



Alaska

DERELICT VESSEL UPDATE

A presentation to PCC
Homer
September 2018





WHAT'S THE PROBLEM?

"By 2025, the Alaska fleet will include roughly 3,100 vessels between 28' and 59' that are more than 45 years old...the Alaska fleet also includes 75 passenger vessels, tugs, and barges over 50 years old..."

<https://youtu.be/S-SFGTzIA1g>

Trends & Opportunities in the Alaska Maritime Support Sector, McDowell Group (2014)

A GUY WALKS INTO A BAR...

We love our boats, and we depend on our coasts and rivers for transportation, commerce, and quality of life. But there is no denying the immense cost of owning and maintaining a boat.

Those costs only increase over time.





JAKOLOF BAY
2012-13

01/19/2013



A GROWING PROBLEM

ADNR has begun a database, but it is far from complete. There are nearly 200 documented derelicts across Alaska. We know many more exist, and the number will continue to increase.

NOAA database of wrecks & obstructions

An aerial photograph showing a dense green forest on a hillside that meets a rocky shoreline. The shoreline is covered with brown seaweed. In the dark water of a bay or fjord, a large, rusted metal barge floats. On the barge sits a two-story house with a brown roof and white walls, which appears to be a derelict vessel. A yellow rope is attached to the front of the barge.

THE PUBLIC PAYS THE PRICE

With outdated statutes, our municipalities and state agencies are unable to effectively prevent and manage derelict vessels. Alaskan waters are a default dumping ground.

**AD-HOC
TASK FORCE
2014-2016**

Over a two-year period, the Derelict Vessel Task Force identified major barriers and solutions to improve derelict vessel prevention and management in Alaska



*Pro bono legal assistance
from the law firm of Birch
Horton Bittner & Cherot*

TASK FORCE PARTICIPANTS

Please note that while many people sat at the table, nothing within this presentation is intended to speak on the behalf of any individual agency, municipality, or task force participant.

- ADNR, Mining, Land & Water
- ADEC, Spill Prevention & Response
- ADOT, Ports & Harbors
- ADF&G, Habitat
- USCG, Sectors Anchorage & Juneau/Div. of Waterways Management
- NOAA, Marine Debris Program/Restoration
- EPA, Response Region 10
- AAHPA (Bethel, Homer)
- Orutsararmiut Native Council
- Sen. Lisa Murkowski's office
- Alaska Marine Response

An aerial photograph of a rugged coastline. A dense forest of evergreen trees covers the upper two-thirds of the image. Below the forest, a dark, pebbly beach stretches across the middle. Several shipwrecks are visible on the beach, including a large, rusted metal structure and several smaller wooden and metal vessels. The lower third of the image shows calm, dark water.

SENATE BILL 92 PASSED 2018!

Introduced April 2017
Passed out of the
legislature May 2018
Governor's bill signing
slated for October 2018



REGISTRATION & TITLING

Agencies and municipalities have found establishing ownership is one of the major hurdles to holding owners responsible for derelict vessels. Requiring all vessels operating in AK to be registered with DMV, and beginning a titling system for vessels similar to that in place for motor vehicles, are commonsense solutions to improve accountability.



INCREASE CLARITY

Agencies and municipalities statewide need increased clarity for defining a derelict vessel, vessel ownership, and for the impoundment process including clarified hearing and notice requirements. SB92 updates Chapter 30.30 to bring clarity and improve utility of the statutes.



ENFORCEMENT AUTHORITY & INCREASED PENALTIES

Current statutes restrict enforcement of derelict vessel laws. One major way to reduce vessel sinkings and prevent owners from walking away is to provide for enforcement of the chapter to hold owners accountable and prevent derelict vessels from sinking on public waters.



CLARIFIED LIABILITY

Hearing concerns from agencies and the public, Task Force members acknowledged that it is important to be clear that a vessel owner is liable for all costs associated with the impoundment, storage and removal of a derelict vessel.



STREAMLINED CAPACITY

Outside states have found significant improvement in derelict vessel prevention and management by streamlining their efforts through a statewide program/point person. Having a point person at ADNR will concentrate work that is currently being done by numerous staff, will reduce overall costs, and increase efficacy of derelict vessel management.



CRADLE- TO-GRAVE

Addressing vessel disposal was outside of the scope of the Task Force, but must be addressed. Through the derelict vessel prevention program, the state will have the opportunity to begin looking at options for vessel disposal, scrap, and salvage solutions that can benefit the private sector and be a reasonable alternative to vessel abandonment.

The Alaska Department of Natural Resources...lacks even the authority
to fine...for littering.

...In places like Bethel, which has a dumping ground called Steamboat
Slough, the problem of derelict and abandoned boats long ago broke
the surface of public awareness.

...we could instead simply mandate the registration of all boats —
commercial and recreational alike — through the DMV. We could also
mandate that boats of a certain size, like all cars, carry insurance
sufficient to cover their salvage.

**At the very least, we could grant the Department of Natural
Resources the simple authority to levy fines on those who pollute
Alaska's waters.**

Juneau Empire

Editorial

Oct. 15, 2015



"Too many people get in over their heads, and their dreams of ship renovation or making money from scrap become a nightmare for the citizens of this state and the marine environment.

...'A hole in the water into which you pour money' is a famous definition of a boat. To the maximum extent possible, we must ensure taxpayers are not the ones doing the pouring."

Chinook Observer, March 22, 2017

HCR 53 1990

WHEREAS the
state does not
currently have
statutory
authority to
impose liability
on the owners of
abandoned
vessels...

Original sponsor(s): REP. JACKO

Post-It™ brand fax transmittal memo 7671		# of pages » 1
To: Mike Sullivan	From: KA	
Co.	Co.	
Dept.	Phone #	
Fax #	Fax #	

1 IN THE HOUSE BY THE TRANSPORTATION COMMITTEE
2 CS FOR HOUSE CONCURRENT RESOLUTION NO. 53 (Transportation)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - SECOND SESSION
5 Relating to abandoned vessels on the
6 beaches of Alaska.
7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:
8 WHEREAS many abandoned vessels, including merchant vessels, fishing
9 vessels, and other vessels, are grounded on the coast of Alaska; and
10 WHEREAS abandoned vessels are an environmental hazard and are aesthet-
11 ically unpleasing; and
12 WHEREAS the state does not have the resources to salvage or dispose of
13 abandoned vessels; and
14 WHEREAS the state does not currently have statutory authority to
15 impose liability on the owners of abandoned vessels for the cost of salvag-
16 ing or demolishing abandoned vessels; and
17 WHEREAS communities are not compensated for the aesthetic and physical
18 trespass resulting from abandoned vessels;
19 BE IT RESOLVED by the Alaska State Legislature that the governor is
20 respectfully requested to study the problems posed by abandoned vessels and
21 to make appropriate recommendations to the First Session of the Seventeenth
22 Alaska State Legislature for legislation necessary to remedy existing
23 problems and prevent future problems.



**MEANWHILE,
IN YOUR
NECK OF THE
WOODS...**

We tend to see ourselves as a dumping ground in Alaska, and look to you all for help in trying to play catch up. This is our first real change to derelict vessel laws in over 30 years.



IN YOUR EXPERIENCE:

- What challenges do you face impounding vessels?
- What disposal options do you use?
- What are your best prevention tools and tips?
- Do you require insurance from all of your customers?
- Other...



Working towards solutions for
accountability on state waters

THANK YOU!

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