WASHINGTON DEPARTMENT OF NATURAL RESOURCES

Washington Department of Natural Resources

Derelict Vessel Removal Program

September 2018

- WA DNR’s Derelict Vessel Removal Program
- Vessel Turn-in Program
- Legislative changes
- Insurance requirements
- Outreach

Derelict Vessel Removal Program

- Program within the Dept. of Natural Resources
- Work closely our federal, state, local govts.
  - WA Department of Ecology
  - US Coast Guard
  - Ports, Counties, Cities
- Address problems presented by abandoned and derelict vessels in our waters
- Promote prevention
  - Vessel Turn-in Program
  - Insurance requirement
- **Not an initial response organization**

Derelict Vessel Removal Program

- Authority
  - Remove and dispose of vessels up to 200’ long.
  - Due process met through 30-day custody.
  - Immediate emergency authority if owner is unwilling or unable to step in.
- Funding
  - Derelict Vessel Removal Account
    - Recreational boater registration $3/boat
    - Certain commercial vessels $1/ft starting 2015
  - Aquatic Lands Enhancement Account - DNR match

Derelict Vessel Removal Program

- Inventory
  - Database for all derelict/abandoned vessels reported since the Program began.
  - Vessel listed by priority category.
- Guidance & assistance
- National model

Database

Reporting form

Vessel of Concern Reporting Form

INSTRUCTIONS: Fill out the following form to the best of your ability. If unknown, write unknown. Upon completion, submit to the appropriate agency (see below). For reporting in the event of a marine emergency, in the Pacific Ocean from Grays Harbor south and on the Columbia, Snake and Salmon Rivers, contact the USCG Sector Columbia River Command Center at (503) 861-6211 or for emergencies in Puget Sound and in the Pacific Ocean north of Grays Harbor contact the USCG Sector Puget Sound at (206) 217-6004.

For Vessels in Oregon, submit forms to:
Rachel Bullene - (503) 378-2836
Rachel.e.bullene@or.us.gov

For Vessels in Washington, submit forms to:
Derelict Vessel Removal Program - (360) 902-1548
dvrp@dnr.wa.gov

BE ADVISED OF THE FOLLOWING: Derelict vessels not only pose a hazard to the environment but also pose many hazards to people. Please keep this in mind when gathering information and remain a safe distance from derelict vessels and **DO NOT** go onboard unless you are trained to do so.

DATABASE New entry Existing entry If entry already exists in the database, Vessel ID #_____
Reporting Organization _____ Name _____ Phone # _____

VESSEL INFORMATION

Vessel Name _____ **Current Registration (*check one*):** Yes No

Registration Number _____ Registration Expiration _____

Hull Type (*check one*): Steel Wood Fiberglass Aluminum Cement Other _____

Length _____ Hull Color _____ Superstructure Color _____

Trim Color _____ **Vessel Type (*check one*):** Commercial Recreational Unknown

Vessel Subtype (*check one*): Cruising Sailing Fishing Passenger Barge Tug

General Location _____ State/County _____

Lat/Long _____ Approx. Water Depth _____

Vessel is (*check one*): Afloat Aground Tide Dependent Sunk

How secured? (*check one*) Tied securely to dock Tied but not secure On mooring buoy Anchored

Fuel Type: _____ Total Fuel Capacity _____ Number of Tanks _____

Fuel Vent Location (if known) _____ Description/Quantity of any HAZMAT _____

Is vessel occupied? _____ Evidence of other illegal activity_____

Current or planned actions to cleanup/remove by Fed/state/local government:

