

April 30th, 2019

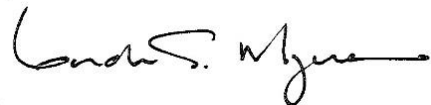
Members:

The 2018 General Assembly directed the North Carolina Wildlife Resources Commission (WRC) to recommend legislation, including appropriate funding levels, needed (i) to facilitate the identification of owners or other responsible persons for abandoned or derelict vessels for the purpose of requiring those persons to take responsibility for their vessels and (ii) in cases where no responsible owner may be found, to provide the State with the authority to expeditiously remove or otherwise dispose of the abandoned and derelict vessels.

The Commission was directed to provide its recommendations no later than April 30th, 2019, to the chairs of the House Environment Committee; the House Agriculture/Natural/Economic Resources Committee; the Senate Agriculture/Environment/Natural Resources Committee; the Senate Appropriations Committee on Agriculture, Natural, and Economic Resources; and the Fiscal Research Division. I am submitting this report in fulfillment of the requirements of Section 2.8 of Session Law 2018-145.

If you have questions or need additional information, please contact me by phone at (919) 707-0151 or via email at gordon.myers@ncwildlife.org.

Respectfully,

A handwritten signature in black ink that reads "Gordon S. Myers". The signature is written in a cursive style with a long horizontal stroke at the end.

Gordon Myers
Executive Director
NC Wildlife Resources Commission



**FINAL REPORT TO THE NORTH CAROLINA GENERAL ASSEMBLY
DERELICT AND ABANDONED VESSELS**

APRIL 30, 2019

Executive Summary

There are many abandoned and derelict vessels (ADV) within North Carolina's waterways or in some instances displaced onto public or private land. Although the definitions of the terms abandoned and derelict can vary widely within the contexts of ADV legislative and programmatic language, they are commonly understood to be abandoned vessels, often in disrepair and without determined ownership (Kimrey and Helton 2014). Either left intentionally by the owner to deteriorate, typically due to local economic conditions and/or financial issues, or the consequences of extreme weather events (Kauffman and Mosley 2003, NOAA 2009, GAO 2017), ADVs are consistently identified as problematic due to the numerous impacts on waterways and communities (NOAA 2006). ADVs present potential impacts to the surrounding ecosystems, communities, and navigation, through vessel deterioration, accumulation of marine debris, or the threat of vessel associated pollutants entering the environment (Kauffman and Mosley 2003, Parry and McElwee 2010, GAO 2017).

The 2018 North Carolina General Assembly (NCGA) directed the North Carolina Wildlife Resources Commission (WRC) in Section 2.8 of Session Law 2018-145, to recommend legislation, including appropriate funding levels, needed to facilitate the identification of owners or other responsible persons for abandoned or derelict vessels for the purpose of requiring those persons to take responsibility for their vessels and in cases where no responsible owner may be found, to provide the State with the authority to remove or otherwise dispose of the abandoned and derelict vessels. To accomplish this, WRC contracted with the UNC Institute for the Environment and the NC Policy Collaboratory, to conduct a national review of state and federal abandoned and derelict vessel programs and gain a better understanding of existing ADV laws and programs throughout the country.

Based on our review and in consultation with a technical working group that included the Division of Coastal Management of the Department of Environmental Quality, the North Carolina Coastal Federation, and the National Oceanic and Atmospheric Administration Marine Debris Program, several programmatic and legislative changes are recommended, ranging from minor modifications to terminology that could improve the coordination of agencies responding to ADVs to adding jurisdictional authorities to the WRC for the purpose of addressing impacts of ADVs. Furthermore, we have determined that successful establishment of an effective and comprehensive statewide ADV program will require a thoroughly designed process that integrates a wide range of stakeholder participation. This approach will reduce risks of incurring unintended economic consequences. For example, recent conversations with boat manufacturing representatives revealed that one potential funding source we were contemplating as a recommendation could produce adverse economic consequences to boat dealers. Thus, upon full consideration of the importance of stakeholder engagement, this report also includes a recommendation to establish a task force to help the WRC outline state-level policy to address ADV identification, management, abatement, and removal, including evaluation of potential funding mechanisms.

