



Washington Department of Natural Resources and Northwest Maritime Center

**Derelict Boats and Boater Wastes...
No end in sight...What to do?**

October 2019



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- History - Derelict Vessel Removal Program
- Area of Responsibility
- Upcoming Program Improvements
- Possible Future Fuel
- Funding Future Research
- Q & A



History - Derelict Vessel Removal Program

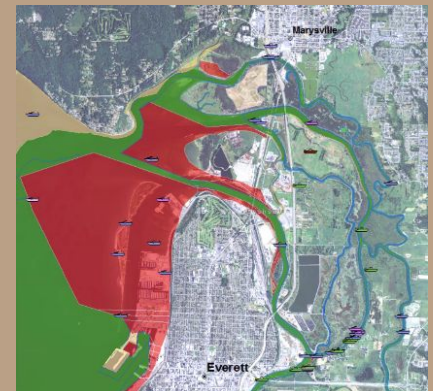
- 2002 Program Establishment
 - Defined: an authorized public entity and abandoned or derelict vessel
 - Established: custody procedures and funding mechanism, \$2 per registration
- 2003 Program development
 - Website, database inventory, prioritization criteria and program guidelines
- 2006 Cleaned up the statute
 - Lowered matching funds from 25% to 10%
- 2007 E2SSB 6044
 - Increased fee to \$3
- 2014 Program development
 - Commercial vessel fee
 - Vessel transfer law: 65' and 40 years
 - Vessel Turn-in Program



Area of Responsibility

RCW 79.100

- Small part of the Dept of Natural Resources
- Works with: WA Department of Ecology, US Coast Guard, Other agencies (ports, counties...)
- Jurisdiction in State waters
- Not a response organization
- Inventory
 - Database for all derelict/abandoned vessels reported since the Program began.
 - Vessel listed by priority category.
- Guidance & assistance
- National model



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Upcoming Program Improvements

Prevention is the goal

- **Remove the spending cap** on the Vessel Turn-In Program
 - Currently, the VTIP is limited by statute to spend no more than \$200,000 per biennium. DNR proposes to remove that cap so the program can remove an increased number of its lower priority vessels.
- **Reduce the length** of vessels subject to secondary liability law
 - DNR proposes to lower the vessel criteria from 65 feet to 35 feet to capture a larger number of vessels that pose a significant threat of becoming derelict or abandoned.
- Provide **grants** to local law enforcement
 - DNR proposes to issue grants, at a maximum of \$50,000 each, to local law enforcement agencies to compensate them for time and equipment needed to enforce vessel registration and aquatic laws.
- Extend DNR's **ticketing authority**
 - DNR also proposes to extend ticketing authority to the DVRP to enforce vessel registration and other aquatic laws.



Sanctuary, 1939
Wood hull, 50'
\$206,741.32 total removal costs
Sold a short time before the incident



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Fueling the disposal of fiberglass boats



Fueling disposal of fiberglass boats

Next steps:

1. Survey ports & marinas regarding abandoned boats.

- ✓ What question(s) do you feel are most important to ask?
- ✓ Are there Ports & Marinas we should prioritize talking to?

2. Engage interested stakeholders.

- ✓ This is a groundbreaking project for our region with huge potential benefits. How would you like to be involved?

3. Pilot – Recycle a fiberglass hull.

- ✓ Partners are already engaged, timeline is unknown at this moment but it's looking like we can achieve this in the next 6 months!



Funding Future Research

- **Pilot a vessel recycling program**
 - DNR proposes to conduct a pilot project on the creation of a vessel recycling waste stream. If the project is successful, it can be copied in several locations around the state in partnership with other authorized public entities and rural communities.



Prevention



Thank you

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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



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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 but 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



Custody Process

RCW 53.08.320

Process overview – not comprehensive. 90 day process

Auction

1. Once a tenant fails to adhere to an established rule:
2. Day 0 – Post the vessel and mail (registered) a copy to the owner
 - a) The vessel may be secured at location or moved to dry storage
3. Day 69 – mail notice of auction to the owner
4. Day 70-80 – Publish intent to auction once a notice in a newspaper of general circulation for the county in which the vessel was found
5. Day 91 – Auction the vessel
6. Day 101 – Title reverts to the Port if auction requirements are not meet



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Tools



RCW 79.100.110.1 & 2 Derelict vessels (misdemeanor)

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 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

