

Alaska Association of Harbormasters and Port Administrators



RESOLUTION NO. 2012-02

A RESOLUTION OF THE ALASKA ASSOCIATION OF HARBORMASTERS AND PORT ADMINISTRATORS REQUESTING STRONGER MUNICIPAL POWERS IN REGARDS TO ABANDONED AND DERELICT VESSELS.

Whereas, the Alaska Association of Harbormasters and Port Administrators recognizes the majority of the public boat harbors in Alaska where constructed by the State during the 1960s and 1970s; and

Whereas, the State established statutes and regulations for its purposes that dealt with abandoned and derelict vessels at these state harbor facilities; and

Whereas, the specific State statute is called the Abandoned and Derelict Vessel Act (AS 30.30); and

Whereas, the State of Alaska during the past 20 years has transferred ownership of most of these State owned harbors to local municipalities; and

Whereas, the municipalities took over this important responsibility because these harbor facilities represent critical transportation links and are the transportation hubs for waterfront commerce and economic development in Alaskan coastal communities; and

Whereas, these municipal owned harbor facilities are ports of refuge and areas for protection for ocean-going vessels and fishermen throughout the State of Alaska, especially in coastal Alaskan communities; and

Whereas, consequently, local municipal harbormasters found themselves without sufficient legal protection due to some abandoned and derelict vessels left in these harbor facilities; and

Whereas, the cost of cleanup or disposal of an abandoned and derelict vessel can easily exceed \$1 million, creating a major financial burden that their local municipal governments could not afford; and

Whereas, local municipal governments, where they had the legal and financial resources, created codes to protect themselves from the liabilities and hazards of abandoned and derelict vessels; and

Whereas, some local municipal governments do not have the legal and financial resources to create or change codes to protect themselves from the liabilities and hazards of abandoned and derelict vessels; and

Whereas, the unincorporated areas of the State also need protection from the liabilities and hazards due to abandoned and derelict vessels; and

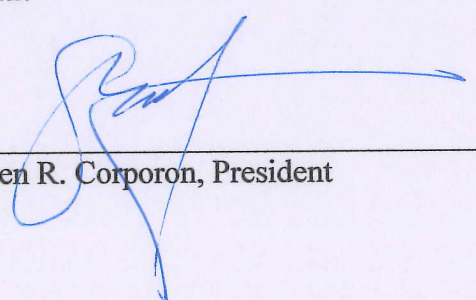
Whereas, the Department of Transportation and Public Facilities' mission is to build, maintain and promote transportation of all modes; and

Whereas, the Department of Transportation & Public Facilities is not funded to perform environmental cleanup work of marine vessels; and

Whereas, other state agencies or peace officers might find it in the public's best interest to impound an abandoned or derelict vessel, especially in the unincorporated areas of the State, to prevent or cleanup the environmental mess left behind from an abandoned or derelict vessel; and

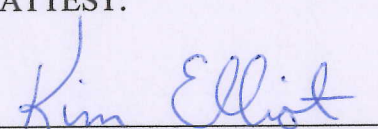
Now therefore be it resolved that the Membership of the Alaska Association of Harbormasters and Port Administrators urges that AS 30.30 be modified as detailed in the attached draft to allow any municipality or state agency to have the full protections afforded in the Abandoned and Derelict Vessel Act.

Passed and approved by a duly constituted quorum of the Alaska Association of Harbormasters and Port Administrators on this 24th day of October, 2012.



Steven R. Corporon, President

ATTEST:



Kim Elliot, Executive Secretary