

Alaska Abandoned and Derelict Vessel (ADV) and Vessel Salvage Case Studies



Introduction

This series of case studies was developed by members of the ad-hoc Alaska Abandoned and Derelict Vessel Task Force in 2014-15. Each case was selected to highlight particular challenges and concerns in Alaska when dealing with abandoned and/or derelict vessels, as well as vessel salvage operations in remote locations. Each case is not an exhaustive review, and updated information may be available since the development of this document. ADV Task Force meeting summaries, background information, and other associated documents can be found on our webpage: <http://alaskacleanharbors.org/resources/harbor-management/derelict-vessels/>. For more information about the ad-hoc Alaska Abandoned and Derelict Vessel Task Force, please contact Rachel Lord with Cook Inletkeeper/Alaska Clean Harbors: rachel@inletkeeper.org.

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ADV Case Studies

Background Template

During our Fall Task Force Meeting, we will start working through several ADV case studies. This effort will help inform a report that outlines current state practices and needs for better dealing with and preventing ADV in the future. Please be as complete as possible when filling this out. We will fill in the gaps as needed. Please also include photos as possible.

Return templates with any associated documents and photos to Rachel (rachel@inletkeeper.org) by September 15.

Vessel Name:

Some names are unknown and are described by identifying marks. Additionally, we have created a numbering system (W-1 through W-33) to be used as a universal reference.

Steamboat Slough (20): "Duluth, MN", three flexi-floats, *Takotna*, *Cornell No. 10*, *Afognak No. 22*, *Kusko Kate*, two conveyor hopper barges, one pontoon barge, *ZB-19*, *Aniak*, *St. Michael*, *Columbia II*, *Peggy Bell Russell*, *Lily*, *Tuluksak*, *Harvester Barge*, *OB1*

Other vessels in the Bethel area:

Small Boat Harbor Slough (6): *Pooh-Too*, "Kusko Fish Co-Op", "AYR12-Juneau", "US Army", *Little Joe*, *Harvest Moon*

Napakiak (3): *Anna K*, *Miss Bailey*, personal boat

Kwethluk (1): *Delta Chief*

Others near Bethel (3): two barges on an island, *YB2*

Nearest community: Bethel





Narrative Timeline: (*Narrative is specific only to Steamboat Slough*)

Steamboat Slough, near Bethel, has the largest concentration of ADV in Alaska. Barges, tugs and other vessels have historically been stored here during the winter off-season. Complaints regarding the storage began when vessels were left to sink, some started polluting the river and the abandoned vessels started interfering with use of the Slough year-round. Unfortunately, trying to get any action from RPs has not been successful and, due to the limited environmental threat of the majority of the vessels, enforcement is difficult. Within the last few years, ADEC, ADNR, USCG and USACE have combined efforts to attempt to resolve the irresponsible use of the Slough.

In 2006, a report following an inspection conducted by USCG noted ten vessels within Steamboat Slough: *YCK22* (currently, *Takotna*), *Afognak No. 22*, *Cornell No. 10*, *Delta Chief*, *Delta Viking* (currently, *ZB-19*), *Delta Camp* (currently, *Harvester Barge*), *Tuluksak*, *Kaktovik* (currently, *Kaktovik II*), *Kusko Kate*, *Barge Nixon* (currently, *Nixon*), and various conveyor hoppers. The *Kaktovik II* and *Nixon* are the only two to not currently be located in Steamboat Slough while the *Delta Chief* is sunk just north of Bethel, near Kwethluk.

The *Takotna* (W-3), previously *YCK22*, is an 80'x32' freight barge built in 1943. In the 2006 report, it was the intent of the owner, Lloyd Magnuson (Sam Barging, Inc.), to remove the vessel the weekend of July 29th. USCG noted that if the vessel was not removed, Magnuson should be required to place private aids to navigation (CFR 64.11) on the barge. This vessel has not moved since, no navigational aids have been installed, and the barge is now being used as a mooring for other vessels. Between 2006 and 2014, the vessel transferred ownership to Faulkner Walsh Constructors (FWC) and then to Alaska Logistics.

The *Cornell No. 10* (W-4) is a 110' x 29' freight barge built in 1940. Within the 2006 report, the *Cornell* was described as a potentially unusable vessel, owned by FWC.

During an aerial inspection in August 2012, this vessel was not in Steamboat Slough. In the past two inspections (2013 and 2014), the *Cornell* has been found in the same location and it can be assumed it has not been used or moved since 2012.

The *Afognak No. 22* (W-5) is a 135' x 42' freight barge built in 1946. Although the vessel was noted to be present in Steamboat Slough in 2006, no issues were raised. Photos from 2007, however, show the vessel to be in its current condition: grounded and sunk on the west bank. FWC, the owner, has indicated there are plans to repair it but, also, the vessel requires much work to become useable. It is unknown what year the *Afognak* was moved to Steamboat Slough but the vessel has not been used since at least 2007.

The *Kusko Kate* (W-6) is a 130' x 34' freight barge built in 1937. In the summer of 2002, agencies were notified of the vessel grounded in Steamboat Slough. On August 30, 2002, USCG deemed the barge to be a hazard to navigation and may assess a penalty of up to \$1000 per day. Additionally, if FWC did not remove the vessel, it will be removed at cost to FWC (46 USC 4702-4704). ADNR notified FWC of the trespass on State lands, on September 10, 2002 and sent a follow-up RFAI on September 26, 2002. Currently, the barge is in the same location, has extensive vegetation on the deck, part of the hull has been removed, and the *Afognak* (W-5) is secured to it. The barge was sold to Sam Barging and then to Alaska Logistics.

The *ZB-19* (W-10), previously *ZB-19 Delta Viking*, is a 156' x 45' freight barge built in 1963. The first ADNR notice to FWC, the RP, regarding this vessel was on August 1, 2012. FWC responded on September 4, 2012 stating, "The Barge *Delta Viking* is scheduled to be refloated before winter freeze up, repositioned in Steamboat Slough for winter moorage." The barge is sunk on the eastern bank a decent way up the Slough and is completely unseaworthy. ADNR notified the RP of the requirement for Land Use Permit (LUP) on September 20th and a follow-up email with information regarding State authority specific to the permitting on January 10, 2013. In 2012, ADEC regularly observed oil and fuel, including sheen, surrounding the vessel. Any remaining hazmat has since dissipated. FWC attempted to raise the *Delta Viking* in fall 2012 by pumping out water but was unsuccessful in getting the ramp removed from the riverbed and let the barge sink. During an inspection in August 2014, ADEC and ADNR observed another attempt to refloat the *Delta Viking*, after the ramp had been raised. On September 29, ADEC inspected the site and noted the vessel was relocated to the west bank.

The *Aniak* (W-11), previously *Schenk's Ark*, is a 120' x 40' industrial vessel built in 1970. David Ausdahl had loaned the vessel to FWC during the 2012 operating season. FWC failed to secure it properly for winter storage and, during breakup in the spring of 2013, it floated to the middle of Steamboat Slough and sank. During the winter of 2013/2014, a member of the public ran into the unmarked barge, or the piece of heavy equipment extending from the barge, with a four-wheeler and had to amputate nine and a half of his fingers which sparked much media and public interest. Although ADNR holds both

the owner and the operator responsible for the vessel removal, the disagreement between the two regarding liability has been a main reason for non-response. Currently, it sits in the middle of summer boat and winter vehicle traffic and the amount of barge visible varies with the tide. The vessel does not pose a major environmental threat but is, without a doubt, a hazard to navigation.

The *St. Michael* (W-12) is a 60' x 22' tugboat built in 1965. ADNR first contacted the RP, FWC, in the same letter as the *Delta Viking* (W-10) on August 1, 2012. In the reply, FWC stated, "The *St. Michael* is scheduled to be towed to Bethel, the above deck house removed and the hull refitted as a small conveyor barge. It is anticipated that this will take place before winter freeze up." On August 31, 2012, ADEC notified FWC of an unreported leaking of petroleum from the *St. Michael* beginning in July. From August through the beginning of winter, oil was found in most compartments of the tug and surrounding sheens. By the next spring, the water had essentially flushed out most of the contamination into the river. On October 25, 2013, ADEC issued a NOV to FWC for the continued discharge. In FWC's response, they indicated they still planned to retrofit the tug into a conveyor barge but, if not possible, then it will be sent out of state in 2014. During the inspection in 2014, diesel was still present in the forward compartment and water traveled freely from the river into these oiled compartments. FWC had removed the deck house; though, no further activity has been conducted.

The other abandoned vessels in Steamboat Slough include: one steamboat ("Duluth, MN"), one tugboat (*Peggy Belle Russell*), three flexi-floats, one pontoon barge, one passenger barge (*Columbia II*), and two conveyor hoppers. Two of the flexi-floats (W-2, W-28) are owned by FWC and have been recently used (the only ones of the previously-mentioned vessels to have been moved in at least five years); though, one is angled during low tide. The other flexi-float (W-9) is reported to be owned by the upland owner, Ken Eggleston. Both conveyor hoppers (W-7, W-8) are owned by FWC. FWC has stated an intent to use these vessels commercially but are currently unable to due to them being inaccessible. The *Columbia II* (W-13) is owned by Ausdahl and has been in its location for many years, although it appears to be repairable. The RPs for the pontoon barge (W-15), "Duluth, MN" (W-1), and the *Peggy Belle Russell* (W-14) have not, and most likely will not, be identified.

