

## ALASKA MUNICIPAL LEAGUE

### RESOLUTION #2018-08

#### **A RESOLUTION OF THE ALASKA MUNICIPAL LEAGUE IN SUPPORT OF SB 92; AN ACT RELATING TO ABANDONED AND DERELICT VESSELS**

**WHEREAS**, hundreds of derelict vessels currently litter Alaska's coastline and harbors and these numbers will increase every year unless action is taken to address aging fleets and changing commercial fisheries; and

**WHEREAS**, in the past two years alone, there have been numerous derelict vessel situations that have cost the state, municipalities, and the federal government, considerable expense, including two ex-Navy tugs in Adak, abandoned barges in Steamboat Slough near Bethel, and the tug Challenger that sunk off Juneau; and

**WHEREAS**, the Alaska Municipal League recognizes the widespread costs and then environmental and navigational risks for both municipalities and the state, associated with derelict vessels; and

**WHEREAS**, neighboring states have dramatically strengthened their derelict vessel prevention laws in the past five years to better prevent, track and manage derelict vessels, including raising fees to support state management of derelict vessels and requiring vessel insurance; and

**WHEREAS**, in 1990, the Alaska Legislature passed a resolution acknowledging the need to better understand and address the existing and growing problem of derelict vessels around the state; and

**WHEREAS**, the State of Alaska has outdated statutes regarding derelict vessels, which lack the ability to track vessel owners, agency enforcement authority, statewide coordination of response, funding and vessel insurance requirements; and

**WHEREAS**, in 2013, an ad-hoc Derelict Vessel Task Force was put into place and included representatives from state and federal agencies, municipal representatives, regional tribal representatives, federal and state legislative offices and private industry; and

**WHEREAS**, over nine full-day meetings, the task force developed thoughtful, robust and meaningful proposed changes that will help all stakeholders around the state, including harbor facilities, better address and prevent derelict vessels; and

**WHEREAS**, this will help our members protect harbor infrastructure, keep valuable moorage space available in our harbors and prevent unsustainable, economic, environmental and navigational hazards; and

**WHEREAS**, the proposed changes will improve communication and coordination between Alaska's harbors and state and federal agencies, directly leading to decreased cost associated with managing derelict vessels.

**NOW, THEREFORE BE IT RESOLVED** that the Alaska Municipal League fully supports the passage of SB 92 by the State Legislature.

**PASSED AND APPROVED** by the Alaska Municipal League on this 17<sup>th</sup> day of November, 2017.

Signed:



Pat Branson, President, Alaska Municipal League

Attest:



Kathie Wasserman, Executive Director, Alaska Municipal League

**A RESOLUTION OF THE COOK INLET HARBOR SAFETY COMMITTEE IN SUPPORT OF  
SENATE BILL 92: AN ACT RELATING TO ABANDONED AND DERELICT VESSELS**

**Whereas**, the mission of the CIHSC is to promote marine safety and environmental stewardship in the Cook Inlet through pro-active communication between stakeholders; and

**Whereas**, per the CIHSC's Charter the CIHSC may provide recommendations to regulatory bodies on maritime safety issues and seek actions to enhance maritime safety; and

**Whereas**, hundreds of derelict vessels currently litter Alaska's coastline and harbors and these numbers will increase every year unless action is taken to address aging fleets and changing commercial fisheries; and

**Whereas**, in Cook Inlet there have been and continue to be numerous costly and potentially dangerous derelict vessel incidents including the F/V Leading Lady and F/V Kupreanof, dozens of abandoned boats in Port Graham Bay, and regular derelict vessels taking up valuable moorage at the Port of Homer; and

**Whereas**, the State of Alaska has outdated statutes regarding derelict vessels which lack the ability to track vessel owners, agency enforcement authority, statewide coordination of response, funding or vessel insurance requirements; and

**Whereas**, neighboring states have dramatically strengthened their derelict vessel prevention laws in the past five years to better prevent, track and manage derelict vessels, including raising fees to support state management of derelict vessels and recognizing the value of vessel insurance for certain vessels on public waters; and

**Whereas**, in 1990 the Alaska legislature passed a resolution acknowledging the need to better understand and address the state's existing and growing problem of derelict vessels; and

**Whereas**, provisions in SB92 will help protect harbor infrastructure, keep valuable moorage space in our harbors available, and will prevent unsustainable economic, environmental and navigational hazards throughout Alaska's waters; and

**Whereas**, the proposed changes will improve pro-active communication and coordination between all affected stakeholders;

**NOW, THEREFORE BE IT RESOLVED** that the Cook Inlet Harbor Safety Committee fully supports the passage by the state legislature of Senate Bill 92.

