

## Duncan Bay Vessel Removal Project

Contributor: Vence Woods, MI Dept. of Natural Resources Law Enforcement

### Project Overview

**Reason for project:** Abate and mitigate environmental damage.

**Date initiated:** July 2010 (vessels reported)

**Project duration:** 24 months

### Project Location

**Location:** Cheboygan County, MI

**Site Name(s):** Duncan Bay

**General description of location:** Duncan Bay is a small bay in western Lake Huron.

**Average Site Depth:** 10 ft.

**Habitat/Substrate Type Impacted:** sand

**Jurisdictions:** Cheboygan County, MI



### Project Narrative

**History:** The case stems from a 51 year old male from Wisconsin who bought several older vessels (retired 400', 57.5', 79', and 100') with the intent to circumvent environmental regulations with the handling of scrap tires. The owner claimed to have a process of burning tires and capturing usable fuel from the process, and planned on selling the fuel on the Great Lakes. The owner had no previous ship experience and hired individuals to pilot three of the vessels to the Duncan Bay area. The tugs were to be used to move the 400' vessel that was illegally moored in Detour. The car ferry was to be used for tire hauling and fuel distribution.

The tug Jenny Lynn was illegally moored in Duncan Bay on 7-28-2010 and sank at the mooring on 7-31-2010. USCG removed the fuel and the owner made no attempt to remove the vessel. The vessel Hoey was tied to the Jenny Lynn and was ordered moved. The Hoey broke free on several occasions and was moored at Derocher Marine, while there a leak/fuel problem was discovered and a sheen was observed surrounding the vessel. Derocher ordered the boat to be removed and the owner of the vessels hired people to move the Hoey and moor it illegally in Duncan Bay again; however, during the transit another 25' pontoon boat, which was to be used as a tender boat, was destroyed while being towing. The owner left both the tug Hoey and ferry Jolle A Marie moored illegally in Duncan Bay, attached to steel anchorage. Both vessels ran aground and the USCG again came in and removed the hazardous fluids. The owner was not cooperating with authorities and was subsequently arrested and charged with violations of state law. He entered a plea bargain and the court condemned/forfeited all three vessels and gave custody to an individual that had interest in the car ferry. As of this date, the state has been working with the new owner and two of the three vessels have been removed safely. The tug Jenny Lynn remains submerged in approximately 10-18 feet of water in Duncan Bay. The large vessel in Detour went through federal proceedings and was forfeited and later towed to Sault Ste. Marie and dismantled for scrap.

**Why was the project initiated:** To remove the vessels in order to prevent further pollution and keep the vessels from sinking and/or becoming navigational hazards.



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**Who initiated the project:** Michigan Department of Natural Resources and Environment (Now DNR-DEQ)

**Lead agency or organization:** Michigan Department of Natural Resources and Environment (Now DNR-DEQ)

**Other collaborators/stakeholders involved:** United States Coast Guard

**Funding source(s):** DNR-DEQ

### Threats from ADV

**Environmental:** Oil and fuel pollution

**Critical habitats involved:** No

**Public safety and health:** Oil and fuel pollution

**Navigation:** These vessels were a potential threat to navigation if they became un-moored and drifted into the nearby shipping channel.

**Aesthetic:** Duncan Bay fronts the town of Cheboygan, MI and the vessels were visible from shore.

### Summary of Removal

**Number of vessels:** 2 (one still pending)

**Primary vessel type:** Tug

**Primary hull type:** Wood, fiberglass and steel

**Vessel size(s):** 57 to 100 ft.

**Acres restored via removal:** N/A

**Approximate removal costs:** \$10,000.00 for both vessels

**Additional debris removed:** Fluids were pumped from vessels by US Coast Guard/contractors.

**Vessel removal summary:** The Jenny Lynn remains submerged, the William Hoey was removed by dredging around it and towing it to Sault Ste. The vessel Marie is still afloat and moored. The Jolle Ann Marie was removed by towing/lite dredging. The Jenny Lynn, which stills remains in Duncan Bay, will require resurfacing and then towing.

### Project Removal Actions

**Start date:** July 2012

**End date:** On-going

**Removal options considered:** Salvage, towing, air bag resurfacing; and crane lifting, dredging.

**Environmental Considerations:** Bottom land impacts, release of fluids (Fuel-oil).

**Removal Methods:** Dredging and towing.

**Authorities used to take Possession of Vessels:** 53rd Circuit Court-Cheboygan County

**Permits Required:** DEQ and Army Corp of Engineers for dredging.

**Salvage Contractor(s):** Derocher Marine

**Vessel Disposal Process/Issues:** Pollution control and dredging permits.



### **Project Challenges**

**Environmental:** Release of hazardous fluids from the vessels.

**Geographical:** None identified.

**Weather/Seasonal:** Due to the length of the court proceedings, vessels were frozen in for a period of time and could not be removed until the lake thawed.

**Funding:** Current owner was rewarded the vessels in court and does not have financial ability to remove the last remaining vessel at this time. The current owner was not involved with the sinking or ownership prior to the incident.

### **Lessons learned:**

The response to the original sinking vessel and the fluid removal actually limited the charges the DNRE could take due to the risk of additional releases occurring during removal. A deadline for the removal of the vessels by the court would have secured a date for the removal of the last vessel.

### **Contact Information:**

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## Duncan Bay Vessel Removal Project



### Images:



### Vessels Removed

| Vessel name     | Vessel Type | Time abandoned | Incident  | Length | Hull material |
|-----------------|-------------|----------------|-----------|--------|---------------|
| William Hoey    | Tug         | 2 years        | Abandoned | 79     | Steel         |
| Jolle Ann Marie | Tug         | 2 years        | Abandoned | 57     | Steel         |