OWNER INFORMATION

Last Known Owner _____ Phone Number _____

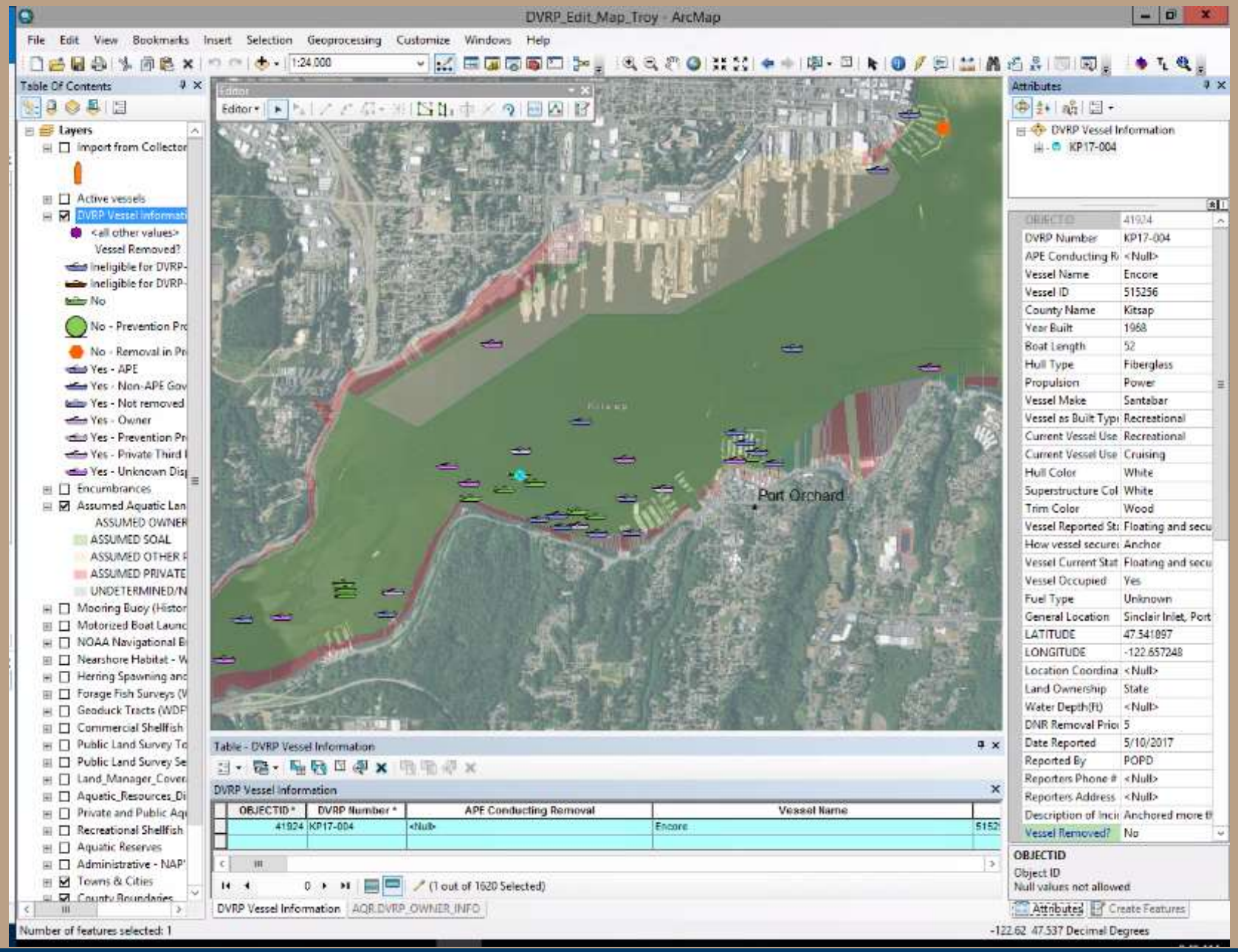
Address _____

Has the owner been contacted? (*check one*): Yes No

Does the owner plan on taking action to remove/cleanup the vessel? If so, what?_____

_____

Database


DVRP_Edit_Map_Troy - ArcMap
File Edit View Bookmarks Insert Selection Geoprocessing Customize Windows Help
Table Of Contents
Layers
Import from Collector
Active vessels
DVRP Vessel Information
Vessel Removed?
Ineligible for DVRP
No
No - Prevention Pr
No - Removal in Pr
Yes - APE
Yes - Non-APE Gov
Yes - Not removed
Yes - Owner
Yes - Prevention Pr
Yes - Private Third
Yes - Unknown Dis
Encumbrances
Assumed Aquatic Lan
ASSUMED OWNER
ASSUMED SOAL
ASSUMED OTHER
ASSUMED PRIVATE
UNDETERMINED/N
Mooring Buoy (Histor
Motorized Boat Launc
NOAA Navigational B
Nearshore Habitat - W
Herring Spawning and
Forage Fish Surveys (W
Geoduck Tracts (WDF
Commercial Shellfish
Public Land Survey To
Public Land Survey Se
Land_Manager_Cover
Aquatic_Resources_Di
Private and Public Aq
Recreational Shellfish
Aquatic Reserves
Administrative - NAP
Towns & Cities
County Boundaries
Editor
Port Orchard
Table - DVRP Vessel Information
DVRP Vessel Information
OBJECTID * DVRP Number * APE Conducting Removal Vessel Name
41924 KP17-004 <Null> Encore 5152
(1 out of 1620 Selected)
DVRP Vessel Information AQR.DVRP_OWNER_INFO
Number of features selected: 1
Attributes
DVRP Vessel Information
KP17-004
OBJECTID 41924
DVRP Number KP17-004
APE Conducting R <Null>
Vessel Name Encore
Vessel ID 515256
County Name Kitsap
Year Built 1968
Boat Length 52
Hull Type Fiberglass
Propulsion Power
Vessel Make Santabar
Vessel as Built Typ Recreational
Current Vessel Use Recreational
Current Vessel Use Cruising
Hull Color White
Superstructure Col White
Trim Color Wood
Vessel Reported St Floating and secu
How vessel secure Anchor
Vessel Current Stat Floating and secu
Vessel Occupied Yes
Fuel Type Unknown
General Location Sinclair Inlet, Port
LATITUDE 47.541097
LONGITUDE -122.657248
Location Coordina <Null>
Land Ownership State
Water Depth(Ft) <Null>
DNR Removal Prio 5
Date Reported 5/10/2017
Reported By POPD
Reporters Phone # <Null>
Reporters Address <Null>
Description of Inci Anchored more t
Vessel Removed? No
OBJECTID
Object ID
Null values not allowed
Attributes Create Features
-122.62 47.537 Decimal Degrees

