

COMMITTEE MEETING EXPANDED AGENDA

**APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE,
ENVIRONMENT AND GENERAL GOVERNMENT**

**Senator Mayfield, Chair
Senator Powell, Vice Chair**

MEETING DATE: Tuesday, January 28, 2020
TIME: 8:30—10:30 a.m.
PLACE: *Toni Jennings Committee Room, 110 Senate Building*

MEMBERS: Senator Mayfield, Chair; Senator Powell, Vice Chair; Senators Albritton, Bean, Berman, Broxson, Hooper, Hutson, Rodriguez, and Stewart

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Presentation on Derelict Vessels by the Florida Fish and Wildlife Conservation Commission	Presented	

Other Related Meeting Documents

Derelict Vessels



Senate Subcommittee on Agriculture, Environment
and General Government Appropriations
January 28, 2020



What is a Derelict Vessel (DV)?

s. 823.11, Florida Statutes,
defines a derelict vessel as:

A vessel that is left, stored or
abandoned in a...

- Wrecked,
- Junked, or
- Substantially Dismantled
condition



Wrecked

- Wreckage from a boating accident or marine casualty
- Grounded in such a way that the vessel cannot extricate itself without assistance



Junked

- Stripped for parts or scrap
- Discarded as useless or worthless



Substantially Dismantled

- Dismantled to a considerable degree
- The condition has become the characteristic nature of the object



DV Process

- Starts with detection/reporting of DVs
- DV Investigation Standard Operating Procedure (SOP)
- Authorization to remove
- DV Grant Program
- Restitution



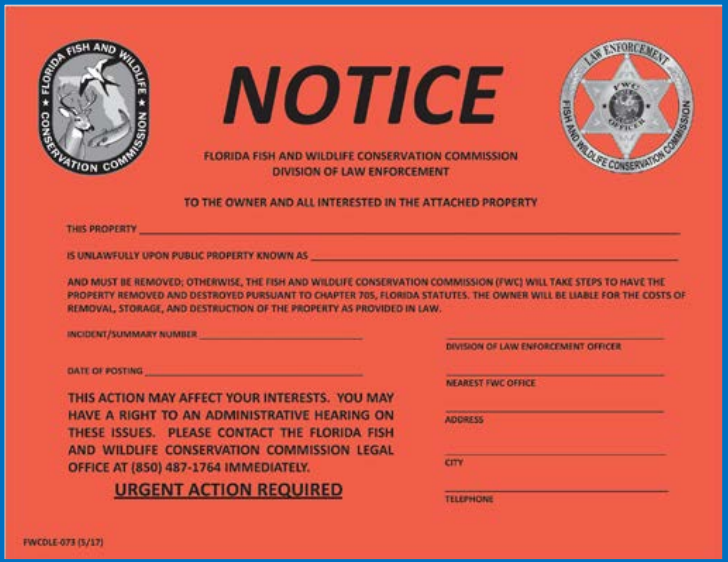
DV Process



- Can be investigated by FWC or local law enforcement agencies
- Derelict Vessels are reported to dispatch or discovered by an officer on patrol
- Officer initiates DV Investigation
 - Vessel is determined to either be DV or At-Risk
 - If derelict, the investigation continues
 - If At-Risk, a citation/warning is issued to address vessel condition
 - Investigations must be completed within 45 days



DV Process

- DV investigations are conducted utilizing the FWC Standard Operating Procedure (SOP) for DV Investigation:
 - Diligent search for the owner
 - Notification of Rights
 - Posting of the vessel
 - 21-day hold period
 - Authorization to remove



 **NOTICE** 

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
DIVISION OF LAW ENFORCEMENT

TO THE OWNER AND ALL INTERESTED IN THE ATTACHED PROPERTY

THIS PROPERTY _____
IS UNLAWFULLY UPON PUBLIC PROPERTY KNOWN AS _____

AND MUST BE REMOVED; OTHERWISE, THE FISH AND WILDLIFE CONSERVATION COMMISSION (FWC) WILL TAKE STEPS TO HAVE THE PROPERTY REMOVED AND DESTROYED PURSUANT TO CHAPTER 705, FLORIDA STATUTES. THE OWNER WILL BE LIABLE FOR THE COSTS OF REMOVAL, STORAGE, AND DESTRUCTION OF THE PROPERTY AS PROVIDED IN LAW.

INCIDENT/SUMMARY NUMBER _____
DATE OF POSTING _____

DIVISION OF LAW ENFORCEMENT OFFICER _____
NEAREST FWC OFFICE _____
ADDRESS _____
CITY _____
TELEPHONE _____

THIS ACTION MAY AFFECT YOUR INTERESTS. YOU MAY HAVE A RIGHT TO AN ADMINISTRATIVE HEARING ON THESE ISSUES. PLEASE CONTACT THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION LEGAL OFFICE AT (850) 487-1764 IMMEDIATELY.

