

ADV in Alaska

Links to a few state ADV programs:

Washington

http://www.dnr.wa.gov/recreationeducation/topics/derelectvessels/pages/aqr_derelect_vessel_removal_program.aspx

Oregon

<http://www.oregon.gov/OSMB/BoatLaws/Pages/VesselRemovalFund.aspx>

Florida

<http://myfwc.com/boating/grant-programs/derelect-vessel/>

Please see page 4 for information on how to contact the Task Force. Facilitated by Cook Inletkeeper and Alaska Clean Harbors.



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Abandoned & Derelict Vessels in Alaska

With a coastline longer than that of the Lower 48 states combined, the State of Alaska has many coastal and riverine communities located off of the road network and accessible only by water. As a result, these communities see considerable marine and riverine vessel traffic. While still a young state, an ever aging fleet of vessels call Alaska home due to federal and state fishing rationalization programs, economic downturns, the inevitable aging and increased maintenance costs of these vessels, and increased requirements of vessel regulations and permits. With all of these things in play, many of these vessels have become uneconomical to operate as intended and often continue to degrade while left moored in a public harbor or anchored over public or state tidelands. These abandoned and derelict vessels (ADV) continue to dot the map along Alaska's coastline and rivers. Without a clear and pro-active response strategy and program for dealing with and preventing ADV in public waters, the number of abandoned and derelict

vessels will continue to increase and will leave the public to pay for the consequences of ADV—including vessel salvage and clean-up and disposal of fuel, oil and other hazardous materials.

The purpose of the ad-hoc Alaska ADV Task Force is to bring together state and federal agencies, municipalities and other interested stakeholders to address ADV in Alaska in a coordinated manner. Cook Inletkeeper and Alaska Clean Harbors convened the group after establishing interest from multiple stakeholders to move forward following the passage of House Bill 131 in 2013 (see pg. 3 for more on HB 131). The Task Force is currently an informal group working to improve coordination for addressing ADV and identifying long-term needs for prevention and effective management of ADV around Alaska. We hope this newsletter will provide some interesting and useful information for anyone interested in ADV in Alaska. Contact Rachel (see page 4) for more information or to get involved.

ad-hoc ADV Task Force Members

State, federal and municipal partners are working together to develop tools and identify needs to more effectively deal with ADV in Alaska.

Since February 2014, the following agency representatives have participated in the ad-hoc ADV Task Force:

Alaska Department of Natural Resources: Emily Haynes (Mining, Land & Water Southcentral), Clark Cox (Mining, Land & Water Southcentral), Doug Sanvik (Mining, Land & Water Southeast), Richard Vanderhoek (History & Archaeology)

Alaska Department of Environmental Conservation: Steve Russell (Spill Response, Southcentral), Jade Gamble (Spill Response, Southcentral), Sarah Moore (Spill Response, Southeast)

Alaska Department of Transportation: Mike Lukshin (Port and Harbors)

Alaska Department of Fish & Game: Brad Dunker (formerly with Habitat, Southcentral), Jesse Coleman (Habitat, Southcentral)

Alaska Legislature: Rep. Paul Seaton, Rep. Jonathan Kreiss-Tomkins

Alaska Association of Harbormasters and Port Administrators: Bryan Hawkins (Port of Homer)

United States Coast Guard: Senior Chief Tony McDade, Chief Eric Vogel

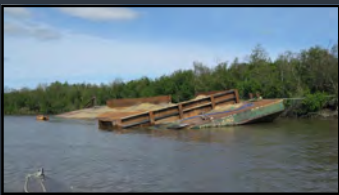
National Oceanic and Atmospheric Administration: Peter Murphy (Marine Debris), Erika Ammann (Habitat Restoration)

Environmental Protection Agency: Bob Whittier (Response, Alaska Region 10)

Birch Horton Bittner and Cherot (pro-bono legal assistance for Cook Inletkeeper): Holly Wells, Mitchi McNabb, Adam Cook

Cook Inletkeeper/Alaska Clean Harbors: Rachel Lord (facilitator)

The United States Army Corps of Engineers has been made aware of this effort, and a representative is included in all email correspondence.