WASHINGTON STATE DEPARTMENT OF
NATURAL RESOURCES
HILARY S. FRANZ | COMMISSIONER OF PUBLIC LANDS

DVRP Inventory of Vessels of Concern

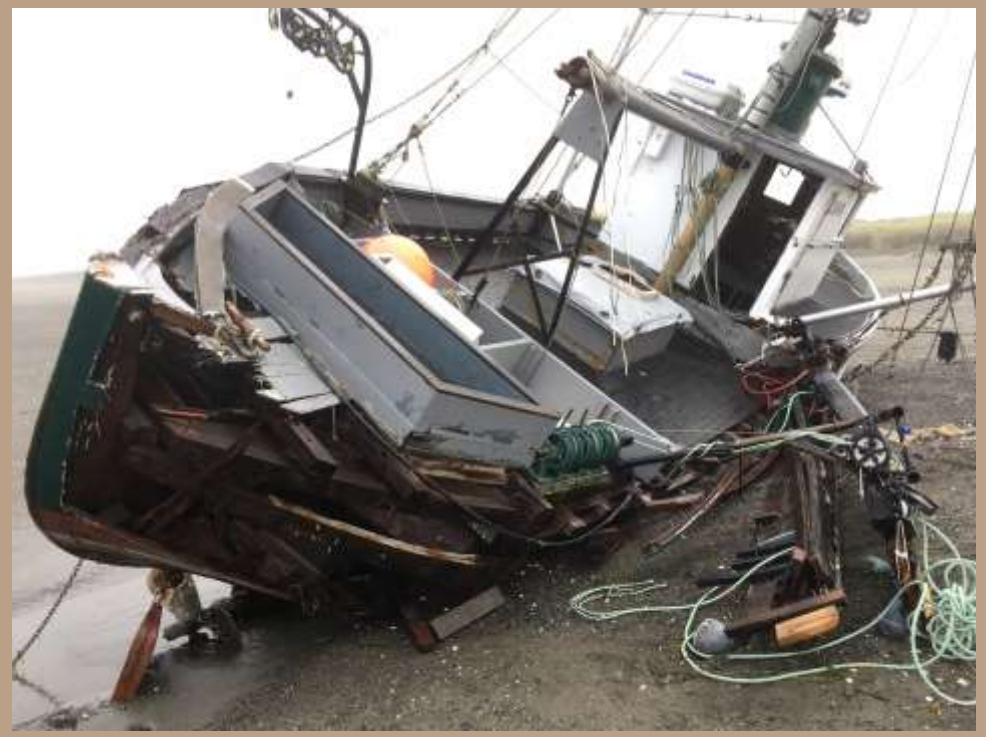
Number of Vessels: 102

Priority	DVRP Number	Vessel Name	Vessel ID	Boat Length	General Location	APE Conducting Removal
1	PA15-001	Hero		125	Mouth of Palix River, Bay Center	
2	KI14-005	Capelin	506241	166	Lower Duwamish River	
2	KP16-004	Wild Wind	WN 4549 RJ	34	Brauer Cove, Lemolo, Liberty Bay	
2	LE17-001		WN 2007 JC	17	Cowlitz River	
2	SN06-010	Elusive Dream	36858?	75	Steamboat Slough	
2	TH11-003C		WN 1949 JE	24	ELD INLET, NORTH OF SUNRISE BEACH	
2	TH12-005B		WN 8676 NH	53	Eld Inlet, 5141 Sunrise Beach Rd	
2	TH16-009	unknown	unknown	40	about four properties north of DNR's marine station	
2	WC16-004	Starbright	WN 8671 B	41	on the south side of the Blaine Marina's breakwall (outside of the entrance)	Port of Bellingham
2	WC16-007		WN 1203 RU	44	Fairhaven Bellingham	City of Bellingham
3	CZ16-001		WN 4394 SJ	31	just north; 1635 Dike Rd. Woodland	
3	KI17-001	Arline	258139	50	Plancich Dock in Dockton	
3	KP16-002		WN 7262 ND	29	2619 Northeast Twin Spits Road,	

