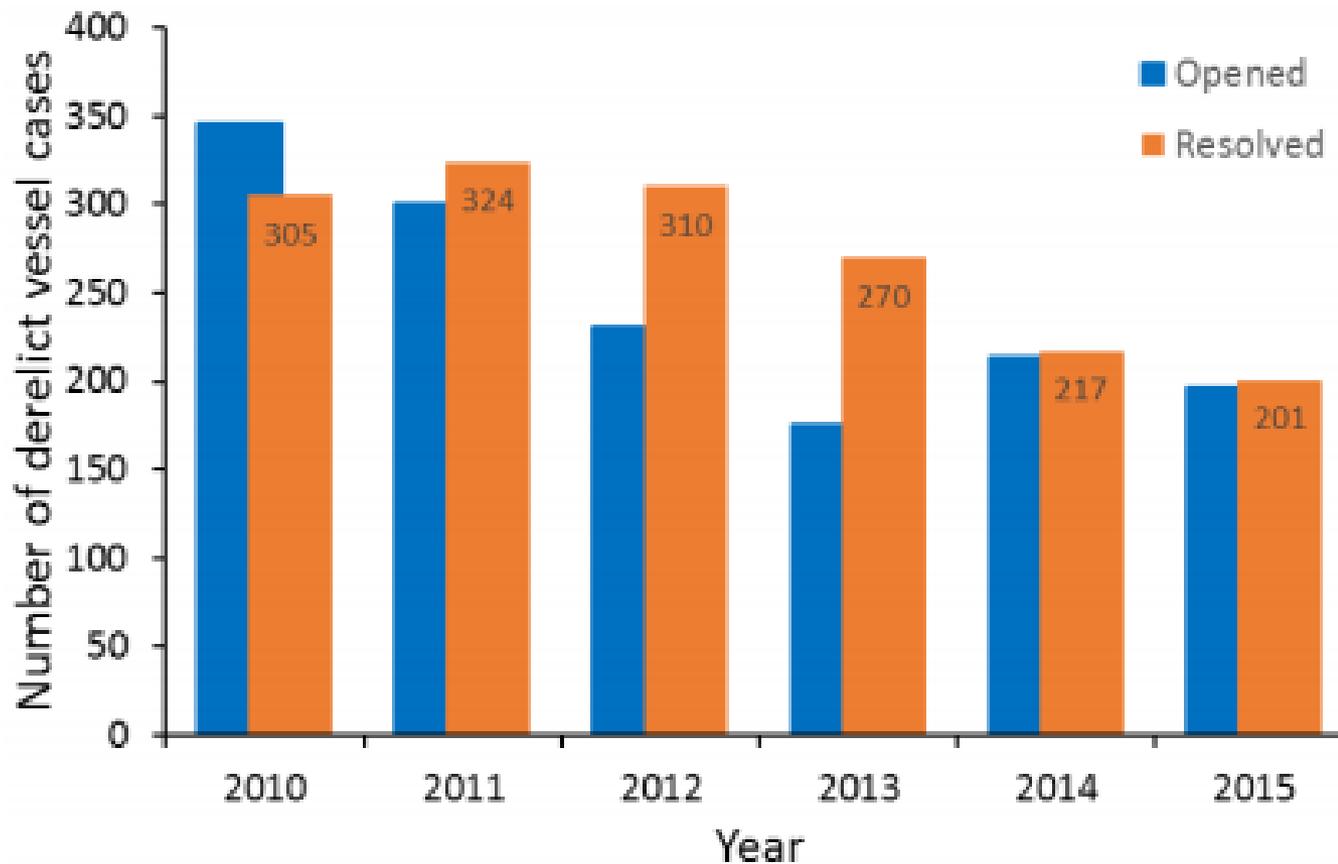




Abandoned and Derelict Vessels in the Florida Keys National Marine Sanctuary

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April 18, 2017

Derelict and Abandoned Vessels in Florida



Derelict and Abandoned Vessels – Impacts to Wildlife



- Introduction of hazardous materials
- Ingestion of lines, nets, plastics, etc.
- Entanglement

Derelict and Abandoned Vessels – Impacts to Habitat



- High energy environments
- Erosion
- Fracturing, scraping, gouging, etc.