Objectives & Products

The one-year **objectives** for the ADV Task Force are to:

- 1) Increase coordination and understanding for dealing with ADV between agencies and stakeholders;
- 2) Create a report on ADV in AK to establish best practices and templates for dealing with ADV, including prevention and identified gaps and needs; and,
- 3) Create a web-based database for understanding the scope of ADV statewide.

The group is working on developing a series of products that will help meet the objectives listed above. These **products** include:

- ⇒ A joint agency reporting form for vessels of concern. This will standardize the basic information gathered on ADV around Alaska, and allow all partners to participate in the tracking and inventorying of ADV and Vessels of Concern. This form is in use as of July 2014, with completed forms returned to ADNR for compiling. A copy of the VOC Reporting form can be found on the Alaska Clean Harbors ADV webpage (see page 4 for details).
- ⇒ An online ADV Database. Through ADNR, the Task Force is working to develop a simple online database to consolidate basic information on ADV in Alaska.
- ⇒ A workbook of resources and tools for municipalities state-wide to better deal with and prevent ADV.
- ⇒ A report detailing current ADV practices and identifying needs moving forward to improve on ADV management in Alaska. This will be done through a series of in-person meetings where we will analyze case studies of past (and in some cases ongoing) ADV situations. This will begin during our next in-person meeting, set for early-October 2014.

House Bill 131

A catalyst for change.

In early 2013, the Alaska legislature took up the issue of Abandoned and Derelict Vessels for the first time in decades.

HB131, introduced by Rep. Paul Seaton, passed unanimously in both the house and senate and brought much-needed change to AS30.30—state statute dealing with ADV.

This was a great first step in a long road to improve on Alaska's ADV management and prevention to save money and the environment.

You can read background information on HB131 online at:

http://www.akleg.gov/basis/get_bill.asp?session=28&bill=HB131



For more information or to get involved, please contact:

Rachel Lord, facilitator

(907) 235-4068 x29
rachel@inletkeeper.org

<http://alaskacleanharbors.org/resources/harbor-management/derelict-vessels/>



Cook Inletkeeper and Alaska Clean Harbors are supporting the facilitation of this effort. To learn more about Cook Inletkeeper—a community-based organization dedicated to protecting clean water and healthy salmon in Alaska's Cook Inlet, please visit www.inletkeeper.org.



Alaska Clean Harbors is a voluntary, non-regulatory program that works with harbormasters and boaters around the state to reduce pollution in the marine environment through common-sense waste management solutions and education—including implementation of best practices for dealing with Abandoned and Derelict Vessels.

This newsletter is funded (in part) with qualified outer continental shelf oil and gas revenues by the Coastal Impact Assistance Program, U.S. Fish and Wildlife Service, U.S. Department of the Interior.

An update on the F/V Leading Lady and the F/V Kupreanof

In December 2012, two fishing vessels – the F/V Leading Lady and the F/V Kupreanof – sunk in Kachemak Bay. Presumably taken down by heavy snow loads, these vessels sank with fuel on board and released diesel and other oils into the bay – a Critical Habitat Area and home to over a dozen commercial oyster farms. The vessels were raised by the U.S. Coast Guard, and were repossessed by the AK Dept. of Natural Resources. Arguably this situation helped to move forward HB131 (see an overview in the sidebar on page 3). Where are these vessels now? The owner repaid (most) incurred costs to ADNR for the F/V Kupreanof (\$11,474.94, less \$612.76 for additional storage of the vessel that was never recovered) and took possession back of that vessel in mid-April 2014. She is currently in the Homer Harbor as of June 20, 2014. The F/V Leading Lady is still in ADNR's possession, under contract for disposal for an additional cost to the state of \$13,250. This is one of the cases that the Task Force will look at as we move forward understanding current practices, gaps and needs to help the state better manage and prevent ADV in the future.



ADV in Alaska

New Task Force Products available on our website:

AK Case Studies

This document highlights cases from around the state compiled by Task Force members to highlight some of the challenges and costs associated with these vessels.

Vessel Impoundment - Municipal Templates

A resource manual developed by Birch Horton Bittner & Cherot, providing helpful templates for the vessel impoundment process.

Please see page 4 for information on how to contact the Task Force. Facilitated by Cook Inletkeeper and Alaska Clean Harbors.