Priorities

Priority 1	**Emergencies**	**Vessels that are in danger of sinking, breaking up or blocking navigation channels or that present environmental risks such as leaking fuel or other hazardous substances.** **Category includes but is not limited to vessels that meet the temporary possession criteria or that will meet those criteria if owner stops taking or fails to take action.** **Examples include: vessels adrift, sinking, dragging anchor, badly anchored/moored, pumps barely keeping up with water intake, beached and breaking up, sunk in a navigation channel, presenting environmental risk such as leaking fuel or other hazardous materials, etc.**
Priority 2	Non-emergency existing threats to human health, safety and environment	Vessels, floating or sunken, which pose an existing or probable future—but not immediate—threat to human health, safety and the environment. These vessels are likely to become Priority 1 vessels after a minor change in circumstances. Examples include: vessels sunk near a boat launch; vessels beached near a public access area; vessels abandoned & unattended in an area of high current or vessel traffic; vessels that need to be pumped continuously to stay afloat and are not tied to shore power; vessels sunk where they may be a hazard to small vessel navigation (e.g., sunk just under the surface); vessels in advanced state of deterioration and/or dismantled--particularly those with fuel on board.
Priority 3	Vessels impacting habitat and not already covered in prior category	Any vessel, floating or sunken, that doesn't meet one of the previous categories but still poses a direct threat to any of the elements of the natural environment, including vessels that impact: • Any plant or wildlife species listed on a state or federal endangered, threatened, proposed, sensitive, candidate, concern or monitor list. • Essential Habitats where listed species have primary association, such as spawning areas. • Any other plant or animal species protected by local, state, or federal agency. • Aquaculture practices and/or farming of food fish, shellfish, and other aquatic plants and animals in fresh water, brackish water or saltwater areas. • Marine protected areas, restoration areas or aquatic reserves. (A vessel can potentially impact these areas without being located within its boundaries.) Examples include vessels: in close proximity to shellfish beds or public beaches, sunk or abandoned in or near a marine reserve, aground on surf smelt or sand lance habitat, creating barriers to fish passage, etc.
Priority 4	Minor navigation or economic impact	Vessels, floating or sunken, that don't meet one of the previous categories but pose an economic impact such as blocking a marina slip, public park buoy or guest dock or vessels in trespass in a planned buoy field, private mooring buoy, etc.
Priority 5	Other abandoned or derelict vessels	Vessels that meet the definition of abandoned or derelict, but do not satisfy any of the criteria listed above. These vessels may be sunk at depth; floating but well-kept and attended vessels in trespass, etc.

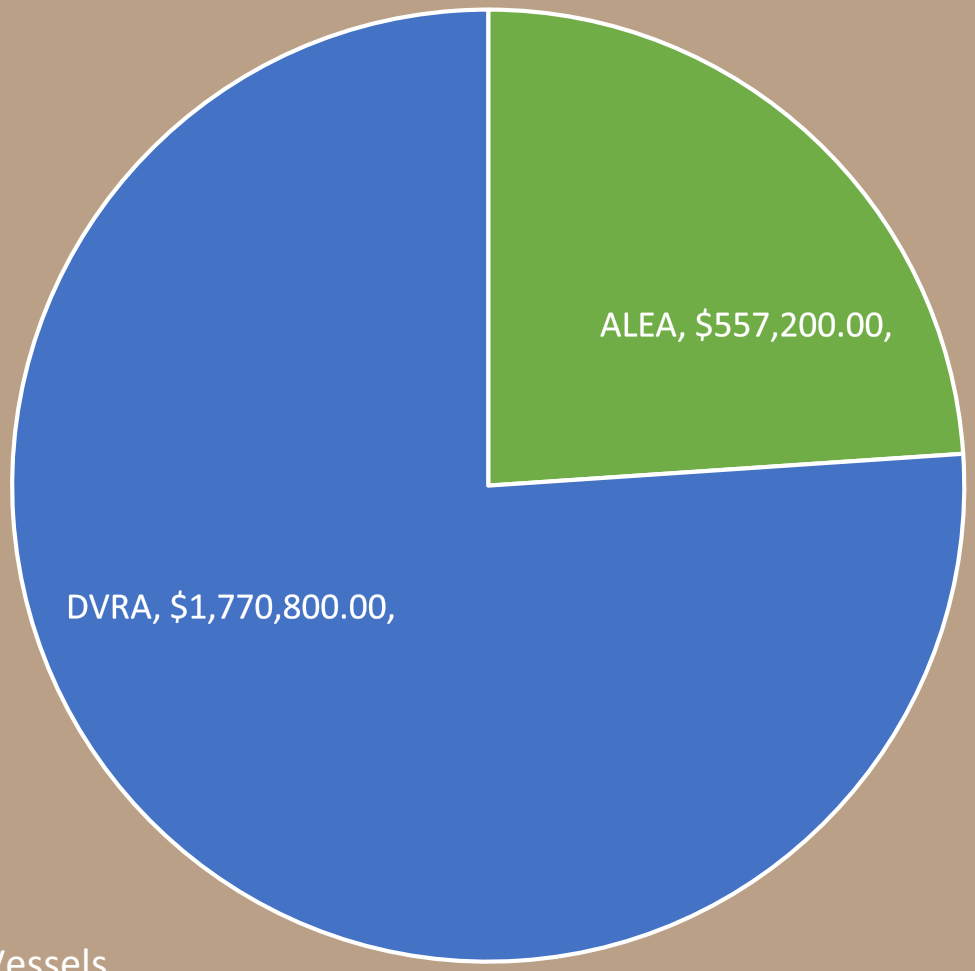
Goal: To reduce the number of derelict and abandoned vessels in the waters of the state.



- Success: ~778 Vessel removals completed by ~50 Agencies since Jan. 2003.

