Derelict Vessels in the Keys: Evolving From Removal to Prevention

Sanctuary Advisory Council Meeting
April 18, 2017

Presented by:
Rich Jones
Monroe County
Office of Marine Resources
“Derelict vessel” means a vessel, as defined in s. 327.02, that is left, stored, or abandoned:
1. In a wrecked, junked, or substantially dismantled condition upon any public waters of this state.
2. At a port in this state without the consent of the agency having jurisdiction thereof.
3. Docked, grounded, or beached upon the property of another without the consent of the owner of the property.
“Floating structure” means a floating entity, with or without accommodations built thereon, which is not primarily used as a means of transportation on water but which serves purposes or provides services typically associated with a structure or other improvement to real property. The term includes, but is not limited to, an entity used as a residence, place of business or office with public access; a hotel or motel; a restaurant or lounge; a clubhouse; a meeting facility; a storage or parking facility; or a mining platform, dredge, dragline, or similar facility or entity represented as such. Floating structures are expressly excluded from the definition of the term “vessel” provided in this section. Incidental movement upon water or resting partially or entirely on the bottom does not, in and of itself, preclude an entity from classification as a floating structure.
Physical Impacts
Water Quality Impacts

Photo: FWC
Hazard to Navigation Impacts
Why is it a problem in the Keys?

- **Geography**
  - Large management area
  - Abundance of shallow, sensitive marine habitats
- **Vessel demographics**
  - High # of registered vessels
  - High # of local liveaboard
  - Migrant vessels
  - Floating structures
- **Socio-economic factors**

Data based on Managed Anchoring Zones In Key West Area
DV removals in the Keys (2008-2016)

DV removals/year

<table>
<thead>
<tr>
<th>Year</th>
<th>DV removals/year</th>
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<tbody>
<tr>
<td>2008</td>
<td>47</td>
</tr>
<tr>
<td>2009</td>
<td>20</td>
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<tr>
<td>2010</td>
<td>91</td>
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<tr>
<td>2011</td>
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<td>2012</td>
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<td>2013</td>
<td>47</td>
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<td>2014</td>
<td>69</td>
</tr>
<tr>
<td>2015</td>
<td>53</td>
</tr>
<tr>
<td>2016</td>
<td>79</td>
</tr>
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DV Removal Costs (2008-2016)
D/V Removal Funding Sources

County Boating Improvement Funds- $180,000/yr.

Grant opportunities:
• FWC Boating Improvement Program (BIP) grants
• FY’17 FWC Derelict Vessel Grant Program- over 200k received this year by County
• Pros and cons with grants- vessels pile up, etc

Restitution payments- historically minimal, but in recent years has increased to approximately 5-8% of d/v owners. Approximately $10,000/yr.
All Marine Contractors are Qualified

- Must have suitable staff and equipment, familiarity with Keys waters, and ability to mobilize quickly
- Must have strong references and history of similar work projects (preferably in the Keys)
- Must have all applicable insurance coverages
- County maintains ongoing contracts with pre-qualified contractors
- Competitive bidding on every d/v job
Derelict Vessel Report

Case Number: FWSB-13-OFF-10892
Registration/Documentation: FL 1233 BT
HIN: FLZ49211272
 Hull Material: Fiberglass
 Color: White and blue
 Vessel Type: Sailboat
 Length: 26'
 Lat and Lon: 25 00.762 / 80 51.385
 Geographical Location: Community Harbor
 Approximate Water Depth: 4
 Hazard to Navigation or Environment threat: No anchor light and moored
 Additional Descriptors: "Cotton Cloud"
 Investigating Officer: FWC Officer Janette Costoya N104
 Additional direction to contractor: This vessel has been declared derelict and may be removed and destroyed under Florida Statute 823.11 and was investigated in accordance with Florida Statute 736.1069.
Removal Documentation for Payment

Coffin Marine Services

Specializing in Marine Salvage

PO. Box 430538 BIG PINE KEY, FL. 33043 (305) 872-8863 FAX (305) 872-5613

May 2, 2014
Celia Hutchins
Monroe County Marine Resources

INVOICE: Ref FWSB 11232

Coffin Marine performed the following services: Salvage and properly dispose of a derelict vessel, described as a 27-foot sunken sailboat. This vessel was abandoned on the bay side of Marathon.

COST: 2,867.00

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Coffin Key Transfer Station
Operating hours 8 AM to 4 PM Monday thru Saturday
CATCH THE “GREEN” WAVE !! Please call 305-292-4536 if this ticket does not contain a green “value”. Thank you.
The Biggest Challenges

• Big Boats!!!
• Challenging locations
Tugboat salvage may cost $500K

Sunken tug is navigational hazard near channel

BY TIMOTHY O'HARA
Citizen Staff

Florida Keys National Marine Sanctuary scientists on Monday conducted a preliminary review of a steel-hull tugboat that sank off Key West near the main shipping channel.

The 81-foot tugboat 'Tilly' sank two miles off Fort Zachary Taylor State Park sometime before 6 p.m. Friday, according to reports received by the Coast Guard.

The roughly 100-ton vessel was unable to move under its own power, and was towed to the area near the main shipping channel on Feb. 21 by workers at the Stock Island Marina Village.

Marina officials were in the process of evicting the vessel and its owner, Stephen Freer, and offered to take the Tilly to an anchorage off Fleming Key, according to marina representatives and Freer. Also, marina officials reportedly gave Freer a small outboard engine, a marine battery and vessel light.

When the Tilly and the tow boat reached the area near the shipping channel, the tow boat began to overheat and could no longer pull the Tilly, marina representatives said.

Marina workers called a professional marine tow company, but Freer did not have a tugboat.
Additional Challenges

• Impoundment may be necessary - additional costs
• Restitution is always difficult
• Strategy and prioritization

Photo: FWC
Improvements in Enforcement
Staffing and Coordination

- FWC- always working on d/v’s- several dedicated officers
- Sheriffs Office now has a dedicated d/v Officer, James Hager, in the Lower Keys
- Sheriffs Office Officer Willy Guerra also working Marathon area
- Monroe County performs all d/v removals
Legal Issues

- Is it a vessel by definition?
- How quickly can it be removed?
- How to deal with the constant change in ownership?
So, what about Prevention?

In recent years the d/v issue has shifted focus from removal to prevention:

• At Risk Vessels, previous to 2016 was an information only program, are now prohibited by State Statute
• A 2017 anchoring bill prohibits vessels from tying off to an ‘unauthorized’ mooring on sovereign submerged lands
• A ‘Vessel Turn-In Program’ is in the works to address boater behavior that leads to abandonment of vessels, and will provide for voluntary disposals (similar programs in other states)
• Staff is drafting an ordinance prohibiting floating structures at anchor throughout the Keys
• Other draft d/v laws in current legislative bill
• Future of technology for recycling of fiberglass is critical
To report a derelict vessel call:

Monroe County:
  Rich Jones  289-2805
  Celia Hitchins 289-2580

Or call FWC directly:
  888 404-FWCC (dispatch)

Can also go online to the FWC D/V site to see if vessel is already being investigated.
(https://public.myfwc.com/LE/ArrestNet/DerelictVessel/VesselMap.aspx)