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ADV Task Force Update

The ad-hoc Alaska Abandoned & Derelict Vessel Task Force met for the first time in February 2014. Facilitated by Cook Inletkeeper and the Alaska Clean Harbors program, this group was originally conceived by members of the Alaska Association of Harbormasters and Port Administrators. In 2013, important legislation (HB131) passed in Juneau, updating the state's outdated ADV statutes, giving greater authority to all state agencies and municipalities when dealing with ADV (see AS 30.30).

While HB131 was a great first step, representatives from harbor facilities around the state, as well as state and federal agencies, recognized the need for improvement around Alaska to not only address current ADV but to prevent them in the future. The recent report 'Trends and Opportunities in the Alaska Maritime Industrial Support Sector' (McDowell Group, 2014) highlights the issue:

"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."

This aging fleet, while posing an opportunity for some in the maritime industrial support sector, should be a red flag to the state and municipalities. The problem of ADV exists throughout Alaska, and is not one that each municipality, state and federal agency should face on its own. Other coastal states, and indeed many members of the U.S. Congressional Delegation including all of those from Alaska (see the sidebar on page 3), recognize the breadth of this issue and the current and potential future deleterious financial and environmental impacts. The ADV Task Force is continuing to work together to learn from others, educate one another about the current ADV situation in Alaska, and set a course for pro-active management, removal and ultimate prevention of ADV throughout the state.

Alaska Joins in National ADV Workshop

Representatives from the Alaska Department of Natural Resources and the Alaska Department of Environmental Conservation attended a two-day ADV workshop hosted by the NOAA Marine Debris Program and held in Alabama from April 21-22.

Wyn Menefee (ADNR) and Jade Gamble (ADEC) brought back valuable lessons from the workshop that will help the ADV Task Force and individual agencies better address and prevent ADV around Alaska.

You can read proceedings from NOAA's 2009 ADV Workshop here:

<http://marinedebris.noaa.gov/proceedings-workshop-state-level-responses-abandoned-and-derelict-vessels>



ad-hoc ADV Task Force Members

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The following agencies and stakeholders have representatives who have participated in the ad-hoc ADV Task Force to-date:

Alaska Department of Natural Resources, Division of Mining, Land and Water

Alaska Department of Environmental Conservation, Spill Prevention & Response

Alaska Department of Transportation, Port & Harbors

Alaska Department of Fish & Game, Habitat

Alaska Legislature, Rep. Paul Seaton, Rep. Jonathan Kreiss-Tomkins

Alaska Association of Harbormasters and Port Administrators, Representatives from Homer, Bethel, Sitka

United States Coast Guard, Sector Anchorage, Division of Waterways Management

National Oceanic and Atmospheric Association, Marine Debris Program, Restoration Center

Environmental Protection Agency, Response, Alaska Region 10

Alaska Marine Response

Birch Horton Bittner and Cherot, pro-bono legal assistance for Cook Inletkeeper

Cook Inletkeeper/Alaska Clean Harbors, Facilitator

The United States Army Corps of Engineers has been made aware of this effort, and a representative is included in all email correspondence.



NEW! Vessel of Concern Reporting in Alaska

One of the initial goals of the ADV Task Force was to increase coordination and understanding for dealing with ADV between agencies/stakeholders. One example of the need for improved communication regarding vessels of concern comes from recommendation 4.4 in the 2014 Cook Inlet Risk Assessment Report. As a risk reduction strategy, the Advisory Panel included improving communications between harbormasters and the Coast Guard of unsafe vessels, especially those that are turned away from a harbor facility. From the report, “The Advisory Panel recommends that Harbormasters and Port Directors in Cook Inlet establish procedures to help them identify unsafe and unseaworthy vessels, and to contact the U.S. Coast Guard when they turn such vessels away.”

The ADV Task Force recognized early on that improved communication between agencies and stakeholders around the state would help to prevent and respond to ADV incidents. Therefore, one of our first efforts in 2014 was developing a joint agency reporting form for vessels of concern. By using this form, agencies and stakeholders are taking an important step forward in standardizing the basic information gathered on ADV around Alaska. It also allows for increased participation from harbors and municipalities in the tracking and inventorying of ADV and Vessels of Concern. ADNOR has set up a listserv through which agency and stakeholder representatives can submit and distribute these reports. Although Alaska still lacks a cohesive ADV database, the VOC reporting form and listserv creates an effective

mechanism to get pertinent information out about current and potential ADV in a timely manner.