**PASSED AND APPROVED ON THE 29<sup>th</sup> DAY OF Nov, 2017.**

Signed:   
Stephen Ribuffo, Chairman of the Cook Inlet Harbor Safety Committee

Presented by: The Manager  
Introduced: 12/19/2016  
Drafted by: A. G. Mead

## RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2778

### A Resolution in Support of Proposed Changes to Alaska Statute Chapters 30.30 and 05.25 Relating to Improving the Management and Prevention of Derelict Vessels.

WHEREAS, hundreds of derelict vessels currently litter Alaska's coastline and harbors; and

WHEREAS, these numbers will increase every year unless action is taken to address aging fleets and changing commercial fisheries; and

WHEREAS, in the past year alone there have been numerous derelict vessel situations that have cost the state, municipalities, and the federal government considerable expense, including incidents involving two ex-Navy tugs in Adak, abandoned barges in Steamboat Slough near Bethel, and the Challenger tug off Juneau; and

WHEREAS, the Assembly of the City and Borough of Juneau recognizes the widespread costs and the environmental and navigational risks associated with derelict vessels; and

WHEREAS, neighboring states have dramatically strengthened their laws in the past five years to better prevent, track, and manage derelict vessels, including raising fees to support the management of derelict vessels and requiring vessel insurance; and

WHEREAS, in 1990, the Alaska legislature passed a resolution acknowledging the need to better understand and address the existing and growing problem of derelict vessels around the state; and

WHEREAS, the State of Alaska's current statutory scheme regarding derelict vessels is outdated and lacks the ability to track vessel owners, agency enforcement authority, statewide coordination of response, funding, or vessel insurance requirements; and

WHEREAS, in 2013, the Alaska Clean Harbors program convened an ad-hoc derelict vessel task force at the urging of the Association of Harbormasters and Port Administrators, which included representatives from state and federal agencies as well as the Alaska Association of Harbormasters and Port Administrators, regional tribal representatives, federal and state legislative offices, and private industry; and

WHEREAS, over the course of nine full-day meetings, the task force developed thoughtful, robust, and meaningful proposed revisions to Alaska Statute Chapters 30.30 and 05.25 designed to help all stakeholders around the state, including harbor facilities, better address and prevent derelict vessels; and

WHEREAS, these proposed changes would better protect harbor infrastructure; keep valuable moorage space in harbors available; and prevent economic, environmental, and navigational hazards; and

WHEREAS, the proposed changes would improve communication and coordination between Alaska's harbors and state and federal agencies, directly leading to decreased costs associated with managing derelict vessels.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

**Section 1.** The Assembly of the City and Borough of Juneau fully supports the passage of all proposed revisions to Alaska Statute Chapters 30.30 and 05.25.

**Section 2. Effective Date.** This resolution shall be effective immediately after its adoption.

Adopted this 19<sup>th</sup> day of December, 2016.

*Kendell D. Koelsch*

Kendell D. Koelsch, Mayor

Attest:

*Laurie J. Sica*  
\_\_\_\_\_  
Laurie J. Sica, Municipal Clerk

**CITY OF CORDOVA, ALASKA  
RESOLUTION 01-18-04**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA  
SUPPORTING PROPOSED CHANGES TO ALASKA STATUTES CHAPTERS 30.30 AND  
5.25 RELATING TO IMPROVING THE MANAGEMENT AND PREVENTION OF  
DERELICT VESSELS**

**WHEREAS**, hundreds of derelict vessels currently litter Alaska's coastline and harbors; and

**WHEREAS**, these numbers will increase every year unless action is taken to address aging fleets and changing commercial fisheries; and

**WHEREAS**, in the past year alone there have been numerous derelict vessel situations that have cost the state, municipalities, and the federal government considerable expense, including incidents involving two ex-Navy tugs in Adak, abandoned barges in Steamboat Slough near Bethel, and the Challenger tug off Juneau; and

**WHEREAS**, the Council of the City of Cordova recognizes the widespread costs and the environmental and navigational risks associated with derelict vessels; and