The remaining vessels that were trespassed in Steamboat Slough in 2014 are: *Lily*, *Tuluksak*, *OB-1*, and *Harvester Barge* (previously *Delta Camp*). All of these vessels appear to be in use and were only moored in Steamboat Slough for temporary storage. The owners do need to obtain a LUP for the storage and are considered to be in trespass on State lands but none of these vessels pose a pollution threat or appear to be a hazard to navigation.

Continuously, RPs have stated their intent to remove abandoned vessels and have not followed through. Unless a vessel is a pollution threat or a federally-recognized hazard to navigation, ADNR is the only agency with an interest and, unfortunately, does not

have any enforcement regarding the removal. Vessels that have been determined to be hazards to navigation in the past have not been removed and, because they remain in the storage area, additional vessels are now encroaching further into Steamboat Slough. Moreover, most of the vessels are tied to upland vegetation without upland owner permission. Many issues have been identified in this area and a resolution is still unlikely anytime soon without cooperation by the RPs.

Responsible Party Identification/Contact History:

FWC
Sam Barging, Inc.
Alaska Logistics
David Ausdahl
Ken Eggleston

Agencies Involved:

ADNR, ADEC, USCG, USACE, City of Bethel, ADF&G

Environmental Damage:

Two of the vessels, *ZB-19* and *St. Michael*, in Steamboat Slough have been identified as sources of pollution; though, after all these years, the majority of the contamination has since been released.

Costs Incurred (include costs to each agency, if known):

Unknown

Costs Recovered (include costs recovered by each agency, if known, and source):

None

Legal Actions (impoundment, etc):

On August 6th, all vessels in Steamboat Slough were posted in trespass by ADNR. RPs were notified to remove vessels, or contact the office, within 90 days (November 4th). We have received some interest but have only received one land use permit application from an operator without any boats in trespass during the August inspection.

Fate of the Vessel:

Private contractors/other parties involved:

Other Notes:

ADV Case Studies – Leading Lady & Kupreanof

Vessel Name: F/V Leading Lady and F/V Kupreanof



Nearest community: Seldovia/Homer

Narrative Timeline:

On December 25, 2012, State and federal agencies were informed of two vessels sunk in Jakolof Bay (Kachemak Bay Critical Habitat Area) in approximately 30 feet of water, due to heavy snowfall and an absent owner. Both of these vessels had been recently denied access to the Homer and Seldovia harbors. The vessels were secured to one another with the *F/V Leading Lady* pulling the *F/V Kupreanof* down. *F/V Leading Lady* had an estimated 50 gallons of fuel and 20-30 gallons of miscellaneous oils on board, and leaking, while the *F/V Kupreanof* was free of fuel. Weather was very uncooperative and limited hazmat containment. Local interest in the cleanup, especially from nearby affected oyster farms, generated political attention.

USCG contracted with Global Diving and Salvage for the removal of the pollution threat. Due to the positioning of the vessels, they were required to be raised prior to fuel removal which began on January 18, 2013. At the point of pollution elimination (and the vessels not being a hazard to navigation), USCG no longer had any jurisdiction. ADNR contracted with Cook Inlet Marine to, at that point, tow the vessels to the Homer Harbor for temporary moorage and then to a local boat yard for storage. The *F/V Kupreanof* was towed to Homer Harbor on January 20th and the *F/V Leading Lady* was towed in the following day. Due to tides, relocating the vessels to the boat yard were delayed until January 26th for the *F/V Leading Lady* and February 9th for the *F/V Kupreanof*.

Per AS 30.30, ADNR took possession of the vessels and began processing the disposal. Both vessels were appraised on March 11th and found to be valueless as the cost of disposal would exceed any salvage worth. Initial notice of intended disposal and one follow-up extension were sent, requesting repossession of the vessel by July 10, 2013. Continued minimal, but somewhat timely, responses were received by the RP until a final repossession of the *F/V Kupreanof* was completed on April 16, 2014. The *F/V Leading Lady* was demolished, at cost to ADNR, and removed on June 30, 2014. Currently, the *F/V Kupreanof* is in the Homer Harbor.

Responsible Party Identification/Contact History:

Original RP declared ownership of both vessels. Later, it was determined the *F/V Kupreanof* was owned by an individual in Washington and was on loan to the RP. Additionally, International Seafoods of Alaska had a lien against the *F/V Kupreanof* in the name of the RP, unknown to the actual owner.

Communications were regular throughout the process but made extremely difficult as the RP had no residence, would not respond via email and regularly ignored phone calls.

Agencies Involved:

ADNR, ADEC, USCG, ADF&G, City of Homer, and the City of Seldovia

Environmental Damage:

Event did not affect local oyster farm products but the release of contaminants required all farmers to test shellfish during the 2013 season. Sheen was observed in Jakolof Bay throughout the Spring of 2013 but no remaining effects are known at this time.

Costs Incurred (include costs to each agency, if known):

ADNR – \$25,299.96 (*Leading Lady*), \$12,087.70 (*Kupreanof*), plus approximately \$2000 in additional storage fees
USCG – nearing \$400,000 (unconfirmed)
ADEC – ?

Costs Recovered (include costs recovered by each agency, if known, and source):

ADNR received a check for \$11,474.94 on July 18, 2013 for the *F/V Kupreanof* from the RP.

Legal Actions (impoundment, etc):

ADNR took custody of both derelict vessels and processed the disposition, under AS 30.30.100. The RP complied with all conditions set by ADNR and repossessed the *F/V Kupreanof*. The disposal of the *F/V Leading Lady* went to bid and was removed for \$13,250.

Fate of the Vessel:

F/V Kupreanof currently in the Homer Harbor, under the City's jurisdiction – actions by the City are unknown. *F/V Leading Lady* destroyed and removed on June 30, 2014.

Private contractors/other parties involved:

Global Diving and Salvage
Cook Inlet Marine, LLC
Northern Enterprises Boat Yard, Inc.
Arctic General Contracting
59 North Vessel Services
City of Homer
Seldovia Oil Spill Response Team

Other Notes:

Representative Paul Seaton's office became highly interested in this event. HB 131 was introduced and passed during the immediately-following legislative session.

ADV Case Studies – Sound Developer

Vessel Name: Sound Developer

Nearest community: City of Cordova, Alaska

Narrative Timeline:

On or about September 2, 2009, in the middle of the night, the Sound Developer sunk in the City of Cordova, Alaska (“City”) harbor. While harbor employees immediately mobilized to address the fall out, the owner of the vessel was nowhere to be found and the City was soon racing to mitigate pollution hazards that it was not equipped to single-handedly address. The City set up a containment boom and started seeking assistance from the United States Coast Guard, the Army Corps of Engineers, and the City’s legal team. The vessel started burping up motor oil, mixed fuel and hydraulic oil at a rate estimated at between 10 and 20 gallons per day. Within a week of the incident, the City had created a working group including the United States Coast Guard, City harbor staff, and the City attorney. Thankfully, the Coast Guard predominately took over the cleanup efforts and the City focused its efforts on ensuring safe access to the harbor and utilization of available federal funds for financing the efforts.

Despite the best efforts of the Coast Guard and the harbor staff, the costs associated with the cleanup, removal, and disposal of the vessel was not complete until December 2012, more than two years after the vessel sank in the City’s harbor! The costs of cleanup were exorbitant as the vessel was lifted from the harbor floor only to break and sink back down. The poor repair of the vessel created numerous complications in its removal and management that also made relocating the vessel extremely problematic. Additionally, complications regarding potential liability and risk exposure required careful coordination between the Coast Guard’s Washington D.C.-based legal counsel and the City.

The lapse in time between the sinking of the vessel and its relocation is best explained by the Herculean efforts needed to safely accomplish relocation. In order to relocate the vessel, which was a 135-foot landing craft, a tug, aided by three bow pickers acting as support vessels, had to move extremely cautiously while deploying a battery of support equipment, including booms, dewatering equipment, and a stabilizing anchor.

Responsible Party Identification/Contact History:

The City had a moorage agreement with the vessel owner and was able to easily identify the responsible party. However, that party’s refusal to concede ownership required the City to invest both time and money in confirming ownership. Additionally, the City expended significant resources on impounding the vessel, obtaining a judgment against the owner, and executing that judgment. In the first 24 hours after the vessel

sank, the City's legal counsel also expended significant efforts contacting the Alaska Department of Environmental Conservation, the Army Corps of Engineers, and the United States Coast Guard to ensure proper reporting and mitigation of the incident and to enlist financial and physical assistance from any and all willing state and federal agencies.

Agencies Involved:

United States Coast Guard and State of Alaska Department of Environmental Conservation. The Army Corps of Engineers was consulted but did not participate in cleanup efforts due to the vessel's location in the harbor.

Environmental Damage:

See discussion above. Fortunately, I believe that the Coast Guard was able to effectively prevent any significant environmental damage and that the quick and coordinated response by the Coast Guard and the City prevented any irreversible environmental consequences.

Costs Incurred (include costs to each agency, if known):

Anecdotally, I was informed that the cost to the United States Coast Guard was several million dollars and may have exceeded \$4 million dollars. The costs to the City, excluding the costs associated with administrative resources and lost time, were approximately \$25,000, which includes not only legal fees but also costs of impoundment and delinquent moorage fees (approximately \$14,000). These costs do not include the use of City-owned equipment (i.e. travel lift and floats) or any of the costs associated with containing, removing, or abating any pollution from the vessel. It also excludes costs associated with raising and removing the vessel as these costs were paid by the Coast Guard.