Derelict and Abandoned Vessels – Public Safety



- Hazardous materials
- Dangerous to beachgoers
- Navigation hazards
- Aesthetics

Derelict and Abandoned Vessels – Federal Jurisdiction & Authorities



National Oceanic and Atmospheric Administration

- Marine Debris Research, Prevention, and Reduction Act
- Coral Reef Conservation Act of 2000
- **National Marine Sanctuaries Act**

U.S. Army Corps of Engineers

- Rivers and Harbors Act of 1899
- Engineer Regulation and Pamphlet 1130-2-520, Chapter 4

United States Coast Guard

- Clean Water Act and Oil Pollution Act of 1990
- Comprehensive Environmental Response, Compensation, and Liability Act
- Abandoned Barge Act of 1992

Federal Emergency Management Agency

- Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act)



Derelict and Abandoned Vessels – State Jurisdiction & Authorities



Chapter 823.11 Derelict Vessels; relocation or removal; penalty

- Defines “derelict vessel”
- Prohibits storing/abandoning derelict vessel
- Authorizes removal activities
- Authorizes recovery of costs
- Violation is 1st Degree Misdemeanor

Chapter 376.15 Derelict Vessels; relocation from public waters and Chapter 376.16 Enforcement and Penalties

- Prohibits storing/abandoning derelict vessel
- Establishes grant program for removal activities
- Establishes penalties

Chapter 705 Lost or Abandoned Property

- Establishes procedures for abandoned/lost property
- Authorizes recovery of costs
- Prevents person from registering vessel/vehicle until costs paid



Derelict and Abandoned Vessels – State Jurisdiction & Authorities



Chapter 327.4107 Vessels at risk of becoming derelict on waters of this state

- Prevent vessels from becoming derelict
- Violation is a noncriminal infraction

Chapter 403.93345 Coral Reef Protection

- Addresses coral injuries resulting from anchoring and vessel groundings
- Requires responsible party to remove vessel within 72 hours
- Authorizes recovery of response and restoration costs
- Establishes penalties



Derelict and Abandoned Vessels – County/Municipal Jurisdiction & Authorities



Monroe County Chapter 21 Article II Section 21-21 Illegal waste disposal on public and private lands and waterways

- Prohibits placing/leaving abandoned vessel on waterways

Monroe County Chapter 26 Article V Section 26-102 Anchoring and mooring restricted areas

- Establishes managed anchoring zones to deter derelict vessels
- Prohibits vessels exhibiting pre-derelict vessel conditions
- Prohibits derelict vessels

City of Marathon Chapter 36 Article IV Section 36-86 Abandoned, derelict, and wrecked vessels and illegal floating structures and 36-89 Penalties

- Prohibits derelict vessels
- Authorizes removal
- Authorizes recovery of costs
- Establishes penalties

City of Key West Chapter 82 Article II Section 82-38 Abandonment; mooring creating menace to navigation