**WHEREAS**, neighboring states have dramatically strengthened their laws in the past five years to better prevent, track, and manage derelict vessels, including raising fees to support the management of derelict vessels and requiring vessel insurance; and

**WHEREAS**, in 1990, the Alaska legislature passed a resolution acknowledging the need to better understand and address the existing and growing problem of derelict vessels around the state; and

**WHEREAS**, the State of Alaska's current statutory scheme regarding derelict vessels is outdated and lacks the ability to track vessel owners, agency enforcement authority, statewide coordination of response, funding, or vessel insurance requirements; and

**WHEREAS**, in 2013, the Alaska Clean Harbors program convened an ad-hoc derelict vessel task force at the urging of the Association of Harbormasters and Port Administrators, which included representatives from state and federal agencies as well as the Alaska Association of Harbormasters and Port Administrators, regional tribal representatives, federal and state legislative offices, and private industry; and

**WHEREAS**, over the course of nine full-day meetings, the task force developed thoughtful, robust, and meaningful proposed revisions to Alaska Statutes Chapters 30.30 and 5.25 designed to help all stakeholders around the state, including harbor facilities, better address and prevent derelict vessels; and

**WHEREAS**, these proposed changes would better protect harbor infrastructure; keep valuable moorage space in harbors available; and prevent economic, environmental, and navigational hazards; and

**WHEREAS**, the proposed changes would improve communication and coordination between Alaska's harbors and state and federal agencies, directly leading to decreased costs associated with managing derelict vessels.

**PASSED AND APPROVED THIS 3<sup>rd</sup> DAY OF JANUARY, 2018.**



*Clay R. Koplin*  
Clay R. Koplin, Mayor

ATTEST:

*Susan Bourgeois*  
Susan Bourgeois, CMC, City Clerk

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6                   **CITY OF HOMER**  
7                   **HOMER, ALASKA**

6                   **City Manager/Port Director**

7                   **RESOLUTION 17-091**

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10                  A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, IN  
11                  SUPPORT OF SENATE BILL 92: AN ACT RELATING TO ABANDONED  
12                  AND DERELICT VESSELS.

13  
14                  WHEREAS, Hundreds of derelict vessels currently litter Alaska's coastline and harbors  
15                  and these numbers will increase every year unless action is taken to address aging fleets and  
16                  changing commercial fisheries; and

17  
18                  WHEREAS, In the past two years alone there have been numerous derelict vessel  
19                  situations that have cost the state, municipalities, and the federal government considerable  
20                  expense, including two ex-Navy tugs in Adak, abandoned barges in Steamboat Slough near  
21                  Bethel, and the tug Challenger that sunk off Juneau; and

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23                  WHEREAS, The Alaska Association of Harbormasters and Port Administrators  
24                  recognizes the widespread costs and then environmental and navigational risks for both  
25                  municipalities and the state associated with derelict vessels; and

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27                  WHEREAS, Neighboring states have dramatically strengthened their derelict vessel  
28                  prevention laws in the past five years to better prevent, track and manage derelict vessels,  
29                  including raising fees to support state management of derelict vessels and requiring vessel  
30                  insurance; and

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32                  WHEREAS, In 1990 the Alaska legislature passed a resolution acknowledging the need  
33                  to better understand and address the existing and growing problem of derelict vessels around  
34                  the state; and

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36                  WHEREAS, The State of Alaska has outdated statutes regarding derelict vessels which  
37                  lack the ability to track vessel owners, agency enforcement authority, statewide coordination  
38                  of response, funding or vessel insurance requirements; and

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40                  WHEREAS, In 2013 the AAHPA supported the creation of the ad-hoc derelict vessel task  
41                  force which includes representatives from state and federal agencies as well as the AAHPA,  
42                  regional tribal representatives, federal and state legislative offices, and private industry; and