Funding

17-19 DNR Appropriation by Account



Aquatic Land Enhancement Account sources:
Geoduck sales
Lease revenue

DVRA Sources:
$3 per Recreational Vessel
$5 on Vessel Visitor permit
$1/ft on certain Commercial Vessels

For 17-19: $2.3 million

-- 15-17: $2.47 million

-- 13-15: $7.29 million
($4.828 Million in one-time from Capital Budget)

Derelict Vessel Removal Account access

- Who has access to the account?
  - Department of Licensing
  - Authorized public entities
    - "The Department of Natural Resources; the Department of Fish and Wildlife; the Parks and Recreation Commission; a metropolitan park district; a port district; and any city, town, or county with ownership, management, or jurisdiction over the aquatic lands where an abandoned or derelict vessel is located."
  - Private

Derelict Vessel Removal Account access

Vessel Turn-in Program

- Has your dream boat become a nightmare?
- If you own a boat that's in poor condition or no longer functions but is not legally derelict or abandoned, you might be eligible for DNR's Vessel Turn-in Program (VTIP)
- Program is allotted up to $200,000 per biennium by statute.

May 1, 2014 to June 30, 2015
40 = Total Vessels Destroyed

July 1, 2015 to June 30, 2017
35 = Total Vessels Destroyed

Email: **dvrp@dnr.wa.gov** or Phone: 360-902-BOAT (2628)

Vessel Turn-in Program

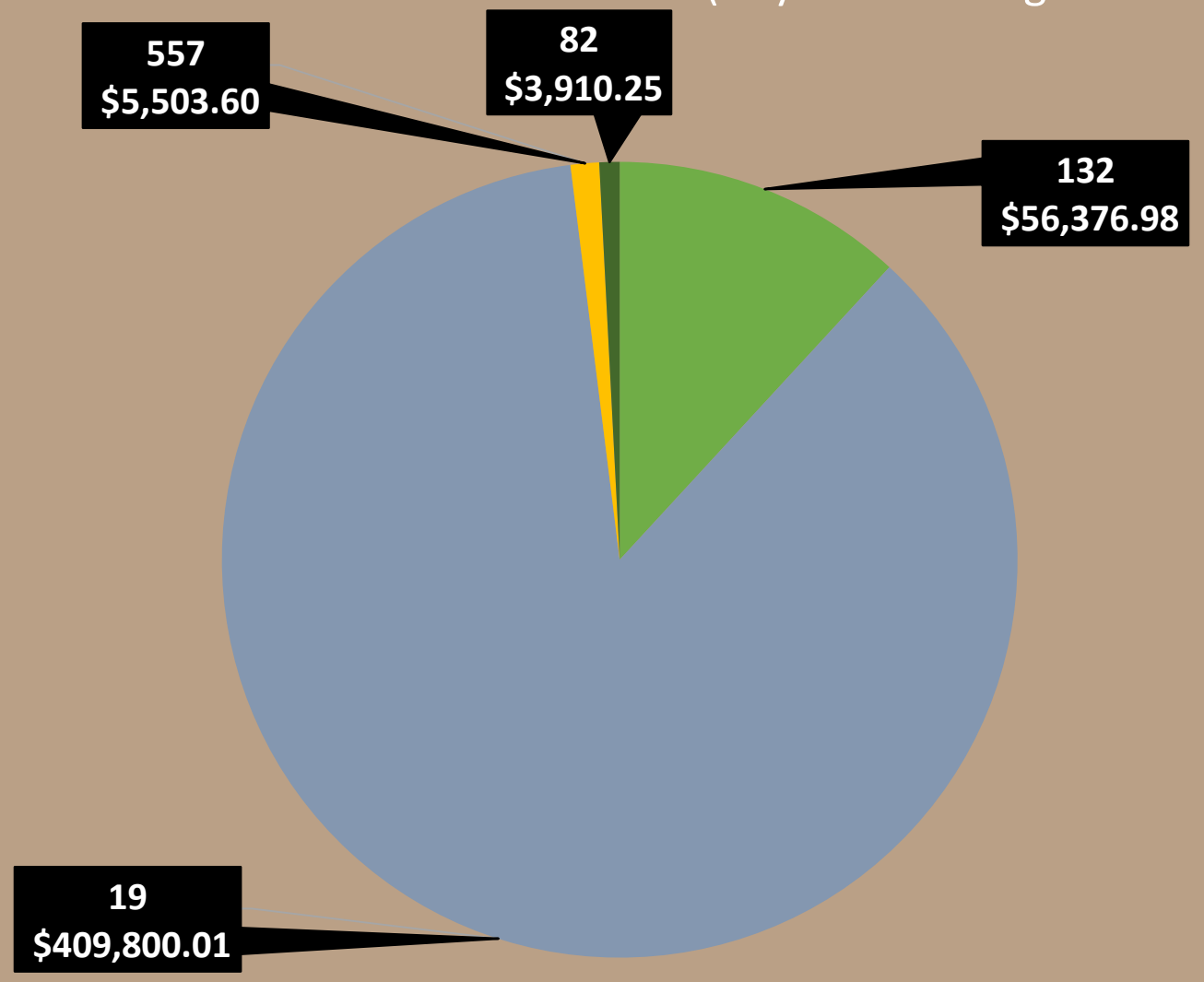
Leschi Marina – $11,422.08
Owner passed away

Winslow Waft Marina– $4,903.46
Owner moved to assisted living

Oyster Cove – $1,812.05
Moved in with family

Vessels Removed By Vessel Type

(July 2013 to August 2018)



- Commercial
- Military - Government
- Recreational
- Vessel Turn-in Program

*Total number of vessels removed is slightly higher; graph includes only those vessels that had length, cost and type data entered into our database.