Find the VOC form on our website: <http://alaskacleanharbors.org/resources/harbor-management/derelict-vessels/>

Contact the Task Force (see page 4) to subscribe to the listserv.



Federal Attention on ADV

On June 2, 2015 the three members of Alaska’s Congressional Delegation signed on to a letter with 19 other Congressional leaders to the Government Accountability Office (GAO), asking for an assessment of and action on abandoned and derelict vessels around the country.

We applaud Senators Lisa Murkowski and Dan Sullivan and Representative Don Young for recognizing this important issue at a federal level. We look forward to continued attention and we are hopeful for progress towards a more proactive approach to ADV prevention and response not only in Alaska but around the country.

Read the letter on our website: <http://alaskacleanharbors.org/resources/harbor-management/derelict-vessels/>

For more information or to get involved, please contact:

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(907) 235-4068 x29
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[http://alaskacleanharbors.org/resources/
harbor-management/derelict-vessels/](http://alaskacleanharbors.org/resources/harbor-management/derelict-vessels/)



Cook Inletkeeper and Alaska Clean Harbors are supporting the facilitation of this effort. To learn more about Cook Inletkeeper—a community-based organization dedicated to protecting clean water and healthy salmon in Alaska's Cook Inlet, please visit www.inletkeeper.org.



Alaska Clean Harbors is a voluntary, non-regulatory program that works with harbormasters and boaters around the state to reduce pollution in the marine environment through common-sense waste management solutions and education—including implementation of best practices for dealing with Abandoned and Derelict Vessels.

The next ADV Task Force Meeting is scheduled for August 19, 2015.

Steamboat Slough Update

During our in-person meeting on June 17 in Anchorage, Curtis Mann from the Orusararmiut Native Council (ONC) gave a presentation to the ADV Task Force on the current situation in Steamboat Slough. There are over thirty barges in and around Steamboat Slough—a narrow channel heavily used for not only navigation but also for fishing and private property access. From the ONC presentation, the biggest con-



cerns for the community regarding the barges in Steamboat Slough and the surrounding areas are fisheries and navigation, and concerns for life, health and safety of people transiting the slough year-round. During open water, and especially around the sunken barge Shank's Ark, there are no navigational aids and so people boating are in a dangerous situation - especially when there are other vessels traveling at the same time in the area. Impacts on habitat and fish passage are also big concerns, with anecdotal declines in reds and other fish in the Slough. The Task Force discussed the situation at length, with DNR representatives indicating that there is some movement at prosecution under either civil or criminal rules, however that process is slow and complicated. Curtis brought videos from Steamboat Slough, and a compiled short video overview of the area can be seen via our website: <http://alaskacleanharbors.org/resources/harbor-management/derelict-vessels/>

ADV in Alaska

Products available on our website:

- **Alaska ADV Case Studies**
- **Vessel Impoundment Municipal Templates**
- **Vessel of Concern Reporting Form**
- **Video overview of ADV in Steamboat Slough**
- **Past Meeting Summaries**

Please see page 4 for information on how to contact the Task Force. Facilitated by Cook Inletkeeper and Alaska Clean Harbors.



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ADV Task Force Update

Since February of 2014, the ad-hoc Abandoned & Derelict Vessel Task Force has met in person nine times in Anchorage (a list of participating entities is included on page 2). As facilitator for this group, I will say that I have never worked with a more pro-active and convivial group of people, especially on such a complex and thorny issue. I believe this is born from a real understanding from all participants that the increasing number of derelicts throughout our coast and rivers poses a substantial threat to Alaska's environment, navigation, public safety and economy. Countless hours are being spent by agency staff and municipal employees on tracking down vessel owners, trying to prevent vessel abandonment, and mitigating damage as much as possible when owners can't or won't take responsibility. Recently one of our Task Force members found a copy of a resolution from our 16th Legislature in 1990 declaring the risk abandoned vessels pose to the state and the need to systematically address the issue (see pg. 4). Finally, almost twenty years later, Alaska

Clean Harbors (through the support of Cook Inletkeeper) is facilitating that effort with all of the major players at the table. The Task Force is working hard to put together a suite of recommendations for the legislature to take up in Ju-



neau during the next session, with the ultimate goal of preventing future derelict vessels, reducing the overall burden on our state and municipal entities, and mitigating the negative impacts derelict vessels have on the general public throughout the state. Our next update will be in the fall, prior to the start of the legislative session. In the meantime, please don't hesitate to contact me with any questions or feedback!