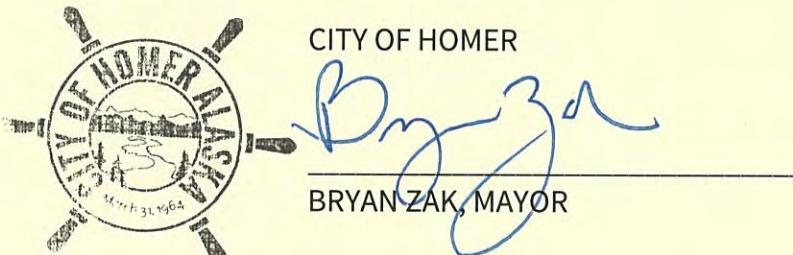
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44                  WHEREAS, Over nine full-day meetings, the task force developed thoughtful, robust and  
45                  meaningful proposed changes that will help all stakeholders around the state, including  
46                  harbor facilities, better address and prevent derelict vessels; and

43        WHEREAS, This will help our members protect harbor infrastructure, keep valuable  
44        moorage space in our harbors available, and will prevent unsustainable economic,  
45        environmental and navigational hazards; and  
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47        WHEREAS, The proposed changes will improve communication and coordination  
48        between Alaska's harbors and state and federal agencies, directly leading to decreased costs  
49        associated with managing derelict vessels.  
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51        NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, fully  
52        supports the passage by the state legislature of Senate Bill 92.  
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54        PASSED AND ADOPTED by the City Council of Homer, Alaska, this 30<sup>th</sup> day of October,  
55        2017.  
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64        ATTEST:  
65        Melissa Jacobson  
66        MELISSA JACOBSEN, MMC, CITY CLERK  
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68        Fiscal Note: N/A  
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CITY OF DILLINGHAM, ALASKA

**RESOLUTION NO. 2017-42**

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL SUPPORTING RESOLUTION NO. 2017-02 FROM THE ALASKA ASSOCIATION OF HARBORMASTERS AND PORT ADMINISTRATORS IN SUPPORT OF SENATE BILL 92: AN ACT RELATING TO ABANDONED AND DERELICT VESSELS**

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WHEREAS, hundreds of derelict vessels currently litter Alaska's coastline and harbors and these numbers will increase every year unless action is taken to address aging fleets and changing commercial fisheries; and

WHEREAS, in the past two years alone there have been numerous derelict vessel situations that have cost the state, municipalities, and the federal government considerable expense, including two ex-Navy tugs in Adak, abandoned barges in Steamboat Slough near Bethel, and the tug Challenger that sunk off Juneau,

WHEREAS, the Alaska Association of Harbormasters and Port Administrators recognizes the widespread costs and then environmental and navigational risks for both municipalities and the state associated with derelict vessels; and

WHEREAS, neighboring states have dramatically strengthened their derelict vessel prevention laws in the past five years to better prevent, track and manage derelict vessels, including raising fees to support state management of derelict vessels and requiring vessel insurance; and

WHEREAS, in 1990 the Alaska legislature passed a resolution acknowledging the need to better understand and address the existing and growing problem of derelict vessels around the state; and

WHEREAS, the State of Alaska has outdated statutes regarding derelict vessels which lack the ability to track vessel owners, agency enforcement authority, statewide coordination of response, funding or vessel insurance requirements; and

WHEREAS, in 2013 the AAHPA supported the creation of the ad-hoc derelict vessel task force which includes representatives from state and federal agencies as well as the AAHPA, regional tribal representatives, federal and state legislative offices, and private industry; and

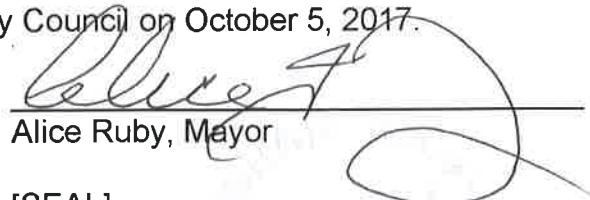
WHEREAS, over nine full-day meetings, the task force developed thoughtful, robust and meaningful proposed changes that will help all stakeholders around the state, including harbor facilities, better address and prevent derelict vessels; and

WHEREAS, this will help our members protect harbor infrastructure, keep valuable moorage space in our harbors available, and will prevent unsustainable economic, environmental and navigational hazards; and

WHEREAS, the proposed changes will improve communication and coordination between Alaska's harbors and state and federal agencies, directly leading to decreased costs associated with managing derelict vessels.

NOW, THEREFORE, BE IT RESOLVED that the City Council fully supports the passage by the state legislature of Senate Bill 92.

PASSED and ADOPTED by the Dillingham City Council on October 5, 2017.