**FINAL REPORT TO THE HOUSE ENVIRONMENT COMMITTEE; THE HOUSE APPROPRIATIONS,
AGRICULTURE AND NATURAL AND ECONOMIC RESOURCES COMMITTEE; THE SENATE
AGRICULTURE/ENVIRONMENT/NATURAL RESOURCES COMMITTEE; THE SENATE
APPROPRIATIONS COMMITTEE ON AGRICULTURE, NATURAL, AND ECONOMIC RESOURCES;
AND THE FISCAL RESEARCH DIVISION ON DERELICT AND ABANDONED VESSELS**

**SUBMITTED BY THE
NORTH CAROLINA WILDLIFE RESOURCES COMMISSION**

APRIL 30, 2019

Acknowledgements

The Wildlife Resources Commission acknowledges the North Carolina Department of Environmental Quality – Division of Coastal Management, North Carolina Coastal Federation, National Oceanic and Atmospheric Administration Marine Debris program, UNC Institute for the Environment, and the NC Policy Collaboratory for their contributions and assistance in preparing this document.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017
SESSION LAW 2018-145**

STUDY DERELICT AND ABANDONED VESSELS

SECTION 2.8. The Wildlife Resources Commission shall recommend legislation, including appropriate funding levels, needed (i) to facilitate the identification of owners or other responsible persons for abandoned or derelict vessels for the purpose of requiring those persons to take responsibility for their vessels and (ii) in cases where no responsible owner may be found, to provide the State with the authority to expeditiously remove or otherwise dispose of the abandoned and derelict vessels. In developing its recommendations, the Commission shall consult with a technical working group that includes the Division of Coastal Management of the Department of Environmental Quality, the North Carolina Coastal Federation, the National Oceanic and Atmospheric Administration Marine Debris program, marine salvage industry experts, commercial and recreational boat owners, and other interested stakeholders. The Commission shall provide its recommendations no later than April 30, 2019, to the chairs of the House Environment Committee; the House Appropriations, Agriculture and Natural and Economic Resources Committee; the Senate Agriculture/Environment/Natural Resources Committee; the Senate Appropriations Committee on Agriculture, Natural, and Economic Resources; and the Fiscal Research Division.

Introduction

This report provides recommendations for the abatement and removal of derelict and abandoned vessels in the navigable waterways of North Carolina. It also examines options applicable to the removal and disposition of abandoned vessels, including existing state and federal programs. It was developed in response to statutory mandate and the growing concerns over abandoned vessels throughout North Carolina's waterways. It was drafted to provide policymakers with recommended short and long-term policy measures to address abandoned vessels; roles and responsibilities of state agencies pursuant to their authorities; best practices used for responding to abandoned vessels; and options for removal and ultimate disposition of abandoned vessels.

We have suggested solutions for the removal of the abandoned vessels through a variety of programs and explains application of navigable waterway programs to address ADVs as a result of emergency situations, such as hurricane or other natural disasters, and non-emergency situations, such as abandoned vessels discarded into public waters. To gain a better understanding of existing ADV laws and programs throughout the country, WRC contracted with the UNC Institute for the Environment and the NC Policy Collaboratory, to conduct a national review of state and federal ADV programs. An overview of ADV programs for each Coastal and Great Lake State was provided to WRC to contextualize existing state-level programs. This research showed that a combination of federal, state and local programs currently exists, reflecting varying approaches for addressing ADVs (UNC Report 2019).

There is no single federal program that comprehensively addresses ADVs. Further, addressing recreational ADVs remains largely outside the scope of federal agencies, particularly if navigation hazards are located on waters in areas with minimal commerce traffic or pollutants are not a threat. Thus, responsibility to address these ADVs generally falls to state and local authorities. While the impacts of and responses to ADVs vary from state to state, most states share similar challenges when it comes to preventing and removing these vessels. The responses by states to ADVs varies from no legislation or actions in any form to fully developed and funded programs. Additionally, many states have programs for the removal of abandoned vessels but lack adequate or recurring funding.

Funding

The states that identified the greatest numbers of ADVs, as reported between 2013 and 2016, are Ohio (1,400), Texas (1,080), Florida (824), California (657), and Washington (366). Ohio has no allocated state funding for ADVs, while Washington has a comprehensive program and expends approximately \$2.5 million annually, having removed over 700 vessels since 2002 (UNC Report 2019). The lack of recurring state funds commensurate with ADV needs is a common challenge for most states (UNC Report 2019). Having appropriate legislation or an established ADV program are key steps, but without stable funding to remove vessels, those underfunded programs lack capacity needed to remove all identified ADVs. Further, developing capacity to inventory ADVs on a recurring basis is important to effective management.

California, Florida, Maryland, Massachusetts, Michigan, Mississippi, Oregon, Rhode Island, Virginia, and Washington currently have recurring funding focused on ADV prevention, response, and removal; however, those funds are inconsistently allocated. Legislation established ADV funds in Alabama and Maine; but, no money has been allocated to either fund (UNC Report 2019). In some cases, there may be no recurring state funds; however, there are other funding sources. Between the years of 2013 and 2016, 11 states reported ADV-related expenditures. Four of those states did not have recurring state funding yet they collectively expended over \$1.5 million responding to ADVs (UNC Report 2019).