2013/2014 LEGISLATION: A FOCUS ON PREVENTION

- State Representatives Hansen and Smith championed House Bills 1245 (2013) & 2457 (2014). The Legislature passed these prevention-focused bills which:

LEGISLATION continued

- **Created a voluntary vessel turn-in option;**
- Gave Ecology boarding authority to check vessels' spill potential;
- Updated vessel registration laws;
- **Required sellers of big old boats to provide buyers with a marine survey and added restrictions on the sale of old, large vessels (>65' and older than 45 years);**
- Limited agencies' ability to sell agency-owned vessels that were in poor condition;

LEGISLATION continued

- Established a work group to reduce the fiscal and ecologic burdens of derelict vessels;
- Made permanent a $1 surcharge on recreational boat registration fees. Created a new annual “derelict vessel removal fee” of $1/ft on certain commercial vessels.
- **Added insurance requirements for marinas and their tenants.**

Lady Lillian

Persistence

INSURANCE REQUIREMENTS

RCW 88.26.030 - Private

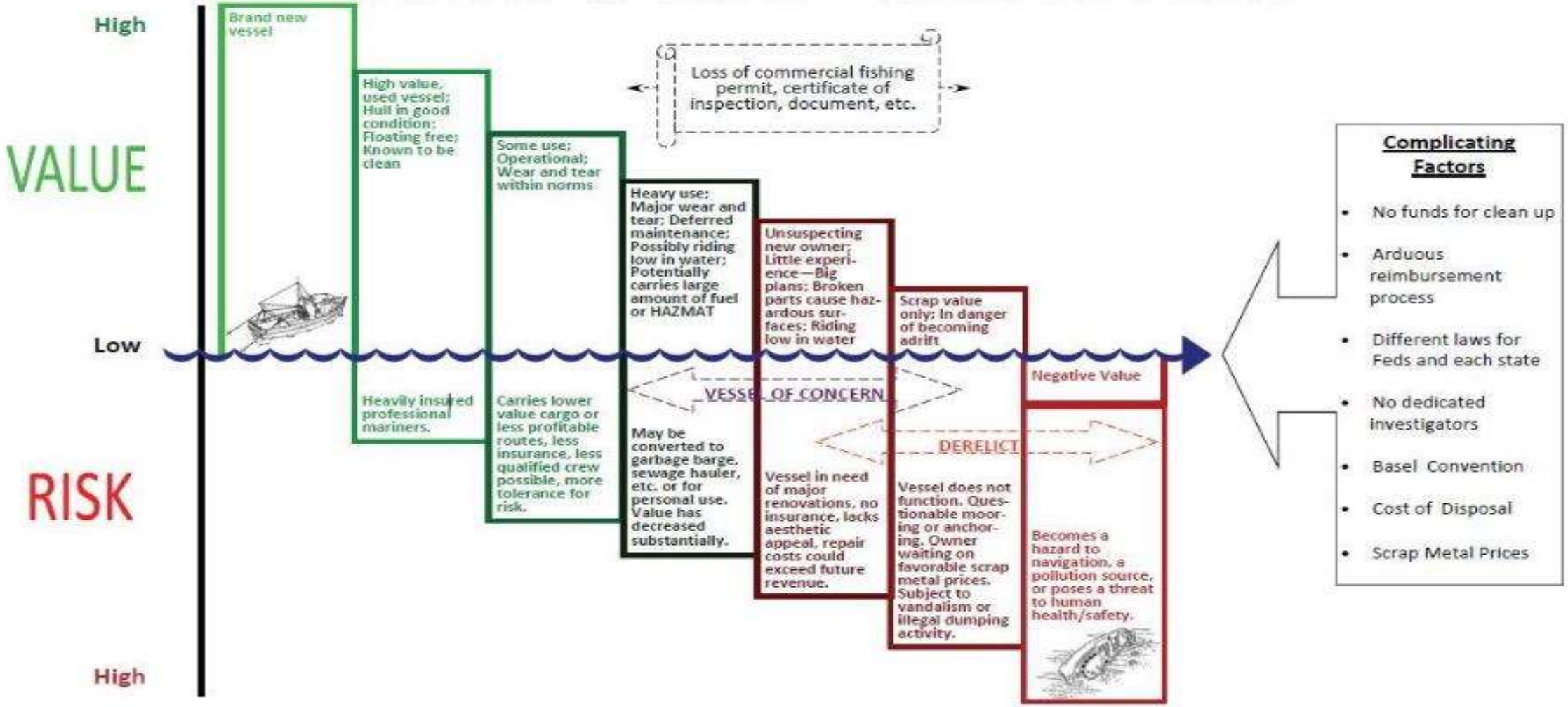
RCW 53.08.480 – Ports

- All moorage operators must:
  - Have the statutory coverage of insurance
  - Require non-transient vessels to have insurance
    - Provide proof when signing an initial or renewal moorage agreement
- Moorage operator is:
  - Not required to verify coverage meets RCW requirements
  - Not responsible for any changes in coverage after initiation or renewal of moorage agreement