URGENT ACTION REQUIRED

FWC/LE-073 (5/17)



Collaborative Tools

- Derelict Vessel Database
 - Law Enforcement Partners
 - Derelict Vessel program managers
 - Administrative Hearings
- Outreach to County and Municipal Governments



DV Removal

- Once the DV is approved for removal, removal options include:
 - Use local funds
 - Apply for DV removal grant
 - FWC may also remove starting FY 20/21



Current DV Grant Process

- Open, first come first serve application period
- Grant applications received are vetted and awarded
- Removal contract drafted
- Contract executed
- Removal work is done by local government
- Removals confirmed
- Funds reimbursed to grantee



DV Grant Process

Recent Grant Program Changes:

New rule changes, effective
November 29th 2019:

- Incorporated an open application period
- Zero percent applicant match
- Stronger proof of commitment to seek legal action



Rapid Removal Process

- No application window
- Use of Purchase Order to expedite funding
- Granted on an individual basis

DVs with an urgent need of removal:

- Imminent danger to the public or environment
- Imminent threat of sinking or breaking apart where removal cost will otherwise be increased exponentially
 - e.g. Large 80 foot derelict vessel m/v Caroline C. taking on water



After Removal

- Demand for repayment letter
- Suspension of the privilege to register a vehicle or vessel in the state of Florida



Preventive Measures

At-risk vessel law, s. 327.4107, F.S.

Provides 5 tools for enforcement:

1. The vessel is taking on or has taken on water without an effective means to dewater.
2. Spaces on the vessel open to the elements
3. The vessel has broken loose or is in danger of breaking loose from its anchor.
4. Grounded vessels/listing/sunk or partially sunk
5. The vessel does not have an effective means of propulsion for safe navigation



Questions?



Major Robert Rowe

FWC Division of Law Enforcement
Boating and Waterways
620 S. Meridian St.
Tallahassee FL 32399-1600



THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/28/19

Meeting Date

Bill Number (if applicable)

Topic Derelict Vessels

Amendment Barcode (if applicable)

Name Major Robert Rowe

Job Title Section Leader for Boating & Waterways

Address 600 S. Meridian St.

Phone 850-487-3795

Street

Tallahassee FL

32399

Email Robert.Rowe@myfwc.com

City

State

Zip

Speaking: [] For [] Against [x] Information

Waive Speaking: [] In Support [] Against (The Chair will read this information into the record.)

Representing Florida Fish & Wildlife Conservation Commission

Appearing at request of Chair: [x] Yes [] No

Lobbyist registered with Legislature: [x] Yes [] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-28-20

Meeting Date

Bill Number (if applicable)

Topic DERELICT VESSELS

Amendment Barcode (if applicable)

Name JERRY PAUL

Job Title _____

Address _____
Street

Phone 850-386-5267

City

State

Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing AMERICAN GL CRUISING ASSOCIATION

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

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1/28/20
Meeting Date

Bill Number (if applicable)

Topic Boating discharges

Amendment Barcode (if applicable)

Name Kingsley Ross

Job Title Retired

Address 234 Harbour Pt Dr
Street

Phone 850 300 1378

Crawfordville FL 32327
City State Zip

Email

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing JCR

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

CourtSmart Tag Report

Room: EL 110

Case No.:

Type:

Caption: Senate Appropriations Subcommittee on Agriculture, Environment, and General Government Judge:

Started: 1/28/2020 8:31:21 AM

Ends: 1/28/2020 9:56:37 AM

Length: 01:25:17

8:31:24 AM	Sen. Mayfield (Chair)
8:33:02 AM	TAB 1 - Presentation on Derelict Vessels by the Florida Fish and Wildlife Conservation Commission
8:33:16 AM	Major Robert Rowe, Section Leader for Boating and Waterways, Florida Fish and Wildlife Conservation Commission
8:37:42 AM	Sen. Broxson
8:38:18 AM	Sen. Mayfield
8:38:37 AM	R. Rowe
8:44:47 AM	Sen. Powell
8:45:07 AM	R. Rowe
8:48:02 AM	Sen. Broxson
8:49:25 AM	R. Rowe
8:50:28 AM	Sen. Broxson
8:50:53 AM	R. Rowe
8:52:36 AM	Sen. Broxson
8:52:59 AM	R. Rowe
8:54:52 AM	Sen. Bean
8:55:25 AM	Sen. Mayfield
8:56:16 AM	R. Rowe
8:59:01 AM	Sen. Mayfield
8:59:16 AM	R. Rowe
9:00:22 AM	Sen. Mayfield
9:00:56 AM	R. Rowe
9:05:26 AM	Sen. Broxson
9:05:40 AM	R. Rowe
9:08:36 AM	Sen. Mayfield
9:08:50 AM	R. Rowe
9:11:25 AM	Sen. Mayfield
9:11:29 AM	R. Rowe
9:12:14 AM	Sen. Powell
9:12:38 AM	R. Rowe
9:14:24 AM	Sen. Powell
9:15:23 AM	R. Rowe
9:29:45 AM	Sen. Hooper
9:30:03 AM	R. Rowe
9:30:33 AM	Sen. Broxson
9:30:58 AM	R. Rowe
9:31:57 AM	Sen. Broxson
9:32:11 AM	R. Rowe
9:33:19 AM	Sen. Mayfield
9:33:41 AM	R. Rowe
9:34:11 AM	Sen. Mayfield
9:34:31 AM	R. Rowe
9:34:47 AM	Sen. Mayfield
9:35:05 AM	R. Rowe
9:35:44 AM	Sen. Mayfield
9:37:25 AM	R. Rowe
9:38:10 AM	Sen. Mayfield
9:38:32 AM	R. Rowe
9:38:57 AM	Sen. Mayfield
9:39:09 AM	R. Rowe
9:39:48 AM	Sen. Mayfield
9:40:14 AM	Jerry Paul, American GL Cruising Association

9:48:42 AM	Sen. Broxson
9:49:24 AM	J. Paul
9:50:54 AM	Sen. Powell
9:52:42 AM	Sen. Mayfield
9:53:32 AM	J. Paul
9:54:22 AM	Kingsley Ross
9:55:56 AM	Sen. Mayfield