As expected, states with established funding, recurring or through other sources, reported higher numbers of ADV removals, but these states also tend to report the highest numbers of identified ADVs. Texas, Florida, California, and Washington each removed at least half of all identified ADVs between 2013 and 2016 (UNC Report 2019). As with funding amounts, there are no state-level reporting requirements for removed ADVs and it is challenging to collect complete data from all states.

Where there may not be recurring state funding or other funding sources, other resources support activities related to ADV's. Potential funding resources include insurance claims, abandoned vessels auctions, and state or municipality fees/funds (UNC Report 2019). Regardless of a state reporting funding sources, monies are utilized from various programs, grants, and other revenue sources to remove ADVs.

Existing Authority

Authority to designate vessels as abandoned and/or derelict, and the authority to take action varies across states. These designations determine which authorities may engage in any part of the ADV process, to determine when a vessel constitutes an ADV, the methods and timing of vessel removal, and the duration and procedures that must be followed between identification and removal. States have a combination of centralized, decentralized, or both for legislative and implementation authority.

In North Carolina, legislative authority to determine how and when a vessel can be removed has been granted with limitations at state and local levels. Further, implementation authority for execution of removals is decentralized and fragmented. Outside of local ordinance, the basis for removal is constrained to state littering laws. North Carolina does not have a formal ADV program or funding at the state level. Pursuant to local laws enacted by the General Assembly, counties such as Brunswick and Dare have adopted local ordinances prohibiting abandonment of vehicles (and vessels) on public and private property within the county's jurisdiction. Laws in these counties, in addition to the Town of Wrightsville Beach give local officials the authority to identify, remove, and dispose of the ADVs if necessary (NOAA 2015).

Preventative Measures

Prevention is another key issue in addressing ADVs. These measures can be offered in many forms. Some coastal states have legal mechanisms in place to dissuade owners from abandoning their vessels. Twenty-one of 30 coastal states have laws that include civil penalties for abandoning

or failing to remove a vessel after notice from the state, while 12 of 30 states impose criminal penalties for abandoning or failing to remove a vessel after notice from the state (GAO 2017). One approach that has shown promise, and has been adopted in 6 states, is a Vessel Turn-in Program. This is a program in which owners with vessels they do not want or can no longer afford, or marinas who have ended up with abandoned vessels, can turn vessels over to the state (or other public body) and have the boat disposed of at no cost. The details of this type of program vary by state but the objective is fundamentally the same across the board and prevent vessels that are older or in poor condition from entering the water and becoming abandoned or derelict in the future. These programs help to reduce the cost of ADV removal and have shown there is great demand for an inexpensive or free boat disposal option.

Recommendations

The increasing number of states enacting ADV laws indicate it is a problem with growing impact and a demand for action. State agencies require clear designated authority to mitigate and remove ADVs during emergency and non-emergency situations. State agencies also require clear legal definitions of abandoned and derelict vessels so that vessels can be formally identified, thus enabling subsequent action. Additionally, dedicated funding is an essential requirement that ultimately provides adequate resources for sustained ADV efforts.

The following recommendations were developed in consultation with a technical working group that included the Division of Coastal Management of the Department of Environmental Quality, the North Carolina Coastal Federation, and the National Oceanic and Atmospheric Administration Marine Debris program:

ADV Task Force

We recommend establishment of an ADV task force, coordinated by the WRC. The work of the task force should address, but not be limited to:

- Outline the following components of a statewide ADV program
 - Develop inventory strategies and assess delivery capacity needs, including potential elimination of 3-year boat registrations and identification of opportunities for crowd sourced information.
 - Identify management strategies, including relevant agencies and potential requirements for liability insurance coverage.
 - Develop strategies for abatement and removal, including tort liability reduction, means and methods, and set aside funding amounts and rapid deployment protocols necessary to address impacts from catastrophic weather events.
 - Examine existing and potential grant funding sources, including program eligibility requirements
 - Examine preventative measures to reduce risk and potential impacts during catastrophic weather events, including incentive programs, communications and outreach.
 - Probable recurring costs and potential sources of funding

Legislative Changes

Clear authorities for ADV identification, notification, tracking, removal, and disposal in emergency and non-emergency situations should be identified in legislation. The following specific information should be included:

