

Dear Senate Resources Committee,

I am the Juneau Port Director (www.juneau.org/harbors) and the President of the Alaska Association of Harbormasters & Port Administrators (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 unchecked 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 derelicts 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=wildlifeneews.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 Uchytel, P.E.

Port Director

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