Costs Recovered (include costs recovered by each agency, if known, and source):

I do not know if the Coast Guard recovered any of its costs but suspect that these costs were recovered from the federal funds set aside for reimbursing cleanup costs. We should contact the Coast Guard to find out both recovered costs and the sources of reimbursement. I did work with the Coast Guard to share information regarding the vessel owner's whereabouts after my firm was able, on the City's behalf, to collect a portion of the City's outstanding fees. The City received a judgment for approximately \$14,000 against the vessel owner and was able to recover approximately \$5,000 of these costs.

Legal Actions (impoundment, etc):

The City did bring a default judgment action against the vessel owner and conduct a formal impoundment procedure. These actions resulted in a nominal (relatively speaking) recovery (\$14,000) but protected the City from potential constitutional due process violations and provided both the City and the Coast Guard with the legal ability to quickly abate the nuisance created by the sunken vessel.

Fate of the Vessel:

I am currently unaware of the vessel's fate. I will provide an update to the Task Force as soon as I have more information.

Private contractors/other parties involved:

Alaska Marine Response, LLC (Andy Craig)
Global Diving and Salvage

Other Notes:

ADV Case Studies - M/V Seabird

Vessel Name:

M/V Seabird



Nearest community:

Hoonah, Alaska

Narrative Timeline:

On February 16, 2014, high winds caused the anchored M/V *Seabird* to ground on Long Island near Hoonah, Alaska. The vessel's engines had been removed by a previous owner but an unknown quantity of fuel remained in the fuel tanks. Additionally, two 500-gallon day tanks held an unknown quantity of diesel and an assortment of other oil and hazardous material was present in containers throughout the vessel. Significant hull damage occurred to the 160 foot vessel during the grounding and the subsequent tide cycles, with heavy diesel discharge and sheen reported around the hull. The damage was focused in the engine and generator rooms near the day tanks. On the day of the grounding, the Hoonah Harbor Department staff deployed 500 feet of ADEC containment boom and absorbents around the vessel. The following day, assessments by the local law enforcement and a USCG overflight confirmed no pollution beyond the containment boom. Initially, the vessel owner expressed interest in

conducting the response and salvage himself; ADEC and USCG representatives visited the site several times to assess booming tactics and cleanup efforts. Financial and logistical challenges resulted in minimal cleanup progress and the USCG issued a notice of federal assumption to the vessel owner on March 4, 2014. Southeast Alaska Lightering was contracted by the USCG to remove the remaining fuel and hazardous material, which was completed on March 9, 2014. The contractor removed 500-gallons of oily water from the fuel tanks and 8 pallets of miscellaneous containerized hazardous material. Following removal of the hazardous material the vessel owner was going to organize removal of the vessel from the beach. Eventually, the city issued trespass notices to the vessel owner for failure to remove the vessel from city own land. Following forfeit of the vessel ownership, a salvage company and a construction company partnered to remove the vessel for scrap. On September 8, 2014, Harbor Marine salvors successfully refloated the vessel and moved it to a more manageable part of the beach. A salvage plan is being developed for USCG and ADEC approval as temporary repairs are made in preparation to tow the vessel to Hoonah for scraping. Target date for this is September 25, 2014.

Responsible Party Identification/Contact History:

Private owner with their primary residence in Texas

Agencies Involved:

United States Coast Guard
Alaska Department of Environmental Conservation
City of Hoonah (Harbor Department and Law Enforcement)

Environmental Damage:

Diesel and sheen was reported in the area around the vessel, there were no reports of impacted wildlife. The Department continues to receive occasional reports of sheen around the vessel during high tides though there is no significant volume of product remaining onboard.

Costs Incurred (include costs to each agency, if known):

This case remains open until the vessel is off the beach. These costs are estimates to date for each agency.

USCG:

\$75,000 – authorized spending limit for the M/V *Seabird* response
\$1,045 – Direct Coast Guard costs
\$50,000 – Contractor Costs for removal and disposal of hazmat

ADEC:

\$900 – Direct ADEC costs

City of Hoonah:
Unknown

Costs Recovered (include costs recovered by each agency, if known, and source):

The vessel owner paid \$3,000 to replace in-kind the ADEC absorbents used during the response. The involved agencies may also be pursuing additional cost recovery.

Legal Actions (impoundment, etc):

The City of Hoonah issued a trespass warrant on the vessel since it grounded on a city owned beach. Because the land is owned by the city, the Department of Natural Resources wasn't involved in this ADV case which is unusual.

Fate of the Vessel:

The vessel remains on the beach although there are active efforts to seal the damaged hull, refloat, and tow the vessel to Hoonah for scraping.

JUNE 2015 UPDATE: ADEC and ADNRR confirmed that Channel Construction completed the salvage of the Seabird in Hoonah and it has been cut up for scrap.

Private contractors/other parties involved:

Southeast Alaska Lightering (hazardous waste cleanup contractor)
Harbor Marine LLC (vessel salvager contractor)
Channel Construction/ Shorty Tonsgard (vessel scrapper)

Other Notes:

The containment boom used initially in the response remains deployed around the vessel due to the occasional reports of sheen emanating from the vessel. The USCG and ADEC are planning a joint site inspection of the vessel before it is towed which will include inspection of the containment boom for damage. Additional cost recovery for repair, cleaning, and/or replacement may be pursued after this inspection is completed.

ADV Case Studies - St. Harold

Vessel Name: St. Harold

Nearest community: City and Borough of Juneau

Narrative Timeline: 3/18/10 DNR notified of sunken sailboat by ADEC. Initial map received showed vessel to be on CBJ tidelands. CBJ Docks and Harbors informed DNR sunken vessel is on state tidelands, 50' -100' from the CBJ owned tidelands. 4/23/10 sent agency letter to remove vessel to RP. RP says he has friends who will help him refloat vessel, but that didn't happen. Early June, contacted CBJ Planning Department regarding possible source of funds at CBJ for vessel removal. 6/18/10 spoke with contractor who said he could remove vessel for \$6800. DNR southeast regional manager said DNR has no funds for the removal of the wreck. ADOT & PF says they have no money that could be used for salvage of the vessel. SAGA says they'll consider salvage project, but later decline. Calls to other possibly interested offices and individuals all fall flat. RP says he has no money to cover the salvage, but says he would cut boat up with chain saw and remove in pieces. 8/13/13 contacted RP who said he thought the power company had cleaned up the wreck. When reminded of his pledge to remove vessel in pieces he said he had become depressed and couldn't bring himself to return to the site. 5/22/14 site of wreck revisited and hull of vessel is still there covered with marine growth.

Responsible Party Identification/Contact History: John S. Covington. CBJ Harbormaster provided vessel owner's name. At the time of sinking, Covington's listed address was the Glory Hole, a homeless shelter in Juneau. See attached file memo of 6/18/10. At last report (2013) Covington was still around Juneau living in public assisted quarters.

Agencies Involved: Agencies contacted: (directly and cc'd on email) CBJ, ADOT, ADEC, ADF&G – Habitat, USCG, EPA

Environmental Damage: Vessel fiberglass hull still sits at low tide line now covered with marine growth.

Costs Incurred (include costs to each agency, if known): Many hours spent on the phone trying to arrange salvage of the vessel and dealing with boat owner.

Costs Recovered (include costs recovered by each agency, if known, and source): None

Legal Actions (impoundment, etc): None

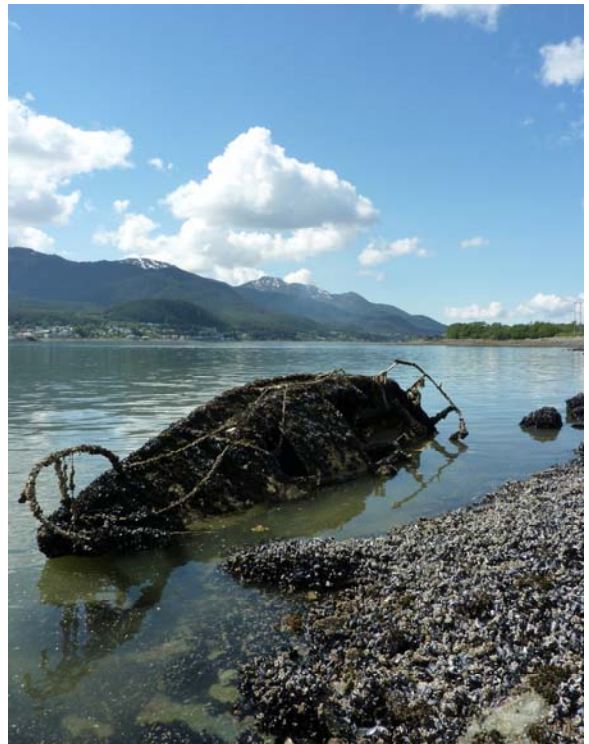
Fate of the Vessel: Hull of vessel remains sunk at same location (see photos)

Private contractors/other parties involved: No funds available to engage contractors or other parties.

Other Notes:

This is a case where an indigent owner anchored his small sailing vessel in a poor location and the vessel went dry when the tide went out. It swamped when the tide came in and sunk at the low tide line a mile south of Juneau. It still had some value at that time as the hull remained intact and the mast was still attached. The vessel owner said he had friends that would help him refloat the vessel. Later he said his “so called” friends removed a few items of value and abandoned the vessel where it lay.