Alice Ruby, Mayor

ATTEST:

[SEAL]



Lori Goodell  
Lori Goodell, Acting City Clerk

Dear Senate Resources Committee,

I am the Juneau Port Director ([www.juneau.org/harbors](http://www.juneau.org/harbors)) and the President of the Alaska Association of Harbormasters & Port Administrators ([www.alaskaharbors.org](http://www.alaskaharbors.org)). I respectfully ask your support of SB-92 and welcome any opportunity to discuss the Abandoned & Derelict Vessel (ADV) challenges with you or your staff. I would be pleased to provide a brief Juneau harbor tour to you (or your staff) demonstrating the condition of a “typical derelict vessel”. Additionally, on Thursday, February 15th, the AAHPA Executive Secretary (Rachel Lord) will be presenting on SB92 at the Juneau Yacht Club dinner. If you or your staff would like to attend the dinner, please let me know and will coordinate with the organizers.

One recent example of the need to address ADV comes in the form of a social media post which criticized my (and Coast Guard) handling of pleasure crafts which sank at anchor in Auke Bay (Juneau):

Coast Guard was called several times by at least three residents on Fritz. Cove providing the name, numbers, and place where it was registered. Sadly we watched (after reporting it) for over a week as it lowered in the water. It sank last evening. This is the second boat of this size that has gone down here in Auke Bay. Another is anchored next to our expensive “no wake zone” buoy, and often bounces on and off the buoy. Neither the CBJ Docks and HARBORS or the Coast Guard are acting on removing the unkept vessels before our tax dollars are then spent to raise, haul and remove the vessels and their fuel issues. Is Auke Bay going to become a graveyard for derelict vessels? Does this concern anyone else?

I responded to the above by posting:

1. Docks & Harbors wholly and categorically rejects the assertion “Neither the CBJ Docks and HARBORS ... are acting on removing the unkept [sic] vessels before our tax dollars are then spent to raise, haul and remove the vessels and their fuel issues.”
2. I have informed Auke Bay residents, including the author of the post, that there is not a single entity (i.e. a Water Czar) responsible for all activities in Auke Bay – nor should there be. There are regulatory authorities granted to each level of government – federal, state and local which complement these authorities. The uncheck concentration of a centralized authority to administer the will of certain citizens would not be in the best interest of individual rights or liberty. Generally speaking: Docks & Harbors is responsible for vessels moored in the harbors and anchored on the limited CBJ submerged lands; DNR is responsible for vessels anchored on state submerged/tidal lands (which is the vast majority of the State); the Coast Guard is responsible for safety and prevention of pollution for vessels (typically underway).
3. That said, Docks & Harbors has been extremely proactive (to a fault by some members in the community) in enforcing rules governing derelict and potentially derelict vessels in our CBJ harbors. In the past 3 years, we have impounded in excess of 50 vessels and demolished in excess of 30 vessels, the majority at considerable expense. Docks & Harbors has also drafted regulations to address anchoring on CBJ submerged lands.

4. An unintended consequence of policing our harbors is that some irresponsible owners will seek to scuttle vessels in lieu of doing the right thing. When vessels leave the CBJ harbors, as the author alludes to, some ends up on DNR submerged properties. There are no financial resources or laws available in Alaska to DNR (or the CG) to prevent derelict or potentially derelict vessels from relocating to other jurisdictions.

5. There is State Legislation to address Derelict & Abandoned Vessels (SB92) , which Docks & Harbors, the Assembly and the Alaska Association of Harbormasters has urged support for. I hope the Auke Bay coastal community will support and back this legislation:

<http://www.alaskaharbors.org/resources/Documents/SB92%20Briefing.pdf>

<http://www.alaskaharbors.org/Derelict-Vessels>

<http://alaskacleanharbors.squarespace.com/derelict-vessels/>

[http://www.adfg.alaska.gov/index.cfm?adfg=wildlifenews.view\\_article&articles\\_id=846](http://www.adfg.alaska.gov/index.cfm?adfg=wildlifenews.view_article&articles_id=846)

As you can see, this is a complicated issue to address. However, it is indisputable that Alaska's derelict vessel laws are outdated and ineffective. I urge you to support SB92 to improve accountability and enforcement to help stop the dumping of old boats on public waters across Alaska.

Sincerely,

Carl Uchytil, P.E.

Port Director

155 S. Seward Street

Juneau, Alaska 99801