

NOAA Abandoned and Derelict Vessel Case Study



S/V Sea Rose

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Vessel Overview

Name: Sea Rose

Incident: Vessel grounding and abandonment

Date reported: October 30, 2014

Vessel type: Hunter Sailboat

Vessel ID#: HUN37150M80D

Hull material: Fiberglass

Length: 37 feet

Beam: 12 ft.



Vessel Location

Location: San Leon, Galveston County, TX

Site Name(s): Offshore of 24 ½ Street in San Leon

General description of location: The vessel ran aground approximately 150 yards offshore.

Average Site Depth: <10 feet

Habitat/Substrate Type Impacted: Sand

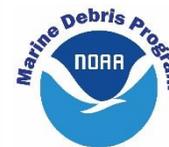
Jurisdictions: Galveston County, Texas

Incident Narrative

History: The incident occurred on October 29, 2014 at approximately 7pm, when a 37 foot Hunter Sail Boat lost engine power and ran aground offshore of the town of San Leon, Texas. On board the vessel was a family of 9 (2 adults, 7 Children) that had to be rescued by the San Leon Fire Department after the grounding. An infant on board was no longer breathing and had to be resuscitated and immediately taken to local hospital. The U.S. Coast Guard (USCG) and the Texas General Land Office (TGLO) were not notified at time of incident and received the NRC report on October 30, 2014 about a sail boat that sank 150 yards offshore of San Leon.

When the TGLO and USCG officers went to inspect the vessel on the morning of the 30th, the sail boat's port side was underwater and a sheen was seen coming from vessel. The Galveston County sheriff who first responded to incident was apparently given a false name and address by the owner, and when the sheriff department went to hospital to speak with owners of vessel they spoke with the wife as she was being released, who said she would call him with a new cell number as soon as they could buy a new cell phone. She also said that they just bought the sailboat in Kemah for \$20,000 from some guy, but she couldn't remember where or any other information about the sale. There was no official type of identification provided by either subject to the sheriff.

On November 4, 2014 the USCG went out to check vessel, which seemed to be in great condition and a sheen was no longer seen coming from vessel. Using the Texas registration number on the vessel the sheriffs were able to identify the vessel as the Sea Rose, a 37 foot Hunter, but were unable to find the owner. The vessel was not registered to the suspected owner, but to another person who said that he sold the boat for \$20,000 cash on October 22, 2014. The last registered owner had a bill of sale and said that the sail boat was moored at Watergate Marina before it was sold. The marina office



tried to contact the new owner after they were notified that the vessel was sold, but the new owner refused to talk and the marina kicked them out 6 days later.

The Galveston County Sheriff office was not able to find the new owner and eventually heard from the FBI that the owner was a wanted fugitive. Because the owner could not be found an agreement was reached between Galveston County, TGLO and the USCG for the removal of the vessel.

Lead agency or organization: The Galveston County Sheriff led the incident investigation and the Texas General Land Office was in charge of the removal.

Other collaborators/stakeholders involved: The USCG was involved with the pollution abatement related to the vessel and cooperated with TGLO in getting the vessel removed.

Funding source(s): Funding for the pollution abatement was paid by the USCG and the costs for the removal and disposal of the vessel were paid by the TGLO under Texas' Oil Spill and Prevention and Response program.

Threats from ADV

Environmental: The vessel was leaking fuel and a 100 ft. x 20 ft. sheen was visible around the vessel.

Aesthetic: The Sea Rose was close to shore and readily visible from the beaches of San Leon.

Vessel Removal Actions:

Start date: December 2, 2014

End date: December 3, 2014

Authorities used to take Possession of Vessel: The Galveston County Sheriff Department took possession of the vessel after the owner could not be contacted and the FBI reported that the owner was a wanted fugitive.

Removal options considered: Because the threat of pollution was involved the USCG was in charge of lifting the vessel and abating the threat, and the TGLO's only viable option was to take possession of the vessel immediately after the USCG completed the pollution abatement.

Environmental Considerations: Limiting any additional spills that might occur during the vessel's removal.

Permits Required: A letter of agreement had to be signed between the USC, TGLO and Galveston County.

Removal Methods: The vessel was lifted in place by the USCG and the pollution was removed. The vessel was then transferred to the contractors who towed the vessel into port for disposal.

Salvage Contractor(s): Contractors were used to transport and dispose of the vessel.

Vessel Disposal Process/Issues: None identified.

Approximate removal costs: \$46,000, including the pollution abatement (\$40,000) and the removal and disposal (\$6,000).

Other cost information: The TGLO contacted the U.S. Justice Department once the owners of the vessel were caught and tried to get restitution for removal costs but the Assistant U.S. District Attorney would not pursue the case.

Project Challenges

Geographical: The vessel was located close to shore and in the surf zone.

Funding: Funding for the pollution abatement came through the USCG but because of federal limitations on how the oil spill response funds can be utilized the TGLO had to provide additional resources to have the vessel removed.

Lessons Learned

This case brings up two valuable points. The first point is, both Federal and State partners assisted federal law enforcement in identifying the owner but no assistance was provided in return when cost recovery for the removal was sought against the owner (who had been captured). The second point is that, even though the USCG will cover the high costs of removing pollution, they are restricted by law from paying for the removal costs associated with derelict vessels; which could present a public relations and image issue for the USCG and requires additional funding to be secured if the vessel is to be removed.

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