenta</i>	jeweled maidenhair fern	S
<i>Ligustrum lucidum</i>	glossy privet	N, C	<i>Thespesia populnea</i>	seaside mahoe	C, S
<i>Ligustrum sinense</i>	Chinese privet	N, C, S	<i>Tradescantia fluminensis</i>	small-leaf spiderwort	N, C
<i>Lonicera japonica</i>	Japanese honeysuckle	N, C, S	<i>Tradescantia spathacea</i>	oyster plant	C, S
<i>Ludwigia peruviana</i>	Peruvian primrosewillow	N, C, S	<i>Triadica sebifera</i>	Chinese tallow-tree	N, C, S
<i>Lumnitzera racemosa</i>	black mangrove	S	<i>(Sapium sebiferum)</i>		
<i>Luziola subintegra</i>	Tropical American watergrass	S	<i>Urena lobata</i>	Caesar's weed	N, C, S
<i>Lygodium japonicum</i>	Japanese climbing fern	N, C, S	<i>Urochloa mutica</i>	paragrass	N, C, S
<i>Lygodium microphyllum</i>	Old World climbing fern	N, C, S	<i>Vitex rotundifolia</i>	beach vitex	N
<i>Manilkara zapota</i>	sapodilla	S			
<i>Melaleuca quinquenervia</i>	melaleuca, paper bark	C, S			

¹ Does not include *Ficus microcarpa* var. *fuyuensis*, which is sold as “green island ficus”.

² Historically this non-native has been referred to as *Lantana camara*, a species not known to occur in Florida.

³ Does not include the native endemic *Spermacoce neoterminalis*.

⁴ *Microsorum grossum* has been previously misidentified as *Microsorum scolopendria*.

^{*} Added to the FLEPPC List of Invasive Species in 2019.

Plant names are those published in the Atlas of Florida Plants (<http://www.florida.plantatlas.usf.edu>). For historical species nomenclature see “Guide to Vascular Plants of Florida Third Edition.” Wunderlin and Hansen, University of Florida Press. 2011.

CATEGORY II

Invasive exotics that have increased in abundance or frequency but have not yet altered Florida plant communities to the extent shown by Category 1 species. These species may become Category 1 if ecological damage is demonstrated.