DNR called many organizations and individuals who it was thought might be interested in salvaging the vessel, but had no takers. A contractor with a barge and a crane offered to remove the vessel from the site and dispose of it at the landfill for a fee of \$6800. The regional manager said DNR didn’t have funds available for that and had been advised not to use capital funds on vessel removal projects.



ADV Case Studies - Port Protection

Vessel Name: Unnamed floathouses

Nearest community: Port Protection

Narrative Timeline: 2013: Field Inspection.

DNR personnel conducted a field inspection of floathouses in the area near Port Protection known as “Back Bay”. Only one of the floathouses had a valid DNR permit that authorized use of state tide and submerged land. Photos are included to show common floathouse structures in Southeast and how they impact the area.

Responsible Party Identification/Contact History:

Parties that were at home were contacted by DNR and DPS personnel during 2013 field trip.

Agencies Involved: DNR, DPS.

Environmental Damage:

Floats that ground at low tide cause recurring environmental damage. Sewage disposal from floathouses can contaminate local waters and the potential for fuel spills exists. Floathouses may be damaged by storms and those in disrepair and neglected may ground or sink.

Costs Incurred (include costs to each agency, if known): For the field trip: airfare, boat charter, vehicle rental, lodging, meals, hours spent on the phone and writing letters to owners to attempt to get them to apply for permits.

Costs Recovered (include costs recovered by each agency, if known, and source): None.

Legal Actions (impoundment, etc.): None

Fate of the Vessel: Floathouses in various stages of repair present potential threat to state tide and submerged land and to navigation.

Private contractors/other parties involved: N/A

Other Notes:

DNR held a subdivision land sale in the Port Protection area some time ago to provide land where potential homeowners could build. It appears few, if any, floathouse owners participated in the land sale.

BACK BAY FLOATHOME PROJECT

BACK BAY FLOATHOME 1 **LAS 20371**



SE07_MM_08689



BACK BAY FLOATHOME 2 – Unknown **DMLW** site visit June 2013



BACK BAY – FLOATHOME 4 gear float



SE07_MM_08732



BACK BAY FLOATHOME PROJECT continued

ADL 107706 Tom Phillips DMLW site visit June 2013



SE07_MM_08716 zoom



ADL 107707 Ron O'Neil DMLW site visit June 2013 (other floathome not on site)



SE07_MM_08739



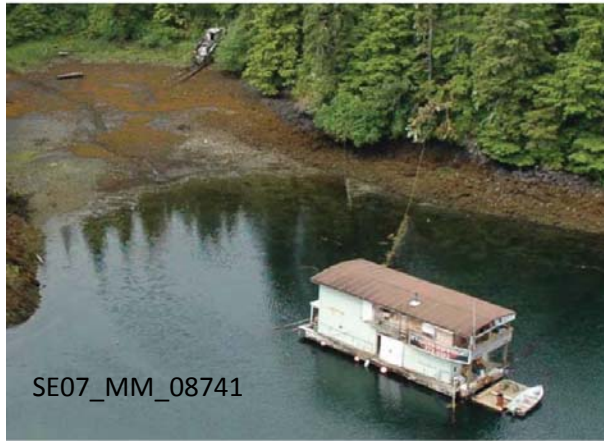
SE07_MM_08804

ADL 107708 Joe Coy - DMLW site visit June 2013



BACK BAY FLOATHOME PROJECT continued

ADL 107709 Paul March DMLW site visit June 2013



BACK BAY ADL 107710



SE07_MM_08807



SE07_MM_08743

ADL 107712



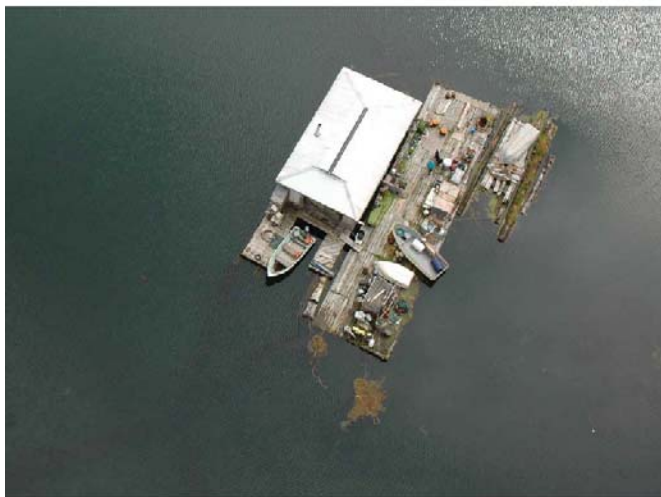
ADL 107714 Jim Davis DMLW site visit June 2013



BACK BAY FLOATHOME PROJECT continued

BACK BAY – NOT SERIALIZED? unknown near ADL 107709 and ADL 107710

Dave Pendarvis DMLW site visit June 2013



SE07_MM_08744



ADV Case Studies – Saginaw Bay

Vessel Name: Unnamed floating facility

Nearest community: City of Kake

Narrative Timeline:

1997: Timothy Ludlow dba Rocky Point Lodge applied for a permit for a floating lodge, airplane float and service float to be moored on state tide and submerged land in Saginaw Bay, Kuiu Island. The location is approximately 10 miles SW of Kake, Alaska.

DNR issued Ludlow permit # LAS 20702 for a five year period and reissued the permit to Ludlow in 2002 for another five year period.

2006: Lodge and service float sold to Lindsay Parker dba Saginaw Bay, LLC. Parker was issued five year permit # LAS 25887 in 2007. Parker began construction of new float and lodge. The old float was moved to a location near the head of Saginaw Bay.

2009: DNR received a complaint about plastic waterline and other debris left on shore at the head of Saginaw Bay, perhaps left by former permittee.

2012: Permit expired; Parker said he's working to obtain money to continue his lodge business on his new float. A Utah bank claimed ownership of floating lodge, but later says they never owned it.

2013: DNR received complaint and photos of float and associated debris at head of Saginaw Bay.

2014: DNR received complaint and photos that showed mess is getting worse.

2014: Apparent new co-owner visited area and worked on "new" lodge and float, but didn't do anything with old float other than acknowledge that it is a problem.

2014: In August, the apparent new co-owner said they would work with DNR to remove the mess in Saginaw Bay.

2015: Nothing done yet and mess remains.

Responsible Party Identification/Contact History:

Lindsay Parker dba Saginaw Bay, LLC, resides in Utah most of the year. DNR has contacted him repeatedly over the years to no avail. He apparently has a new business partner who promised action last summer, but nothing has been done yet.

Agencies Involved:

Agencies contacted: (directly and cc'd on email) ADEC, ADF&G – Habitat, USFS.

Environmental Damage:

Float is grounded on state tidelands and associated debris is getting scattered throughout the environment.

Costs Incurred (include costs to each agency, if known): Hours spent on the phone and writing letters to owners and responding to complaints including one to the governor's office.

Costs Recovered (include costs recovered by each agency, if known, and source):

None. In fact, Parker is \$6000 in arrears for permit fees. He has a permit for another floating lodge that is located closer to Kake that is also expired. He owes DNR money for that one too.

Legal Actions (impoundment, etc.): None

Fate of the Vessel: Float and associated debris remains at same location (see photos)

Private contractors/other parties involved: No funds available to engage contractors or other parties.

Other Notes:

This is a case of an out of state owner who apparently keeps running out of funding. He jettisoned the old float leaving it to disintegrate on state tide and submerged land. DNR has been unable to get him to remove it.



Photo taken May 29, 2010



Photo Taken May 29, 2010



Photo taken May 19, 2014



Photo taken May 19, 2014

ADV Case Studies – Martin Barge

Vessel Name: Unnamed barge previously used as a floating camp

Nearest community: Thorne Bay, Alaska

Narrative Timeline: 2004 to present (on-going)

Wm. “Sonny” Martin purchased a barge/work camp around 2004 and moved it onto state submerged land. His stated intent was to operate it as a floating lodge. It took DNR a couple of years of correspondence to get a permit application from Martin. Martin never followed through on the permit process and the barge was declared in trespass in 2006. File records show that Martin was consistently unresponsive to threats of enforcement and notice to quit correspondence.

DNR enlisted the assistance of the Department of Law and filed trespass charges in criminal court against Martin in 2011. Martin asked for court dates to be postponed to allow him time to sell the barge. Finally, in early 2013, Martin was found guilty of criminal Trespass II by the court. He was sentenced to 30 days in jail with 30 days suspended and fined \$100 with \$100 suspended and placed on probation. The court said the barge must be removed by September 30, 2013.

The barge wasn’t removed and in 2014, the state requested Martin’s probation be revoked. That has not happened. The most recent court date on June 4, 2015 resulted in the court giving him until July to come up with a plan for removal and maybe until October to raise money to pay for the barge removal.

Responsible Party Identification/Contact History:

Wm. “Sonny” Martin, Thorne Bay. Contact history summarized above.

Agencies Involved: DNR, DOL, DPS, District Court.

Environmental Damage:

Barge is grounded on state tideland causing recurring environmental damage. The potential is there for a huge mess to remain on state land indefinitely. Residents of Thorne Bay are upset that the barge still remains at its present location.

Costs Incurred (include costs to each agency, if known): Hours spent working on the casefile, corresponding with Martin, working with DOL, and trying to find a potential salvor of the barge. Continual State of Alaska attorney fees and court costs.

Costs Recovered (include costs recovered by each agency, if known, and source): \$100 permit application fee.

Legal Actions (impoundment, etc.): See above.

