

## CITY COUNCIL AGENDA STATEMENT



**Meeting Date:** March 9, 2021

**To:** Honorable Mayor and Council Members

**From:** George Garrett, City Manager

Agenda Item: **Resolution 2021-17**, In Support Of SB 1086 / HB 639 And Additional Amendment Language Addressing Long-Term Anchoring, Reflecting The Continuing Efforts Of Florida Fish And Wildlife Conservation Commission To Improve Boater Safety, Reduce Vessel Dereliction, And Improve Marine Sanitation To Protect Our Natural Marine Resources, And In Support Of Additional Fwc Staff And Financial Resources To Adequately Implement Existing And New Enforcement Measures, And Providing An Effective Date.

### **BACKGROUND & JUSTIFICATION:**

The State of Florida is the boating capital of the world with the highest number of registered recreational vessels in the nation. The State of Florida recognizes the challenges associated with attraction of so many vessels, including the frequency of boating accidents, a high number of derelict vessels, and concerns related to the illegal waste discharge of vessels into State waters. The Florida Fish and Wildlife Conservation Commission (FWC) has proposed legislation and subsequent amendment language for consideration in the 2021 session that includes important new provisions addressing boater safety, vessel anchorage time limits, derelict vessel prevention, enforcement, and removal, and marine sanitation.

The pristine waters of the Florida Keys attracts high numbers of boaters from all over the State and faces the same challenges of vessel safety, dereliction and sanitation. FWC has regulatory authority over the waters of the State, including the regulation of stored, derelict and abandoned vessels, the establishment of permitted moorings and mooring fields and marine sanitation. Consistent with Statewide goals, City of Marathon has for many years worked with FWC to strengthen statutory provisions to prevent and reduce the number of derelict vessels, by increasing enforcement mechanisms and addressing long-term anchoring of vessels that often leads to degeneration and ultimately to derelict condition.

The City of Marathon operates a derelict vessel program that has removed approximately 20 vessels annually. The City of Marathon has established a “proof of pumpout” requirement and vessel pumpout program to discourage illegal waste discharges in our surrounding State waters, which have been designated to no-discharge zone.

The City of Marathon worked with FWC to amend Florida Statutes to regulate illegal and unpermitted moorings to address public safety, environmental degradation, and their direct contribution to the proliferation of abandoned and derelict vessels. The City of Marathon worked with FWC by participating in an Anchoring and Mooring Pilot Program, to explore options for regulating the anchoring or mooring of vessels outside the marked areas of public mooring fields, to encourage the establishment of additional public mooring fields, to encourage responsible anchoring and to protect the marine environment. The City of Marathon recognizes this proposed legislation as an important continuation of both State and local efforts

to improve vessel safety, reduce vessel dereliction and illegal marine waste discharges, and protect our citizens and our environment. The City recognizes that the adequate implementation of current and proposed new enforcement measures necessitates increased enforcement staff and financial resources and strongly supports the appropriation of the necessary State resources to FWC.

**CONSISTENCY CHECKLIST:**

**Yes**

**No**

1. Comprehensive Plan

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  X  

2. Other – 2010 Sewer Mandate

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  X  

**FISCAL NOTE:**

None

**APPROVED BY FINANCE DIRECTOR:**

**RECOMMENDATION:**

Approval of Resolution

Sponsored by: Garrett

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2021-17**

**A RESOLUTION OF THE CITY OF MARATHON, FLORIDA, IN SUPPORT OF SB 1086 / HB 639 AND ADDITIONAL AMENDMENT LANGUAGE ADDRESSING LONG-TERM ANCHORING, REFLECTING THE CONTINUING EFFORTS OF FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION TO IMPROVE BOATER SAFETY, REDUCE VESSEL DERELICTION, AND IMPROVE MARINE SANITATION TO PROTECT OUR NATURAL MARINE RESOURCES, AND IN SUPPORT OF ADDITIONAL FWC STAFF AND FINANCIAL RESOURCES TO ADEQUATELY IMPLEMENT EXISTING AND NEW ENFORCEMENT MEASURES, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the State of Florida is the boating capital of the world with the highest number of registered recreational vessels in the nation; and

**WHEREAS**, the State of Florida recognizes the challenges associated with attraction of so many vessels, including the frequency of boating accidents, a high number of derelict vessels, and concerns related to the illegal waste discharge of vessels into State waters; and

**WHEREAS**, the Florida Fish and Wildlife Conservation Commission (FWC) has proposed legislation and subsequent amendment language for consideration in the 2021 session that includes important new provisions addressing boater safety, vessel anchorage time limits, derelict vessel prevention, enforcement, and removal, and marine sanitation; and

**WHEREAS**, the pristine waters of the Florida Keys attracts high numbers of boaters from all over the State and faces the same challenges of vessel safety, dereliction and sanitation; and

**WHEREAS**, FWC has regulatory authority over the waters of the State, including the regulation of stored, derelict and abandoned vessels, the establishment of permitted moorings and mooring fields and marine sanitation; and

**WHEREAS**, consistent with Statewide goals, City of Marathon has for many years worked with FWC to strengthen statutory provisions to prevent and reduce the number of derelict vessels, by increasing enforcement mechanisms and addressing long-term anchoring of vessels that often leads to degeneration and ultimately to derelict condition; and

**WHEREAS**, City of Marathon operates a derelict vessel program that has removed approximately 20 vessels annually; and

**WHEREAS**, City of Marathon has established a “proof of pumpout” requirement and vessel pumpout program to discourage illegal waste discharges in our surrounding State waters, which have been designated to no-discharge zone; and

**WHEREAS**, City of Marathon worked with FWC to amend Florida Statutes to regulate illegal and unpermitted moorings to address public safety, environmental degradation, and their direct contribution to the proliferation of abandoned and derelict vessels; and

**WHEREAS**, City of Marathon worked with FWC by participating in an Anchoring and Mooring Pilot Program, to explore options for regulating the anchoring or mooring of vessels outside the marked areas of public mooring fields, to encourage the establishment of additional public mooring fields, to encourage responsible anchoring and to protect the marine environment; and

**WHEREAS**, City of Marathon recognizes this proposed legislation as an important continuation of both State and local efforts to improve vessel safety, reduce vessel dereliction and illegal marine waste discharges, and protect our citizens and our environment; and

**WHEREAS**, City of Marathon recognizes that the adequate implementation of current and proposed new enforcement measures necessitates increased enforcement staff and financial resources and strongly supports the appropriation of the necessary State resources to FWC; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:**

**Section 1.** The City of Marathon City Council expresses its support for SB 1068/HB 639, the addition of anchorage limits for City of Marathon, the necessary agency resources to implement enforcement provisions.

**Section 2.** Directs City Clerk to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, Representative Jim Mooney, Senator Ana Marie Rodriguez, FWC Executive Director Sutton and members of the Florida Fish and Wildlife Conservation Commission, and the Secretary of the Florida Department of Environmental Protection.

**Section 3.** Directs the County’s State lobbyists to advocate for the legislative action set forth above, and authorizes and directs the Director of Legislative Affairs to amend the 2021 State Legislative Package to include this item.

**Section 4. Effective Date.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 9<sup>TH</sup> DAY OF MARCH, 2021.**

**THE CITY OF MARATHON, FLORIDA**

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**Luis Gonzalez, Mayor**

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

**ATTEST:**

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Diane Clavier, City Clerk

(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**

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Steve Williams, City Attorney