

MEMORANDUM



To: Florida Fish and Wildlife Conservation Commissioners
From: Colonel Curtis Brown, Director, Division of Law Enforcement
Date: July 17, 2019
Subject: Consent Agenda - Proposed Derelict Vessel Removal Grant Rule Change

Purpose:

Obtain approval to advertise proposed changes for Rule 68-1.003(7), Florida Administrative Code (FAC), to update the grant guidelines and application form.

Summary:

Following the passage of Senate Bill 1666 (2019), Chapter 2019-54, Laws of Florida, and in response to the effects of hurricanes from the past two seasons, staff is proposing amendments to the FWC Derelict Vessel Removal Program grants rule. The recommended changes would be accomplished by incorporating new versions of the guidelines and application form in the rule. Amendments include:

- Eliminating the current 45-day application cycle for funding and having a continuously open application period. Application acceptance would begin immediately upon notice of grant opportunities in the Florida Administrative Register in the given fiscal year and would not end until that fiscal year's funding has been exhausted or until the fiscal year ends, whichever happens first. Applications would be approved on a first come, first served basis.
- Removing the current requirement for applicants to provide 25% matching funds. FWC will fund 100% of the eligible and qualified removal costs for each awarded grant.
- Requiring the applying entity to ensure that the owner (or other responsible party) of each derelict vessel on a grant application has been afforded due process, as required by state and federal law before grant applications are eligible for funding.

The application form would also be modified to reflect these new guideline changes. The changes will provide greater flexibility to local governments seeking to remove derelict vessels from within their jurisdiction. Economically depressed cities and counties that struggle to provide the required 25% matching contributions will be able to participate in the Derelict Vessel Removal Grant program more easily than they have in the past. Additionally, local governments with many derelict vessels will not have to severely limit their requests for removal grant funding based on limited matching funds in order to clean up their waterways, so long as grant program funds are available. If approved, these changes will be advertised and filed for adoption without further hearing, unless requested by a member of the public

Staff Recommendation:

Approve the proposed amendments to Rule 68-1.003(7), F.A.C.

Staff Contact and/or Presenter:

Major Robert Rowe, Boating and Waterways Section Leader, Division of Law Enforcement