Fate of the Vessel: Barge remains aground on state tideland two miles from Thorne Bay.

Private contractors/other parties involved: N/A

Other Notes:

The legislature apparently contends that they have equipped us with all of the tools required to resolve unauthorized occupancy and use of state land.

According to DOL, the current legal tools, while perhaps theoretically adequate, are in practice woefully inadequate to actually get a float house moved by the owner. Because of the “no blood from a turnip” rule, there can be no effective new tool that does not include a revenue source for actually getting rid of these things. Even with a judgment against the owner for the state costs the recovery rate would probably be very small. The only source of money might be through garnishment of a person’s PFD.

According to DOL, if we can’t get this lodge removed via a contempt order in a criminal case, we could never move one in a civil court.





ADV Case Studies – Pacific Producer

Vessel Name: F/V Pacific Producer



Nearest community: Ouzinkie (Kodiak)

Narrative Timeline:

The *F/V Pacific Producer*, a 169' processing vessel, ran aground in the Ouzinkie Narrows between Ouzinkie Island and Kodiak Island on March 15, 2013. The vessel had approximately 10,000 gallons of diesel, 6000lbs of anhydrous ammonia, up to 100 gallons of hydraulic and lube oils, and 10-15,000lbs of frozen bait on board. The vessel ran hard aground in relatively calm weather travelling at approximately 9 knots. At the time, the vessel was experiencing rudder/engine malfunction and using, rather, the on-board crane to navigate, according to the engineer. This particular vessel had been the cause of two previous ammonia leaks and a diesel spill earlier that year in Kodiak.

The *F/V Pacific Producer* was not carrying hull and machinery insurance at the time and, only due to the incredible amount of materials on board as well as ballast tanks filled with water mixed with other contaminants, agencies were able to convince the underwriters that the most feasible option to ensure complete pollutant removal was to remove the entire vessel. The vessel was refloated during a high tide on March 24th and relocated to the Ouzinkie city dock. (NOTE: The Kodiak Harbormaster thought the vessel refloated with a high tide and winds, and started drifting before it was relocated to Ouzinkie.) The USCG issued a COTP order requiring

the vessel to remain at the city dock. The City of Kodiak would not allow the vessel back into their port, as they had outstanding bills and no good place to put them.

UPDATE FROM JUNE 15, 2015 CONVERSATION WITH THE KODIAK HARBORMASTER: The vessel went into Womens Bay where it moored for a few months (timeline unclear) while they tried to do some of the required modifications from the USCG. Logistically difficult because they were anchored out in essentially open water. They needed to get dock-side but didn't have anywhere to go. They did get clearance to come into Kodiak eventually, and went to a private dock (on Shelikof St) where they were hired by a local cannery to become a floating freezer. Boat wasn't that operational, but operational enough to freeze fish. Sat at the dock and got paid for that work until the end of the season, at which point the private dock owner had commitments for that space and had to push off the Pacific Producer. They still hadn't paid moorage and really too big for the Kodiak Harbor (only on pier floats). Last time they had been allowed into the harbor system, they camped out for three months and required rescheduling of other vessels. So last winter they ended up anchoring outside of St Herman harbor on state lands. When the first good winds came up they dragged anchor. Did get a tug assist (not sure if grounded or not). Within a week, it happened again and did run aground (in St Herman harbor?). Tug assist again to tow out again. Within a few weeks, headed back towards Womens Bay and didn't open seacock, blew up the engine/overheated. Got back to the private dock, possibly became a processor again for this season (2015), although Lon wasn't sure about their operational status. Not sure what will happen in the coming months, as the vessel can't really get anywhere else. The owner's ultimate goal has been to get out and process fish, but that hasn't happened. Prior to running aground back in March 2013, she bumped around in WA state as an ADV. Had problems in Fisherman's Terminal in Seattle, didn't pay, etc etc. Call those guys for their history. Owner came to Kodiak with the intention of going fishing, but only racked up bills and emergency responses (oil, ammonia). Vessel is too big to haul out and dispose of in Kodiak. Can't afford to have it abandoned there. Closest the owner has come to actually processing fish was when he ran less than 3 hrs and grounded in 2013. It doesn't look great for the future – unless she stays tied to the private dock and able to work enough to pay bills, she's an accident waiting for a place to happen.

Responsible Party Identification/Contact History:

RP was on board at time of grounding and fairly reliable during event.

Agencies Involved:

ADEC, USCG, ADNRR, ADF&G, City of Kodiak, City of Ouzinkie.

Environmental Damage:

At times of high tide, the vessel was lively, limiting safe response and also presenting a very real possibility of a hull puncture. Fortunately, there was no indication of a leak.

Costs Incurred (include costs to each agency, if known):

Unknown

Costs Recovered (include costs recovered by each agency, if known, and source):

Unknown

Legal Actions (impoundment, etc):

COTP Order (USCG)

Fate of the Vessel:

Currently moored at a private dock in Kodiak.

Private contractors/other parties involved:

Global Diving and Salvage

Other Notes:

Lon figures he's probably disposed of 60 ADV from 240' Portuguese cod fishing boats to 20' skiffs over the past 20 years. Disposal is a huge issue and help on disposal options for vessels would be great, but we have to be pro-active in preventing them as well. The City of Kodiak has tightened their vessel mooring agreement. It used to be that if you sold a boat you're only requirement was to let the Harbor know you sold it. NOW – you are required to remove the boat from the harbor and the occupied space. Boat has to be removed from the harbor before the moorage agreement is terminated, which keeps the responsibility with the current owner. New owner has to have a written repair plan, proof of insurance, marine surveyor satisfaction (all at the discretion of the Harbormasters) before moorage is granted.

When you buy land/property, you are responsible for the hazmat from cradle to grave. Should be the same for a boat owner. Financial and moral culpability stays with a vessel. Well-to-do people are getting suckers to sign on the dotted line to get out from the responsibility/expense of disposing of a vessel and they shouldn't be allowed to do that without any culpability.

ADV Case Studies – St. Joseph

Vessel Name: St. Joseph

Nearest community: Between Yakutat and Cordova

Narrative Timeline: May 25, 2012, the crew of the St. Joseph, a 74' wood hulled fishing tender, was overwhelmed by heavy seas and a steering casualty. USCG extracted crew from vessel leaving it adrift near Kayak Island. 5/26/12, Vessel grounded on the "Lost Coast" near the Tsiu River mouth and agencies were notified. CG says their Inspection Department is working with the owner of the vessel to develop a salvage plan. 5/29/12 DNR Southcentral Regional office (SCRO) determines location of wreck is in DNR Southeast region and sends email notification to SE Regional Office. Vessel is insured. RP hires Alaska Marine Response (Andy Craig), Cordova, to remove fuel and assess the condition of the vessel. 5/30/12, USCG inspects site and takes photos. 5/31/12, DNR sends "agency letter to remove the vessel" to RP. 6/1/12, Insurance representative, Marine Surveyor/Adjuster (insurance co rep) sends email to agencies describing present condition of vessel and listing three salvage options as he sees them. Two involve removing the vessel by sea. The third entails cutting up the vessel at its present location. CG notifies parties they have grave concerns about the structural integrity of the vessel and support the option to cut up vessel in place. 6/3/12, Salvor says vessel is in a very exposed position and its condition is deteriorating. 6/4/12, DNR tells salvor what permits he will need to proceed if decision is made to dismantle the vessel in place. 6/7/12, Marine Surveyor emails DEC with information relevant to black smoke permit application and notifies agencies he believes only viable salvage option is to dismantle vessel in place, burn what they can on the beach and haul the rest out. Salvor sends wreck removal plan for review and approval. 6/13/12, DNR issues permit to Alaska Marine Response for salvage of vessel on state tidelands. 8/14/12, Salvor applies to DEC for black smoke permit. 7/23/12, Marine Surveyor/Insurance Co Rep, called to say upper limit of P&I insurance coverage was \$300,000 and Alaska Marine Response had bid the salvage job at \$300,000. A crew member of the St Joseph had been injured and insurance payment for his injuries had depleted the P & I amount by \$120,000. He asked if they could bury the engine and marine gear at the site instead of removing it. DNR SE Regional Manager had previously told him that wasn't going to be allowed. I noted to Marine Surveyor that DNR's SCRO was working on setting up a payment plan for items left on state land. Marine Surveyor called later to say the insurance company would treat crewman injury as a separate incident and the present insurance coverage should pay for removal of the entire vessel. 7/25/12, received call from Alaska Marine Response noting that Andy Craig and five very experienced workers began the salvage operation in earnest on 7/20/12. They were still waiting for weather to improve to allow a Skyvan to deliver a Kubota tractor with a front bucket to assist with the operation. The wreck site was near an airstrip used by set net fishermen and a nearby lodge. Salvor reported that vessel hull had been sanded in to a depth of five or six feet and he was concerned they wouldn't be able to remove the shaft and keel in the time they had allotted for the salvage. Salvage company said air freight costs to remove the vessel debris might run from \$60,000 to \$70,000 at \$1 per pound. Their estimate for the entire salvage operation, including the pollution removal, was \$340,000. Their estimate for the vessel removal