- Designation of a lead state agency for emergency and non-emergency situations.
- General requirements for coordination with other state agencies, federal, and local governments.
- Maintaining authority for local governments in non-emergency situations. State agency-led coordination described above could support actions of local governments.
- Clarify disposition options for abandoned vessels in commercial or privately-owned marinas and accountability the marinas responsible for the vessels.
- Vessel owner identification/notification protocols and rights, including who can take possession of vessels, removal practices, staging areas, pre-approved land-based vessel storage locations, vessel holding period, private land access, public notice, timelines, chain of custody, and disposal.
- Amend General Statutes Chapter 75A to grant WRC authority to inspect, investigate, and remove ADVs.
- Develop statewide law defining and addressing derelict/abandoned vessels and grant the WRC clear authority to address derelict and abandoned vessels on all navigable waters of this state.
- Revise N.C.G.S. 75A-5 to require that the current owner of a vessel provide the WRC with at bill of sale that includes the name, address, and phone number of the individual that is taking over ownership of the vessel.

Funding

Most successful state ADV programs have dedicated state funding. Developing a recurring state funding strategy for implementation of ADV emergency and non-emergency programs, including providing funds available to state agencies and local governments, funding the removal of hazardous substances and vessels from waters, and establishing and providing pre-approved land-based storage locations would improve the capacity of agencies and local governments to administer an ADV program. The following should also be considered:

- The opportunity for state agencies and local governments to utilize/leverage federal funding sources to supplement state funding sources when needed.
- A grant program for local governments to implement ordinances adopted under N.C.G.S. 153A-132 and to assist Tier 1 counties.

- Allow agencies to recover public funds spent on vessel removal from owners when possible.
- Continue working with State and Federal agencies to improve response roles and responsibilities after emergency or disaster events occur. Actively pursue federal funding opportunities, grants, state appropriations, for ADV mitigation and removal.

Outreach & Prevention

All state agencies currently involved in ADV assistance and response have staff expertise in creating and delivering education and outreach programs. These agencies could develop and jointly implement a prevention program targeted to vessel owners, marine contractors, local governments, law enforcement and the general public which includes explanations of the following:

- emergency response activities
- legal responsibilities
- best management practices for vessel removal from sensitive habitats
- model ordinances for local governments
- penalties for abandoning vessels
- agency points of contact, and other available resources

A vessel turn-in program modeled after successful programs in other states could prevent vessels from being abandoned at all, and thus translate into less resources expended by state and local governments for identification and removal. Additionally, a state-wide program for reporting ADVs by the public would assist the agencies to locate/document and track these vessels. One approach that has shown promise, and has been adopted in 6 states is a Vessel Turn-in Program. This is a program in which owners with older vessels they do not want or can no longer afford, or marinas who have ended up with abandoned vessels, can turn vessels over to the state (or other public body) and have the boat disposed of at no cost. The details of this type of program vary by state but the objective is the same across the board – prevent vessels that are older or in poor condition from entering the water and becoming abandoned or derelict in the future. These programs help to reduce the cost of removing ADV's and have shown there is great demand for an inexpensive or free boat disposal option, though lack of funding remains a limitation <https://new.thecoastalsociety.org/?cat=5> (UNC Report 2019).

Appendix A

An Overview of State Abandoned and Derelict Vessel Programs¹

Submitted to the North Carolina Wildlife Resource Commission

April 1, 2019

Susan Cohen², Julia Maron², and K. Leigh DeForest³

University of North Carolina at Chapel Hill

²Institute for the Environment

³School of Public Health

Introduction

Throughout the waters of the coastal and Great Lakes states are thousands of abandoned and derelict vessels (ADV). Although the definitions of the terms abandoned and derelict can vary widely within the contexts of ADV legislative and programmatic language, they are commonly understood to be abandoned vessels, often in disrepair and without determined ownership (Kimrey and Helton 2014). Either left intentionally by the owner to deteriorate, typically due to local economic conditions and/or financial issues, or the consequences of extreme weather events (Kauffman and Mosley 2003, NOAA 2009, GAO 2017), ADVs are consistently identified as problematic due to the numerous impacts on waterways and communities (NOAA 2006). ADVs present potential impacts to the surrounding ecosystems, communities, and navigation, through vessel deterioration, accumulation of marine debris, or the threat of vessel associated pollutants entering the environment (Kauffman and Mosley 2003, Parry and McElwee 2010, GAO 2017).