- Prohibits leaving abandoned vessel on public waterways



Derelict and Abandoned Vessels – Challenges and Limitations



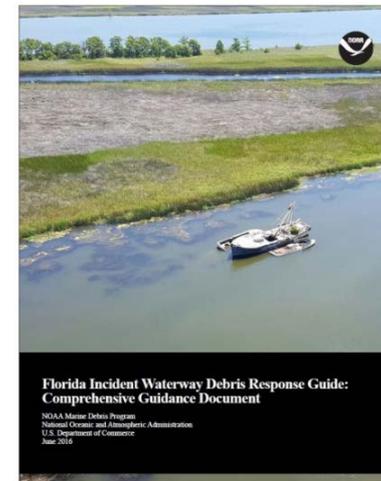
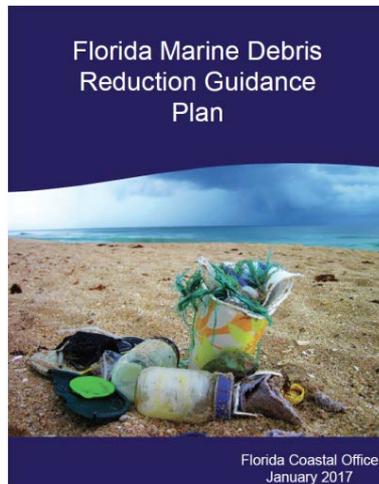
- Jurisdiction
- Authority
- Funding
- Identification of responsible party
- Access to vessel location
- Sensitive habitats



Derelict and Abandoned Vessels – Current and Future Actions



- Maintain and improve existing partnerships
- Identify sources of funding for removal projects
- Enforce compliance with existing regulations
- Strengthen legal authorities to prevent derelict vessels



Commercial Towing and Salvage in FKNMS



Derelict/Abandoned Vessels, Groundings, Fires, Marine Casualties, and Debris Removal



Photo: Coffin Marine Services Inc.



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Photo: Coffin Marine Services Inc.



Photo: FWC



Photo: Coffin Marine Services Inc.



Photo: Coffin Marine Services Inc.



Derelict/Abandoned Vessels, Groundings, Fires, Marine Casualties, and Debris Removal



FKNMS Management Plans 1997 and 2007



- Regulatory Action Plan identified the need to reduce impacts from improper vessel salvage
 - ✓ Permits
 - ✓ Notifications
 - ✓ Observers and/or Authorization to Proceed
 - ✓ Operator Training
 - ✓ Use of environmentally sound towing/salvage techniques



FKNMS Management Plans 1997 and 2007



- No regulations implemented specifically addressing towing/salvage
- Permits to be issued for operations that may involve prohibited activities:
 - ✓ Alteration of, or construction on, the seabed
 - ✓ Operations of vessels
 - ✓ Discharge or deposit of materials or other matter
 - ✓ Movement of, removal of, injury to, or possession of Sanctuary historical resources
 - ✓ Interference with law enforcement
 - ✓ Areas to be avoided
 - ✓ Existing Management Areas, Research Only Areas, Sanctuary Preservation Areas