alone was \$280,000. 7/26/12, DNR contacted the owner of vessel regarding type of ballast used in the vessel. Research showed vessel was built in Vancouver, Canada in 1941. Vancouver based Spiller Marine Services reported that type of vessel would have had lead ballast encased in cement. 8/1/12, salvage company reported the cement had been chipped out all the way to the keel and they didn't find any lead. They were unable to keep ahead of the sanding in of the hull and keel with the equipment they had on site and their budget didn't allow for bringing in any larger equipment. The crew was getting exhausted by the work and frustrated by the constant sanding. They had conducted a few burns and had more scheduled. They set up a staging area at the airstrip and were moving the unburnable debris to that location. They hoped to use the DC3 to fly the material into town but demand for that aircraft might cause scheduling delays. When they got to that point, part of the crew would be staged at the site and the rest of the crew in town to unload the plane. The salvor said that photos of the operation had been destroyed when the salvor and his phone were drenched by a rouge wave. 8/1/12, DNR SE Regional Manager said the due to the vessel hull being sanded in by natural beach erosion the salvor would be allowed to leave the vessel keel, shaft and cement ballast in place provided the location is documented on a map in the salvor's final report. 8/5/12, salvor reported that all unburnables had been removed from the beach and staged near the airstrip. The crew had returned to Cordova and they were preparing for an efficient removal of the staged materials at the landing strip as the weather and flight schedules allowed. 9/24/12, salvor called to say they had two plane loads of metal to get out to the landfill, but due to scheduling issues with the DC3 only one load got out. The airstrip was too wet for another flight in 2012 and he asked if they could remove the last load in 2013. DNR said no problem. 11/12/12, salvor sent end of season report. 9/27/13, Salvor reports flooding and runway conditions have again hampered flights in 2013. One load of metal remained at the staging site waiting for transport to either Yakutat or Cordova. Salvor said that pilots that fly over the area reported that the signs of the remaining ballast and keel disappeared from view after a storm and have not been seen since. 7/25/14, salvor said they still had about two pallets of metal to bring out from the staging area. He's hopeful the metal will come out as scheduled in the third week of August when the DC3 brings in the set net camps.

Responsible Party Identification/Contact History: Jeff Schock, Owner. USCG was in contact with owner 5/26/12. DNR sent letter to remove vessel to owner on 5/31/12 and contacted owner again on 7/26/12 with questions about construction of the vessel. All other contact was through the insurance company representative (marine surveyor).

Agencies Involved: Agencies contacted: (directly and cc'd on email) ADNR- SHPO, ADEC, ADF&G, USCG, EPA, FWS, IOS,

Environmental Damage: Vessel keel, shaft, cement ballast and bottom of hull are still buried in the sand at the site of the wreck. In 2013 nothing was visible to pilots flying over the site.

Costs Incurred (include costs to each agency, if known): Many hours spent on the phone and at my desk.

Costs Recovered (include costs recovered by each agency, if known, and source): None.
Salvage of the vessel prevented a serious mess from impacting state land.

Legal Actions (impoundment, etc): None

Fate of the Vessel: Most of the vessel was either burned or removed. Keel, shaft, ballast and bottom of wood hull remain at the site totally buried by sand.

Private contractors/other parties involved: Northstar Insurance Company, Pete Costello - Marine Surveyor/Adjuster, Andrew Craig and Seawan Gehlbach – Alaska Marine Response, LLC

Other Notes:

The vessel's P & I insurance funded a salvage operation that removed most of the wrecked vessel and debris from a remote beach. It was fortuitous to have a nearby airstrip and lodge to facilitate the salvage operation and a conscientious salvage company to complete the work.

F/V St. Joseph Defuel Report and Salvage Assessment



Submitted To: Jeff Schock, owner
MST3 Susan R. Giambalvo
John Engles, ADEC Valdez

Submitted By: Andrew Craig, Salvage Master
Alaska Marine Response LLC
133 Harbor Loop Road
Cordova, AK 99574

Title: F/V St. Joseph Defuel Report and Salvage Assessment

Location: Gulf of Alaska beach, 60-03.8N 143-10.0W

Date: May 26, 2012

Scope of Work: Provide personnel and equipment necessary to defuel vessel and assess salvage possibilities.

- **General Information**

On Saturday May 26, 2012 the St. Joseph, a 74' LOA wooden fishing vessel, was reported beached on the Gulf of Alaska. Alaska Marine Response was activated to contain and eliminate pollution threats resulting from the grounding and to assess possibilities for salvage. Due to the remote location and very limited access from the water, a salvage/defueling team, some of the ship's crew and equipment were flown to a camp ~3.6 miles from the location and used Alaska Expedition Company's seasonal fishing lodge for a base of operations and permanent fuel storage.

- **Location & Site Conditions**

The vessel was beached at position 60-03.8N 143-10.0W between Mid-timber Lake and the Tsiu river on the north coast of the Gulf of Alaska. The vessel grounded adjacent to a steep cut bank on a sandy beach exposed to heavy swell and breaking waves. Defueling operations were conducted during a break in the weather working around tidal windows that restricted access to the vessel.

- **Initial Condition**



The vessel grounded on her port side parallel to the beach with house and deck exposed to the surf. Initial assessment determined that interior spaces were tidal and visible damage to the hull on port side was evident in several locations. The aft section of the house had been swept clean of all interior fixtures and the vessel was taking a pounding with each wave at the top half of the tide.

- **Defueling Operations**



The vessel was accessed May 27 and 28th with 4 wheelers and trailers with portable containers during safe tidal windows. Accessible fluids were removed with defueling pumps and hoses and contained above the tide line. This included 1460 gallons diesel fuel, 80 gallons hydraulic oil, 60 gallons of individual packaged lubricating oil, 25 gallons lube oil from generator and main, 15 gallons paint/stain, and 15 gallons gear lube. The vehicle, a VW bug that was being transported on deck, was defueled of 10 gallons gasoline and checked for lube oil with none found. When tide permitted, fuel was pumped from the vessel into 55 gallon and 15 gallon drums in four wheeler trailers and fish totes then staged above the tide in a 750 gallon steel tank, originally secured on the deck of the vessel, that was defueled and moved above the tide line.



Fuel and lubricants were then transported with trailers and tanks to the lodge for permanent storage as time and tide allowed. Approximately 400 gallons of diesel remains at the grounding site, in a 750 gallon storage tank above the tide secured to the vessels anchor gear with all openings sealed.



- **Salvage, Wreck removal options**

The visible portion of the hull of the St. Joseph is largely intact. Stress is showing along caulking seams and it is evident that the interior is tidal indicating some breach allowing water to drain out that otherwise would be trapped in the hull. The port side from the interior shows stress cracks in the fish hold and lazarette and a missing portion of the sheer plank in the engine room. Framing and hull planks are mostly hidden interior behind a full ceiling, tanks and equipment.



The aft section of the cabin is gone and waves washing through the vessel have spread a debris field visible down current more than a mile west of the beached location. Decks and rigging seem mostly intact with damage to the port side evident along the bulwarks and aft section of the hull planking.



Vessel list seems to be increasing with each tide cycle and sand is being deposited port side in the engine room, fish hold and lazarette.

The vessel anchor tackle, a 500 pound navy type with ~90 feet of 1" chain and 300' of cable, was deployed to stabilize the vessel for wreck removal or salvage attempts.



Weather in this exposed section of coast dictates activity, the salvage crew was brought back to town as a weather system approached that would pin them down for days. A trip on Saturday June 3 is scheduled to move fuel stored in the tank on the beach to camp, minimize the debris field and assess vessel condition.

Zone Forecast: Icy Cape to Cape Suckling (PKZ052)

Marine Zone Forecast

Hazardous marine condition(s):

Gale Warning

WIND FORECASTS REFLECT THE PREDOMINANT SPEED AND DIRECTION EXPECTED. SEA FORECASTS REPRESENT THE AVERAGE OF THE HIGHEST ONE-THIRD OF THE COMBINED WINDWAVE AND SWELL HEIGHT.

Synopsis...A STRONG WEATHER FRONT IN SOUTHERN GULF WILL TRACK NORTHEASTWARD THROUGH THE DAY REACHING THE GULF COAST BY TUE EVENING. THE FRONT WILL WEAKEN AS IT MOVES OVER THE PANHANDLE WED.

Today...E wind 25 kt increasing to 35 kt in the afternoon. Seas 7 ft building to 13 ft in the afternoon. Rain.

Tonight...E wind 35 kt. Seas 15 ft. Rain.

Wed...E wind 30 kt. Seas 13 ft. Rain.

Wed Night...E wind 30 kt. Seas 12 ft. Rain.

Thu...SE wind 25 kt. Seas 12 ft.

Fri...E wind 15 kt. Seas 8 ft.

Sat...NW wind 10 kt. Seas 4 ft.

Alaska Marine Response LLC. 133 Harbor Loop Rd. Cordova, AK 99574 (907) 424-7424, (907) 253-7424 cell

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND & WATER
400 Willoughby Avenue, 4th Floor
PO Box 111020
Juneau, Alaska 99811-1020

LAS - 28560
TIDELAND USE PERMIT



THIS PERMIT authorizes Alaska Marine Response, LLC (AMR)), Permittee, and its contractors, to occupy and use state-owned uplands and tidelands contiguous to the following areas:

Activities will occur primarily at the wreck site of the F/V St. Joseph on the Lost Coast in the vicinity of the mouth of the Tsiu River. Wreck site is located on state tidelands within Section 26 in Township 21 South, Range 13 East, Copper River Meridian, but the wreck debris field might spread along the shoreline for a mile or more. Consequently, this permit covers all spill response and salvage activities conducted on state uplands and on state tide and submerged lands that are the direct result of the vessel salvage operation associated with the F/V St. Joseph.