More on INSURANCE - consequences

- **Failure to follow insurance requirement**
  - Lose access to the Derelict Vessel Removal Account
  - Incurs secondary liability if the vessel located at the moorage facility becomes abandoned or derelict
- Haul out insurance is not a requirement of the statute by may be a business decision
- Dry or on the hard storage would require insurance if not transient
- Encourage as a preventative measure the use of the Vessel Turn-in Program for those problem vessels

SINKING VALUE - RISING RISK



Owner Accountability

Forus (Benton County)

Helena Star (Pierce County)

Deep Sea (Island County)

Total judgements: $1,990,989

Program challenges

- Program was intended to be the last resort
- Funding could be a lot better
- Law enforcement support
- Education of other governmental agencies and the public

- Ownership ambiguity
- Remote locations - Transportation of larger vessels
- Small pool of contractors
- Hazardous materials and substances
- Lack of storage/disposal/deconstruction facilities

Program challenges

- Private property issues – land owner has no recourse
- State of Washington Department of Licensing deletes records after 6 years
- Eviction of live-a-boards after custody is gained
- Statute of limitation issues when an investigation finally gets to court
- Private and public marinas are receiving vessels from law enforcement

Partnerships

dnr.wa.gov/derelict-vessels

VESSEL TURN-IN PROGRAM

Helping prevent boats from becoming derelict

Has your dream boat become a nightmare? You might be eligible for DNR's Vessel Turn-in Program (VTIP). DNR can help approved owners dispose of their vessels safely and legally, and may even cover the costs.

To participate in the program, you must:

- Meet the VTIP Eligibility Criteria requirements.
- Submit an application with photos.
- Remove personal belongings from the boat.
- Meet a DNR representative at the vessel for an evaluation.

Email: dvrp@dnr.wa.gov or
Phone: 360-902-BOAT (2628)

Report an abandoned or derelict vessel

Derelict Vessel Removal Program
(not a 24-hour line, Non-Response Agency)
360-902-1574 or Email: dvrp@dnr.wa.gov

Report oil spills (24-hour response)

US National Response Center
800-424-8802

Washington Department of Ecology
800-OILS-911 or 800-258-5990

Report emergencies

If the vessel is in an emergency, call 911 or the US Coast Guard (USCG) on Channel 16 VHF-FM

US Coast Guard 24-hour emergency

206-217-6001 (Puget Sound to Neah Bay to Bellingham)
503-861-2242 (Columbia River and SW Washington)

WASHINGTON STATE DEPT OF NATURAL RESOURCES

PROTECTING NATURAL RESOURCES

Derelict Vessel Removal Program

Removing vessels that pose threats to the health and safety of Washington's waters

WASHINGTON STATE DEPT OF NATURAL RESOURCES

dnr.wa.gov/derelict-vessels

An increasing number of recreational and commercial vessels are found abandoned or in such disrepair that they are a danger to human safety and the environment.

As steward of the state's 2.6 million acres of aquatic lands, the state Department of Natural Resources (DNR) manages the Derelict Vessel Removal Program (DVRP). DNR removes and disposes of derelict vessels, offers expertise to help other authorized public entities with removal efforts, and reimburses them up to 90% of removal and disposal costs.

What damage can a derelict or abandoned vessel cause?

- More than an eyesore—pollution associated with vessels poses a risk to people and the environment.
- Contamination is mainly caused by fuel spills (gas or diesel).
- Drifting, beached, broken-up or sunken vessels can threaten human safety
- Be a navigational hazard—impact on aquatic habitats.

▲ The 'Holiday' was the first vessel removed under the program. Posing a significant threat to navigation, it was removed from lower Budd Inlet by DNR in 2003.

The Derelict Vessel Removal Program (DVRP) is committed to protecting the environment, ecosystems, and all aquatic life in our state's waters.

Pollution associated with derelict and abandoned vessels poses a risk to people and the environment.

How to Dispose of an Abandoned or Derelict Boat

Questions? Visit Our Website: dnr.wa.gov/derelict-vessels

IF THE BOAT IS NOT YOURS

You can do one of the following:

- **Call your local law enforcement, file a report, and ask them to ticket the owner for illegal dumping and/or trespassing.** See if the officer can track down the owner by searching the registration number (WN #). Law enforcement can then ask them to remove the boat from your property.
- **If you do not find the last registered owner,** some counties will issue a "Junk Vehicle Affidavit" which will permit you to dispose of the boat without a title.
- **You can also take the boat to the dump yourself,** but you will need to follow the Lost and Found Property Laws under RCW 63.21 to gain legal custody. Call your local landfill for their requirements before taking the boat.
- **If you do not have a trailer to haul the boat,** contact a local tow or vessel transport company.
- **If the boat is in good enough condition,** and after you have gained legal possession of it by following RCW 63.21.010 you may then keep or sell it.