Thanks to Wyn

Earlier this year, Wyn Menefee moved to a new position at ADNR and left the ADV Task Force. This summer we will present Wyn with a letter of commendation, thanking him for the huge amount of knowledge and expertise he brought to the table to help craft potential solutions to the growing challenge of ADV throughout Alaska. Thank you, Wyn, and best of luck in your new endeavors!



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Office of Senator Lisa Murkowski

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The United States Army Corps of Engineers has been made aware of this effort, and a representative is included in all email correspondence.

Pondering a State ADV Program

Last spring, representatives from ADNRR and ADEC attended a three-day national workshop on ADV held by the NOAA Marine Debris Program. One of the big take-home messages they brought back was the high return on investment for having a dedicated person at the state level who consolidates efforts on derelict vessels. Currently in Alaska, nobody in the state is tasked with addressing derelict vessels. When a vessel is abandoned, the effort to track down its owner, push for removal, outreach about options, and coordinate with other state, federal, local and tribal entities on options, funding and other concerns is stacked on top of multiple staff members at several different agencies.

Building on resources provided from other states (specifically our nearest neighbors in Washington), we envision an ADV Program for the State of Alaska that would allow for streamlined assessment and management of derelict vessels. There would be increased and institutionalized communication and processes between agencies and federal, local and tribal entities on derelict vessel identification, management and removal. This would lead to reduced bureaucracy and increased efficiency, with a goal of timely management of derelict vessels. Without this



level of coordination, often times the state agencies are unable to move quickly on new cases, and lose opportunities to save money by “piggybacking” on clean-up efforts from the US Coast Guard and ADEC, where funding exists to mitigate pollution damage.

Within the suggested revisions to the state derelict vessel chapter 30.30, this fall the Task Force will be presenting an opportunity for the formation of an ADV Program and the consolidation of personnel resources to streamline derelict vessel management for the state of Alaska. Please see page 4 for contact details to provide feedback or suggestions.

Alaska ADV Database Update

How many derelict vessels are littering Alaska’s coast and rivers? This is an important question to answer, but it’s no easy task! For the past year, ADNRR has been working with the Task Force on developing a statewide database that shows each vessel on a map, along with data and photos where available. Agency and municipal staff can enter data on new derelicts, and can update existing records, in the field and on their smartphones or tablets. Vessel of Concern (VOC) reporting forms (found on the ADV webpage, and soon on agency websites) can be filled out and submitted to ADNRR for eventual inclusion to the database. It’s important to note that

even with this fantastic new tool, the state does not have a point person for derelict vessels. As such, VOC reporting forms and other field assessments of new derelict vessels will have to wait to be vetted before being added to the master database. We believe that having the base map, and the ability to at least compile consistent data on additional vessels, will be a huge improvement in our long-term ability to track, manage and prevent derelict vessels and their associated environmental/navigational/safety hazards and negative economic impacts.

For more information or to get involved, please contact:

Rachel Lord, facilitator

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1990 Alaska Joint Resolution

Relating to abandoned vessels on the beaches of Alaska.

WHEREAS many abandoned vessels, including merchant vessels, fishing vessels, and other vessels, are grounded on the coast of Alaska; and

WHEREAS abandoned vessels are an environmental hazard and are aesthetically unpleasing; and

WHEREAS the state does not have the resources to salvage or dispose of abandoned vessels; and

WHEREAS the state does not currently have statutory authority to impose liability on the owners of abandoned vessels for the cost of salvaging or demolishing abandoned vessels; and

WHEREAS communities are not compensated for the aesthetic and physical trespass resulting from abandoned vessels;

BE IT RESOLVED by the Alaska State Legislature that the governor is respectfully requested to study the problems posed by abandoned vessels and to make appropriate recommendations to the First Session of the Seventeenth Alaska State Legislature for legislation necessary to remedy existing problems and prevent future problems.