Authorized activities are those described in the F/V St. Joseph Salvage Plan for Wreck Removal included herein as Attachment A and other supporting plans that are approved by the department in regards to the salvage and clean-up of the wreck site associated with the F/V St. Joseph. This includes approved shoreline cleanup work plan (Shoreline Evaluation) for these areas, an approved Oil Discharge Prevention and Contingency Plan (Contingency Plan), or other activities as may be approved by the Department of Natural Resources (DNR).

If a shoreline cleanup operation not covered by the approved plan becomes necessary, the permittee may proceed in the above referenced locations in accordance with a shoreline cleanup work plan that has been approved by the State On-Scene Coordinator (SOSC) and Federal On-Scene Coordinator (FOSC). The DNR Authorized Officer (DNR AO) will review work plans as land manager prior to SOSC and FOSC approval. Acceptance of the work plan does not imply approval of final treatment necessary to meet State standards.

This permit is applicable only to uplands and tide and submerged lands under management jurisdiction of the State of Alaska, including those lands covered under AS §41.21. This permit does not authorize any access or use of non state-owned uplands without prior permission and approval of the upland landowner.

This permit conveys no interest in state land and it may not be assigned or transferred in whole or in part to another party. Permits will be granted for any term requested not to exceed one year. The permit may be extended for any number of consecutive periods, each period not to exceed one year. Proposed modifications in the original plan shall be in writing. The director may modify existing stipulations or require additional stipulations in the approval of an extension or modification. Each permit issued is subject to the provisions of DNR permit regulations and any other provisions the director determines necessary to assure compliance with these regulations.

Land Use Permit
LAS 28560
Page 1

The DNR-AO shall have the authority to suspend or terminate all activities on State lands associated with this permit. Such suspension shall remain in force until action is taken to correct the condition that led to the suspension. If the Permittee does not take corrective action within 72 hours after receipt of written notice, this permit will be terminated. The DNR-AO shall have the right, but not the obligation, to undertake corrective action at the expense of the Permittee when such action is necessitated by neglect on the part of the Permittee to perform correction action within a 72-hour period following receipt of written notice.

Permittee is responsible for the accurate location of all operations conducted under this permit.

Indemnification. Permittee shall be responsible for any claim or demand for loss or damage, including property damage, personal injury, wrongful death, and wage or employment claims, arising out of or in connection with the use or occupancy of the permit site, in accordance with provisions of the Federal Tort Claims Act.

Permittee, its agents, contractors and subcontractors shall be liable to the extent otherwise required by law, to the State of Alaska for any liabilities, damages, injuries, cost or expense incurred by the State of Alaska which arises from any operations, whenever such liability damage, injury, cost or expense results from any breach of the terms or conditions associated with this permit, or from any wrongful or negligent act of the permittee, its officers, agents, employees, contractors, subcontractors or their personnel during cleanup.

Permittee shall comply with all applicable federal, state and local laws, regulations or ordinances thereunder, existing or hereafter adopted, affecting in any manner, shoreline cleanup operations conducted under this permit and applicable to the area herein granted.

This permit does not authorize the use of land-based camps, staging, processing or storage facilities, or related support operations on adjacent uplands or tidelands unless such facilities have prior approval of DNR.

This Permit is subject to the following provisions:

Permittee agrees that it will not discharge or dispose of or suffer the discharge or disposal of any petroleum products, gasoline, hazardous chemicals, or hazardous materials into the atmosphere, ground, wastewater disposal system, sewer system, or any body of water during cleanup operations.

The Department of Natural Resources' Authorized Officer (DNR-AO) or his delegated representative shall have reserved right of access to field operations as the DNR-AO deems necessary to verify compliance with this permit.

All shoreline cleanup activities, conducted under approved shoreline cleanup plans and this permit, shall incorporate the timely recommendations of the State Historic Preservation Officer.

If, in connection with any of the operations authorized under this permit, Permittee, its officers, agents, employees, contractors, subcontractors or their personnel encounter any previously undiscovered paleontological, archaeological or historical sites or artifacts, operations shall be suspended on that portion of the project area, and the Director of the Division of Parks and Outdoor Recreation's Cultural Resource Program shall be immediately notified and the State Historic Preservation Officer notified within 24 hours at phone number 907-269-8721.

Activities employing wheeled or tracked vehicles shall be conducted in such a manner as to minimize surface damage.

All activities shall be conducted in a manner that will minimize disturbance of natural drainage systems that will not cause a change in character, pollution, siltation of streams, lakes, ponds, water holes, seeps and marshes, or disturb fish and wildlife resources. Cuts, fills or other activities causing any

of the above disturbances, if not repaired immediately are subject to the corrective action as may be required by the Director. Any dredging operations must be backfilled with clean sand to prevent erosion of upper tidal and dune areas along the area impacted.

All activities shall be undertaken in a manner which causes the least possible interference with other authorized uses of state lands.

Trails and campsites shall be kept clean.

All survey monuments, witness corners, reference monuments, mining claim posts and bearing trees shall be protected against destruction, obliteration or damage. Any damaged or obliterated markers shall be reestablished in accordance with accepted survey practices to the division.

Permittee shall take all reasonable precaution to prevent, control or suppress any fire in the permitted area. No material shall be disposed of by burning in open fire unless a permit has first been obtained from the agency empowered by law to issues such permits, if necessary. Uncontrolled fires shall be reported immediately.

Permittee shall designate a Contact Person at the time of execution of this permit to serve as a representative for matters relating to this permit.

Unforeseen conditions arising during cleanup work may make it necessary to amend these special stipulations. In that event, the Department of Natural Resources' Authorized Officer and Permittee's Contact Person will attempt to agree on revisions or amendments. If the parties are not able to agree, the Southeast Regional Manager of the Department of Natural Resources' Division of Mining, Land and Water shall have full authority to determine the wording of the revisions or amendments or to terminate the permit.

The Department of Natural Resources' Authorized Officer (DNR AO) will coordinate with the U.S. Coast Guard, Permittee, Alaska Department of Environmental Conservation, Alaska Department of Fish and Game Habitat Division and other agencies as necessary. In the field the DNR AO will direct concerns arising from operations authorized under this permit to Permittee either directly or through the Alaska Department of Environmental Conservation. The DNR AO's authority and responsibilities under this permit may be delegated by the DNR AO.

Prior to any construction or development that will use, divert, obstruct, pollute or utilize any of the waters of the State; the Permittee shall first obtain all permits required by law and file an image copy thereof with the grantor.

Upon expiration or termination of this authorization, the lands shall be restored to a condition acceptable to the DNR AO.


THIS PERMIT expires at midnight on August 31, 2012. A completion report shall be submitted within thirty days of the termination of the project and/or any oil spill response activities that are conducted under this permit. Failure to submit the required report may subject the permitted site to a final field inspection. The permittee shall be assessed a fee for this inspection per 11 AAC 05.010 (a)(7)(M). This report shall contain the following information:

1. actual routes of travel, areas impacted with oil or debris from the wreck and other pertinent information depicted on a USGS topographic map or equivalent map base;
2. a statement of cleanup activities and methods of debris disposal including before and after photographs of the site and wreck debris fields as well as photos of all phases of the salvage and clean-up operation;

3. a report covering any known incidents of damage to the vegetative mat and underlying substrate; and follow-up corrective actions that may have taken place while operating under this authorization;

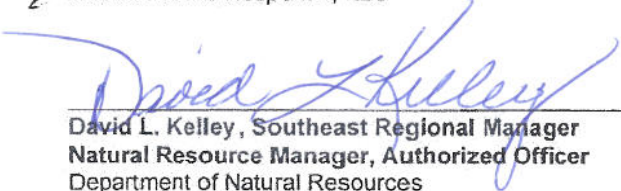
4. shoreline assessment forms, if appropriate, with signatures approving work plan and cleanup.

At the expiration of the permit, the permittee may apply in writing for renewal. The permittee is advised to allow sufficient time for processing the application under then-applicable regulations.



Andrew Craig
Alaska Marine Response, LLC

6-13-12
Date



David L. Kelley, Southeast Regional Manager
Natural Resource Manager, Authorized Officer
Department of Natural Resources
Division of Mining, Land & Water

6/13/12
Date

Permit LAS 28560
Attachment A

F/V St. Joseph Salvage Plan for Wreck Removal



Submitted To: Jeff Schock, owner
Pete Costello, Professional Adjusters of Alaska
Doug Sanvik, ADNR Juneau
John Engles, ADEC Valdez

Submitted By: Andrew Craig, Salvage Master
Alaska Marine Response LLC
133 Harbor Loop Road
Cordova, AK 99574

Title: F/V St. Joseph Salvage Plan for Wreck Removal

Location: Gulf of Alaska beach, 60-03.8N 143-10.0W

Date: June 6, 2012

Scope of Work: Provide transportation, equipment and personnel to dismantle, separate materials, and properly dispose of the F/V St. Joseph

General Information

On Saturday May 26, 2012 the St. Joseph, a 74' LOA wooden fishing vessel, was reported beached on the Gulf of Alaska. Alaska Marine Response was activated to contain and eliminate pollution threats resulting from the grounding and to assess possibilities for salvage. Due to the remote location and very limited access from the water, a salvage/defueling team, some of the ship's crew and defueling equipment were flown to a camp ~3.5 miles from the location and used Alaska Expedition Company's seasonal fishing lodge for a base of operations and permanent fuel storage. Initial response was separated into two phases as a storm was approaching along the coast. First phase initiated on May 27, was to remove and contain as much pollution as possible while assessing the boat for salvage possibilities and stabilizing the boat in her present location to remain grounded through the storm. A post storm visit June 1 was used to document condition and further secure fuel stored in a 750 gallon tank near the beach in reach of the upcoming 15 foot tides. The fuel was removed from the tank and the tank was moved to Alaska Expedition camp for secure fuel storage upland. The storm surf further damaged the vessel and distributed its debris along the shore.