Scientific Name	Common Name	Zone	Scientific Name	Common Name	Zone
<i>Adenanthera pavonina</i>	red sandalwood	S	<i>Koeleruteria elegans</i> subsp. <i>formosana</i>	flamegold tree	C, S
<i>Agave sisalana</i>	sisal hemp	C, S	<i>Landoltia punctata</i>	spotted duckweed	N, C, S
<i>Alstonia macrophylla</i>	devil tree	S	<i>Leucaena leucocephala</i>	leadtree	N, C, S
<i>Alternanthera philoxeroides</i>	alligatorweed	N, C, S	<i>Limnophila sessiliflora</i>	Asian marshweed	N,C, S
<i>Antigonon leptopus</i>	coral vine	N, C, S	<i>Livistona chinensis</i>	Chinese fan palm	C, S
<i>Ardisia japonica</i>	Japanese ardisia	N	<i>Macroptilium lathyroides</i>	wild bushbean	N, C, S
<i>Aristolochia elegans</i> (<i>Aristolochia littoralis</i>)	calico flower	N, C, S	<i>Melaleuca viminalis</i> (<i>Callistemon viminalis</i>)	bottlebrush	C, S
<i>Asystasia gangetica</i>	Ganges primrose	C, S	<i>Melia azedarach</i>	Chinaberry	N, C, S
<i>Begonia cucullata</i>	wax begonia	N, C, S	<i>Melinis minutiflora</i>	molasses grass	C S
<i>Broussonetia papyrifera</i>	paper mulberry	N, C, S	<i>Mikania micrantha</i>	mile-a-minute vine	S
<i>Bruguiera gymnorhiza</i>	large-leafed mangrove	S	<i>Momordica charantia</i>	balsam-apple	N, C, S
<i>Callisia fragrans</i>	Inch plant	C, S	<i>Murraya paniculata</i>	orange-jessamine	S
<i>Casuarina cunninghamiana</i>	river sheoak	C, S	<i>Myriophyllum spicatum</i>	Eurasian water-milfoil	N, C, S
<i>Cecropia palmata</i>	trumpet tree	S	<i>Passiflora biflora</i>	twin-flowered passion vine	S
<i>Cenchrus polystachios</i> (<i>Pennisetum polystachios</i>)	mission grass	S	<i>Phoenix reclinata</i>	Senegal date palm	C, S
<i>Cenchrus setaceus</i> (<i>Pennisetum setaceum</i>)	fountain grass	S	<i>Phyllostachys aurea</i>	golden bamboo	N, C
<i>Cestrum diurnum</i>	day jessamine	C, S	<i>Pittosporum pentandrum</i>	Taiwanese cheesewood	S
<i>Chamaedorea seifrizii</i>	bamboo palm	S	<i>Platycerium bifurcatum</i>	staghorn fern	S
<i>Clematis terniflora</i>	Japanese clematis	N, C	<i>Praxelis clematidea</i>	praxelis	C
<i>Cocos nucifera</i>	coconut palm	S	<i>Pteris vittata</i>	Chinese brake, ladder brake	N, C, S
<i>Crassocephalum crepidioides</i>	redflower ragleaf	C, S	<i>Ptychosperma elegans</i>	solitary palm	S
<i>Cryptostegia madagascariensis</i>	Madagascar rubbervine	C, S	<i>Richardia grandiflora</i>	largeflower Mexican clover	N, C, S
<i>Cyperus involucratus</i>	umbrella plant	C, S	<i>Ricinus communis</i>	castorbean	N, C, S
<i>Cyperus prolifer</i>	dwarf papyrus	C, S	<i>Rotala rotundifolia</i>	dwarf rotala, roundleaf toothcup	S
<i>Dactyloctenium aegyptium</i>	Durban crow's-foot grass	C, S	<i>Ruellia blechum</i>	green shrimp plant	N, C, S
<i>Dalbergia sissoo</i>	Indian rosewood, sissoo	C, S	<i>Sesbania punicea</i>	rattlebox	N, C, S
<i>Dalechampia scandens</i> [*]	spurge-creeper	S	<i>Sida planicaulis</i>	mata-pasto	C, S
<i>Distimake tuberosus</i> (<i>Merremia tuberosa</i>)	Spanish arbor vine, wood-rose	C, S	<i>Solanum diphyllum</i>	twingleaf nightshade	N, C, S
<i>Dracaena hyacinthoides</i> (<i>Sansevieria hyacinthoides</i>)	bowstring hemp	C, S	<i>Solanum torvum</i>	turkey berry	N, C, S
<i>Elaeagnus pungens</i>	silverthorn, thorny olive	N, C	<i>Spermacoce verticillata</i> ³	shrubby false buttonweed	C, S
<i>Elaeagnus umbellata</i>	autumn olive, silverberry	N	<i>Sphagneticola trilobata</i>	wedelia	N, C, S
<i>Epipremnum pinnatum</i> cv. ‘Aureum’	pothos	C, S	<i>Stachytarpheta cayennensis</i>	nettle-leaf porterweed	S
<i>Eulophia graminea</i>	Chinese crown orchid	C, S	<i>Syagrus romanzoffiana</i>	queen palm	C, S
<i>Ficus altissima</i>	council tree, false banyan	S	<i>Syzygium jambos</i>	Malabar plum, rose-apple	N, C, S
<i>Flacourtia indica</i>	governor's plum	S	<i>Talipariti tiliaceum</i>	mahoe, sea hibiscus	C, S
<i>Hemarthria altissima</i>	limpograss	C, S	<i>Terminalia catappa</i>	tropical-almond	C, S
<i>Heteropterys brachiata</i>	redwing	S	<i>Terminalia muelleri</i>	Australian-almond	C, S
<i>Hyparrhenia rufa</i>	jaragua	N, C, S	<i>Tribulus cistoides</i>	puncture vine, burr-nut	N, C, S
<i>Ipomoea carnea</i> subsp <i>fistulosa</i>	shrub morning-glory	C, S	<i>Urochloa maxima</i> (<i>Panicum maximum</i>)	Guineagrass	N, C, S
<i>Kalanchoe x houghtonii</i>	mother of millions	N, C, S	<i>Vernicia fordii</i>	tung-oil tree	N, C, S
<i>Kalanchoe pinnata</i>	life plant	C, S	<i>Vitex trifolia</i>	simple-leaf chastetree	C, S
			<i>Washingtonia robusta</i>	Washington fan palm	C, S
			<i>Wisteria sinensis</i>	Chinese wisteria	N, C
			<i>Xanthosoma sagittifolium</i>	malanga, elephant ear	N, C, S