SEE WAC 308-93-275 AND RCW 46.55.230 FOR DETAILED INFORMATION.

IF YOU OWN THE BOAT

- **If you have the title to the vessel,** you can take it directly to a landfill, or rent a dumpster and dismantle the boat yourself after draining and disposing of any hazardous materials properly. Engines and trailers can be recycled at a metal recycler.
- **If you lost the title,** contact a Department of Licensing (DOL) agent and ask for an "Affidavit in Lieu of Title" to be used for the purpose of disposing the vessel.
- **Vessels on the water that are too big for a trailer,** contact your local boatyard to haul out and dispose of for you. Or you can have a boat transportation company take it to the landfill.

PRIVATE MOORAGE FACILITIES

If you are a private moorage facility, follow RCW 88.26 to gain custody. As a private moorage facility, you are required by law RCW 88.26.030 to obtain insurance coverage. You may also seek a contract with local government for the removal of vessels, see RCW 79.100.130.

Vessel Turn-In Program (VTIP)

If you are unable to dispose of your boat and do not have the financial means to do so, you may qualify for the VTIP. Go to DNR's website, review the Eligibility Criteria form, and fill out the application.

dnr.wa.gov/programs-and-services/aquatics/derelict-vessels/vessel-turn-program

SEE RCW 79.100.160 FOR DETAILED INFORMATION

360-902-BOAT VESSEL TURN-IN PROGRAM

360-902-1574 DERELICT VESSEL REMOVAL PROGRAM

How to Dispose of an Abandoned or Derelict Boat | PUBLIC ENTITIES

Questions? Visit Our Website: dnr.wa.gov/derelict-vessels

THE FOLLOWING AUTHORIZED PUBLIC ENTITIES CAN REMOVE VESSELS AND APPLY FOR REIMBURSEMENT:

- Washington State Department of Fish and Wildlife
- Washington State Parks and Recreation Commission
- Port Districts
- Metropolitan Park Districts
- Town, City or County Governments

IF YOU HAVE AN ABANDONED OR DERELICT BOAT AT YOUR PUBLIC MOORAGE FACILITY

1. **Report it to DNR and obtain a DVRP number.**
2. **Follow RCW 53.08.320 or RCW 79.100.040 to gain legal custody of the vessel.** Send photos of the boat with posting attached to DNR.
3. **Once you have custody** you can sell or destroy the vessel. The state Department of Enterprise Services (DES) has several state contracts that may facilitate removal or disposal of vessels. Certain services are covered by mandatory-use state contracts (optional for local governments—mandatory for state agencies).
4. **After the vessel has been destroyed,** you can seek up to 90% reimbursement through the Derelict Vessel Removal Program. The estimated fund balance and the estimated funds available for removal will be adjusted and posted quarterly on the DVRP web page.
5. **If the vessel is in poor condition, it shouldn't be sold.** If it is in marginal condition, it should not be sold without some sort of process to make sure that the vessel won't be reabandoned.
6. **If you sell a vessel that is more than 65 feet in length and more than 40 years old,** a vessel inspection is required to determine the seaworthiness prior to the transfer of ownership. See RCW 79.3100.150 for more information.
7. **An Authorized Public Entity has authority to remove** a derelict or abandoned vessel when the Authorized Public Entity is the owner, lessee, or operator of the moorage facility or the aquatic lands.
8. **For a vessel that pose a threat to the environment or human safety** and are on privately-owned tidelands or county-owned aquatic lands, the Authorized Public Entities with jurisdiction may remove or ask for DNR assistance.
9. **Under the port moorage statute (RCW 53.083.320),** port rules can be developed to address when to move vessels ashore for storage if the vessel is "in the opinion of port personnel a nuisance, in danger of sinking or creating other damage, or owes port charges."

360-902-BOAT VESSEL TURN-IN PROGRAM

360-902-1574 DERELICT VESSEL REMOVAL PROGRAM

Tools

RCW 79.100 Derelict vessels

RCW 88.02.420 Moorage providers — Long-term moorage — Required information

RCW 79.02.300 Trespass, waste, damages — Prosecutions

WAC 332-52-155 Anchorage

WAC 308-93-275 Abandoned vessels

WAC 332-30-127 Unauthorized use and occupancy of state-owned aquatic lands

WAC 332-30-171 Residential uses on state-owned aquatic lands

RCW 35.21.160 Jurisdiction over adjacent waters

Thank you

Derelict Vessel Removal Program
Aquatic Resources Division
1111 Washington St SE, MS 47027
Olympia, WA 98504-7027

Troy Wood, Program Manager
(360) 902-1574
DVRP@dnr.wa.gov

WASHINGTON DEPARTMENT OF NATURAL RESOURCES