

**Derelict Vessel Grant Program Rule Amendment**  
**Notice of Change/Withdrawal**  
**Consent Agenda Item 2**  
**October 2, 2019**

**FISH AND WILDLIFE CONSERVATION COMMISSION**

RULE NO.: RULE TITLE:

68-1.003 Florida Fish and Wildlife Conservation Commission Grants Program

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 45 No. 140, the July 19, 2019 issue of the Florida Administrative Register.

The FWC Derelict Vessel Removal Grant Program Guidelines (dated July 2019), incorporated by reference into subsection (7) of the rule, have been modified in the following ways:

- (1) The methods of payment that will be used to disburse grant funds have been added and language that previously provided that payment will be on a cost reimbursement basis has been deleted;
- (2) Language was added to clarify that one way a grant applicant demonstrates commitment to maintaining waters free of derelict vessels is by investing time and resources into thoroughly completing a law enforcement investigation and thoroughly documenting that investigation in the Statewide Derelict Vessel Database;
- (3) In keeping with the statutory mandate that local governments demonstrate commitment to maintaining waters free of derelict vessels and to seek legal action against those who abandon vessels, language was added to provide that, with exceptions, vessels for which the owner or responsible party has not been criminally charged will be ineligible for removal grant funding under this program. More general language that provided that applicants who routinely fail to criminally charge derelict vessel owners or responsible parties would be denied grant funding was removed; and
- (4) Language that previously provided that vessels attached to, grounded upon, tied to, or docked to private property were ineligible for grant funding under the program has been deleted.

The FWC Derelict Vessel Removal Grant Application (Form FWC/DV-APP, dated July 2019), incorporated by reference into subsection (7) of the rule, has been modified in the following ways:

- (1) A requirement that the Applicant must provide the total number of derelict vessels within the Applicant's jurisdiction has been added; and
- (2) New language was added requiring an Applicant to indicate whether a derelict vessel owner or responsible party was charged with a criminal violation or whether law enforcement requested the State Attorney file charges directly.

These changes are being implemented in response to comments received from the Joint Administrative Procedures Committee in a letter dated August 8, 2019 or based on recommendations from Fish and Wildlife Conservation Staff and following public hearing at the Commission's regular meeting on October 2, 2019.