

Solve the problem of abandoned, derelict boats[Hide Details](#)Juneau Empire (AK) - March 4, 2018 [Browse Issues](#)

Author/Byline: Benjamin Brown Section: Opinion Readability: >12 grade level (Lexile: 1420)

Boats are an integral part of Alaskan life, and they are intricately woven into the coastal reality of the Last Frontier. In the same way that the Alaska Marine Highway System is analogous to, and a logical and essential extension of, the roadways that connect Alaskan communities on land, boats are the cars of the sea. Just as one cannot just ditch an old clunker in a parking lot, society must demand a level of responsibility from boat owners that reflects the environmental and economic costs of abandoned marine vessels.

The problem of abandoned boats has plagued Alaska's harbors and the coastal communities where they're located since long before statehood. In the last century, as Alaska's economy and population grew rapidly and robustly, the number of boats skyrocketed. These many vessels have not been replaced with newer boats in recent years. The numbers have now reached a level that poses an insupportable burden that promises to get worse with the passage of time.

State and federal agencies estimate that there are currently 200 ghost ships in Alaskan coastal waters. As the fleet ages, it is predicted that in the next decade there will be thousands of boats nearing the half century mark. It is reasonable to expect that many, if not most, of these older vessels have deferred maintenance issues. Boat repairs are notoriously expensive, and this fiscal challenge makes it harder for owners to use them for their intended purposes. Vessel owners are frequently separated by long distances from the boats they own which may also lead to more negligent behavior. All these factors result in a greater likelihood of vessels being abandoned, sinking at anchor, or slowly rotting into the water as part of a cycle of decay.

Legislation has been introduced in the Alaska Legislature to address the problem of derelict and abandoned vessels. Senate Bill 92 and House Bill 386 would align the property ramifications of owning a boat with the rules that apply to owning a land-based motor vehicle. One of the reasons that all levels of government in Alaska are not more effectively able to manage derelict vessels is the lack of documentation of ownership. Ambiguity about who legally owns a boat frustrates enforcement; we would certainly see many more junked cars on our streets if the Division of Motor Vehicles didn't have a precise and accurate account of the individual legally responsible for every car in Alaska.

A task force addressed the underlying components of this problem, and helped identify the reasons it can't be solved by greater enforcement solely by local harbor masters and municipal governments. The perfect storm of an aging fleet and disincentives for owners of failing boats to repair or dispose of them responsibly mandate increased legal authority and attention from the state.

The Statewide Alaska Clean Harbors Program has been advocating for years to take the simple and logical steps needed to clean up existing derelict sites and to prevent the expansion of this public health and safety problem. The legislation that is now being heard in the Alaska Legislature can, if enacted, take this problem to a different and better place.

When vessels are neglected and left unattended, and some of them ultimately sink, there have to be clear consequences, communicated in legally effective terms that produce desired outcomes. Alaska's waters will see more leaked oil and other harmful fluids leaching into sensitive habitats if something is not done to make vessel owners responsible for their watercraft.

Looking at the harbors in Juneau, it might appear at first glance that there is no problem with abandoned and derelict vessels. This disregards the tremendous geographic expanse of the municipality in which we reside. The need to regulate and enforce the problem of ships that have been left behind extends to remote places that most Juneau residents never see. It only makes sense to apply a legal and regulatory ownership scheme to marine vessels that is in balance to the rules that apply to cars. All are essential transportation tools that vastly improve our quality of life as Alaskans, and all thus ought to be treated equally by the law in hopes of equally responsible behavior by their owners.

Alaska has more coastline than the rest of the country combined, and this is like a super-highway around our wonderful state. We cannot afford to allow it to be littered with abandoned boats and we can solve this problem if we apply good rules.

Benjamin Brown is a lifelong Alaskan and an attorney who lives in Juneau.

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