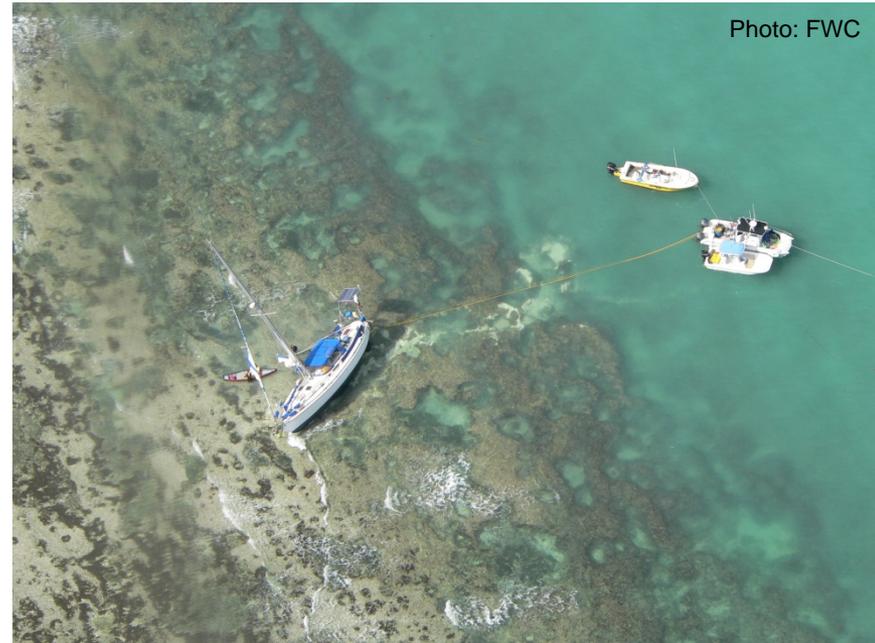
Current FKNMS Requirement



- No requirements for “typical” salvage/recovery
- Letter of Authorization or General Permit will be issued for “non-typical salvage/recovery involving prohibited activities
 - ✓ Installation of temporary spuds
 - ✓ Deployment of boom, turbidity curtains, air bags and other materials on the sea floor
 - ✓ Use of dredge pumps to restore sea bottom after vessel removal
 - ✓ Contact with sea floor by equipment
- May require staff oversight



“Typical” Salvage/Recovery



“Non-Typical” Salvage/Recovery



Photo: FWC.



Photo: Coffin Marine Services Inc.



Photo: FWC.



Florida Keys National Marine Sanctuary

Resource injuries from salvage/recovery



Photo: Coffin Marine Services Inc.



Photo: FWC.



Techniques to reduce resource injury



- Use floating lines or cables instead of chains
- Use spuds instead of traditional anchors
- Use stationary barges rather than vessel power in shallow areas
- Dismantle vessel in place
- Remove potential pollutants prior to salvage/recovery
- Ensure necessary equipment is on scene for pollution response
- Do not attempt operations above your capabilities and/or experience level
- Appropriately trained personnel and maintained equipment
- Be aware of sanctuary resources

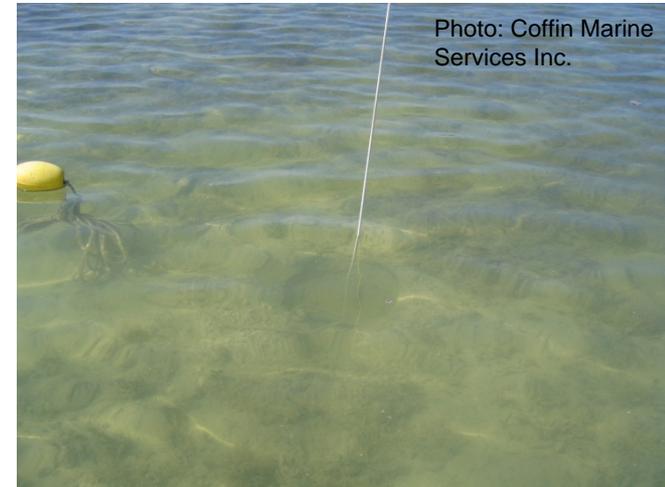


Photo: Coffin Marine Services Inc.



Photo: FWC

Types of equipment to reduce resource injury



Photo: Adventure Environmental Inc.



Photo: Adventure Environmental Inc.

Types of equipment to reduce resource injury



Photo: Coffin Marine Services Inc.



Photo: Adventure Environmental Inc.

Shallow Water Wildlife and Habitat Protection Working Group Recommendations



Objective 7: Reduce damage to natural resources from improper vessel salvage methods.

Implement a towing and salvage permit program in the FKNMS:

- Use established and successful programs from Biscayne National Park as a guide.
- Establish a SAC Towing and Salvage Work Group to ensure dialog and coordination with the towing community.
- Include Standard Operating Procedures (use C-Port, USCG, BNP for guidance).
- Promote innovation of techniques.
- Allow for adaptive management.

How to keep engaged and where to find more information:

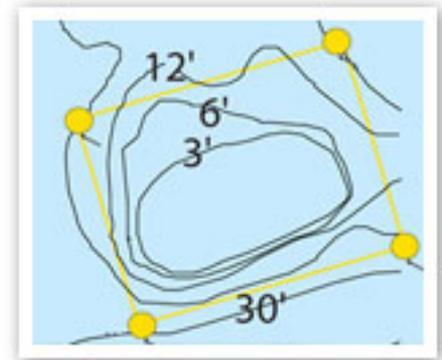


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MARINE ZONING &
REGULATORY REVIEW