- **Location & Site Conditions**



The vessel was beached at position 60-03.8N 143-10.0W between Mid-timber Lake and the Tsiu river on the north coast of the Gulf of Alaska. The vessel grounded adjacent to a steep cut bank on a sandy/pea gravel beach exposed to heavy swell and breaking waves. Beaching operations by barge and landing craft have been attempted at this site, but none reported as successful and some tragic. For this reason our transportation for personnel, equipment and removal is planned by air from a seasonal DC-3 airstrip adjacent to the Tsiu River.

- **Salvage/Wreck Removal Assessment**



Site visit June 1-3, the F/V St. Joseph remains grounded at position 60-03.8N 143-10.0W. Tide and surf are taking a toll and her condition is deteriorating. These updated photos show additional damage to her port side and she is sanding in to the beach. All fuel and lubricants have been removed from the tide lands and additional efforts to recover hazmat (paint, grease, batteries, tanks, hydraulic lines, ect.) have been successful as far as practical without hull destruction or sand removal. Her location is very exposed and her debris field is growing. The current and worsening condition of the St. Joseph has eliminated the option of taking her out through the surf without extensive repairs. Temporary repairs are impractical at her current location as once off the beach she would have to sustain a ~33 hour mostly open ocean tow at 6 knots to make it the 200 miles to Cordova, the nearest facility where she could be hauled and permanent repairs made. We recommend the vessel be dismantled and disposed of at her current location.

- **Wreck Removal Operations**



Dismantle the vessel, separate the burnable and non-burnable components using: an all terrain track loader, generators, hydraulic powerpack and winches, chainsaws, gas powered cut off saws, electric sawzall, electric skilsaw, and hand tools. These will be used to pull the hull apart and remove the machinery components of the boat. Large items will be bundled and small items will be collected in super sacks. Hazmat materials will be contained in plastic totes. With the all terrain track loader and four wheelers with trailers, transport the non-burnables and machinery to the landing strip for site removal by air to Cordova where they will be properly recycled or disposed of in the landfill. The burnable items will be burned in a burn pit designed to minimize black smoke and the burn will be intensified with a ducted high out put air fan. Oily waste and burnable plastics will be burned in a smart ash incinerator to further minimize black smoke. Vessel related debris such as deck fuel tanks, Volkswagons, freezers and broken wood foam and fiberglass will be removed from the beach and the beach will be restored to previous condition. It should be noted currently, that this beach is getting increased marine debris deposited from the Japanese tsunami consisting of mostly foam and plastics.

- **Pollution Control**

The vessel has already been defueled and hydraulic and lube oils removed. Additional pollutants that may be encountered will be contained in plastic totes. Bales of sorbent materials are currently on site and will remain to address any spills from the vessel or equipment working on the beach. Efforts to minimize air pollution will be taken with a controlled burn, but a black smoke permit will be obtained from ADEC due to the materials inherent in wood boat construction.

- **Safety**

Due to the remote location of the St. Joseph, safety will be a primary concern of those involved in this wreck removal. Work will be conducted at tide levels where surf is not endangering personnel or equipment. Bear activity will be monitored and work will be suspended until the worksite is safe. Safety meetings will be held daily and at all major steps in salvage activity. Safety meetings will cover: proper personal protective equipment, tide and swell conditions, bear activity and deterrents, means of transport and location of first aid kit and fire extinguishers along with the specific hazards of the day task.



Alaska Marine Response, 133 Harbor Loop Rd., Cordova, Ak 99574 (907) 424 7424 cell(907) 253-7424

F/V St. Joseph 2012 End of Season Wreck Removal Update



Submitted To: Pete Costello, Professional Adjusters of Alaska
Thomas Callahan, representing Great American Ins. Co.
Doug Sanvik, ADNR Juneau
John Engles, ADEC Valdez

Submitted By: Andrew Craig, Salvage Master
Alaska Marine Response LLC
133 Harbor Loop Road
Cordova, AK 99574

Title: F/V St. Joseph 2012 End of Season Wreck Removal Update

Location: Gulf of Alaska beach, 60-03.8N 143-10.0W

Date: Nov. 12, 2012

Scope of Work: Provide transportation, equipment and personnel to dismantle, separate materials, and properly dispose of the F/V St. Joseph

- **Background Information**

On Saturday May 26, 2012 the St. Joseph, a 74' LOA wooden fishing vessel, was reported beached on the Gulf of Alaska. Alaska Marine Response was activated to contain and eliminate pollution threats resulting from the grounding and to assess possibilities for salvage. Due to the remote location and very limited access from the water, a salvage/defueling team, some of the ship's crew and defueling equipment were flown to a camp ~3.5 miles from the location and used Alaska Expedition Company's seasonal fishing lodge for a base of operations and permanent fuel storage. Initial response was separated into two phases as a storm was approaching along the coast. First phase initiated on May 27, was to remove and contain as much pollution as possible while assessing the boat for salvage possibilities and stabilizing the boat in her present location to remain grounded through the storm. A post storm visit June 1 was used to document condition and further secure fuel stored in a 750 gallon tank near the beach in reach of the upcoming 15 foot tides. The fuel was removed from the tank and the tank was moved to Alaska Expedition camp for secure fuel storage upland. The storm surf further damaged the vessel and distributed its debris along the shore.



- **Location & Site Conditions**



The vessel was beached at position 60-03.8N 143-10.0W between Mid-timber Lake and the Tsiu river on the north coast of the Gulf of Alaska. The vessel grounded adjacent to a steep cut bank on a sandy/pea gravel beach exposed to heavy swell and breaking waves. Beaching operations by barge and landing craft have been attempted at this site, but none reported as successful and some tragic. For this reason our transportation for personnel, equipment and removal was by air from a seasonal DC-3 airstrip adjacent to the Tsiu River.

- **Salvage/Wreck Removal Assessment**



Site visit June 1-3, the F/V St. Joseph remained grounded at position 60-03.8N 143-10.0W. Tide and surf were taking a toll and her condition was deteriorating. These photos show additional

damage to her port side and as she was sanding in to the beach. All fuel and lubricants were removed from the tide lands and additional efforts to recover hazmat (paint, grease, batteries, tanks, hydraulic lines, ect.) were successful as far as practical without hull destruction or sand removal. At that time, her location was very exposed and her debris field was growing. The current and worsening condition of the St. Joseph has eliminated the option of taking her out through the surf without extensive repairs. Temporary repairs were impractical at her current location as once off the beach she would have to sustain a ~33 hour mostly open ocean tow at 6 knots to make it the 200 miles to Cordova, the nearest facility where she could be hauled and permanent repairs made. We recommended the vessel be dismantled and disposed of at her current location.

- **Wreck Removal Operations**



Between July 20 and August 4 an Alaska Marine Response team of 6 dismantled the vessel and separated the burnable and non-burnable components using: an all terrain loader, generators, hydraulic powerpack and winches, chainsaws, gas powered cut off saws, electric sawzall, electric skilsaw, and hand tools. These were used to pull the hull apart and remove the machinery components of the boat.



Non-Burnable Material: Large items were bundled or transported whole and small items were collected in super sacks. Hazmat materials were contained in plastic totes. With the all terrain loader and four wheelers with trailers, we transported the non-burnables and machinery to the landing strip for further processing (sizing, weighing and bundling). Then it was removed via air charters to Cordova and Yakutat where materials were properly recycled or disposed of in the landfill. Through August and into September available airplanes were used to transport approximately 42,000 lbs. of non-burnables off the DC-3 strip at the Tsiu River. Due to aircraft mechanical issues and weather extremes there still remains ~6,000 pounds of freight ready for transport at the Tsiu airstrip. This will be transported and disposed of in the 2013 flying season.



Burnable Material: The burnable items were burned above high tide in a burn pit designed to minimize black smoke and the burn was intensified with a ducted high output air fan. An ADEC Open Burn/Black Smoke Permit was in place.



Due to the vessels location in the surf zone and the rate of sand deposition during the wreck removal, permission was requested and received from Alaska Department of Natural Resources to leave the vessel keel and concrete ballast buried in the beach. Related debris such as deck fuel tanks, and broken wood foam and fiberglass were removed from the beach and the beach was restored to previous condition. It should be noted currently, and during the wreck removal, that this beach is getting increased marine debris deposited from the Japanese tsunami consisting of mostly foam and plastics.

- **Pollution Control**

The vessel had already been defueled and hydraulic and lube oils removed. Additional pollutants encountered during demolition were contained in plastic totes. Bales of sorbent materials were kept on site to address any spills from the vessel or equipment working on the beach. All hazmat and potential pollutants were recycled locally or removed to Cordova and properly disposed.

- **Safety**

Due to the remote location of the St. Joseph, safety was a primary concern of those involved in this wreck removal. Work was conducted at tide levels where surf was not endangering personnel or equipment. Safety meetings were held daily and at all major steps in salvage activity. Safety meetings covered: proper personal protective equipment, tide and swell conditions, bear activity and deterrents, means of transport and location of first aid kit and fire extinguishers along with the specific hazards of the days task.