There is currently no single federal law that comprehensively addresses ADVs. Through a collection of laws and regulations, various federal agencies coordinate efforts and are provided the authority to respond to pollution and navigation threats created by ADVs (GAO 2017). The National Oceanic and Atmospheric Administration (NOAA) is authorized by Congress as the lead agency for efforts regarding marine debris and ADVs in the United States (NOAA 2015). The NOAA Marine Debris Act, signed into law in 2006 and amended in 2012 and 2018, addresses marine debris through the Marine Debris Program. The Act (Public Law 109 - 449)

¹ Funded by the North Carolina Policy Collaboratory

requires the program to “identify, determine sources of, assess, prevent, reduce, and remove marine debris and address the adverse impacts of marine debris on the economy of the United States, marine environment, and navigation safety” (NOAA 2015). NOAA proactively synthesizes information and provides guidance on ADVs. They coordinated the first national workshop in September 2009, acknowledging the impact of ADVs on waters, ecosystems, economies, and communities - launching an effort to bring stakeholders from pollution regulatory agencies, marine law enforcement, and coastal management together, increasing efforts to tackle the challenges (<http://www.boatus.com/magazine/2011/october/affairs.asp>).

Relevant federal agencies respond to ADVs depending on the circumstance and include NOAA, the United States Army Corps of Engineers (USACE), the United States Coast Guard (USCG), the Environmental Protection Agency (EPA), and the Federal Emergency Management Agency (FEMA). NOAA responds with resources when a sanctuary under the National Marine Sanctuaries Act is threatened by a vessel. Location of an ADV within a navigable, federally maintained channel or waterway determines when the USACE responds. The USCG and EPA coordinate response efforts regarding containment, removal, and disposal of hazardous substances associated with an ADV, in addition to removing abandoned vessels that impede navigation; however, the EPA’s efforts are primarily restricted to inland waters (Bright 2011, GAO 2017). When state and local governments cannot remove vessels following a disaster event, FEMA bears the responsibility and can reimburse states the cost of the removal through grants (Bright 2011).

Addressing recreational vessels remains largely outside the scope of federal agencies, particularly if navigation hazards or pollutants are not a threat. Thus, responsibility to address these ADVs generally falls to state and local authorities (Parry and McElwee 2010). While the impacts of and responses to an abandoned and/or derelict vessel vary from state to state, most states share similar challenges when it comes to preventing and removing these vessels. States address ADV challenges in a multitude of ways and the sheer number of considerations, such as determining vessel ownership, funding both removal and disposal, and establishing authority result in evolving and nuanced approaches. A vessel leaking pollutants or abandoned in a federally maintained navigation channel are relatively clear situations in terms of responsibility and action. However, there are significantly more situations that states face with often complex paths to resolution (NOAA 2009) and the responses by states to ADVs varies from no legislation or actions in any form to fully developed and funded programs.

Purpose

This report is a brief overview of ADV laws and programs. The purpose is to provide a summary of state policies regarding ADVs, including the status of states’ legislation and programs, whether the approaches for implementation of legislation and programs are centralized at the state level or decentralized to local authorities, as well as funding levels and outcomes

from state actions related to ADVs. State and local responses to ADVs are rapidly evolving and many states and municipalities are actively pursuing new solutions through legislation, outreach, and interventions.

Methods

Existing resources were mined to verify a state's legislative approach to ADV remediation. Information was compiled to determine the status of legislation and ADV programs, funding sources, and if ADV policies and actions are centralized at the state level or decentralized to counties and/or municipalities. All coastal and Great Lakes states were considered in this review. A comprehensive table outlining all mined data captures the information for comparisons among states (see Appendix A). Select information is also presented in maps to visually display variation among states (ESRI 2016). US territories were not reviewed although their status is represented in the ADV information table (Appendix A). Inland waters, outside of the Great Lakes, are not addressed in this report.

NOAA, as the lead federal agency regarding ADVs, has undertaken a major effort in creating the Derelict Vessel InfoHub as part of its Marine Debris Program. This InfoHub provided a beginning point to review existing information related to state ADV programs and fact sheets for each state as synthesized information (NOAA 2015). The data provided by NOAA is current through 2015, and several states have since enacted legislation and provided funding to support ADV programs. The United States Government Accountability Office's review of federal and state actions provided the most current review of ADV policies and procedures (GAO 2017). Due to the rapidly changing landscape of ADVs, existing resources were outdated and needed to be verified and supplemented with current data. NOAA reviews (2006 and 2015) of state ADV programs, for example, reported, that Florida did not receive recurring state funds. However, beginning in 2016 the Florida program began receiving \$1 to \$1.5 million annually (Personal communication 2019). Four states enacted or updated legislation in 2018 and 2019. Because several iterations and revisions of legislation exist for many states, only the most recent legislation is considered in this report.

Questionnaires were sent to each state to clarify/verify information, address gaps, and gather additional data related to the current status of legislation and formal programs, whether approaches are centralized or decentralized, funding, and quantifiable results from ADV programs. Twenty-eight coastal and Great Lakes states (North Carolina was excluded) received the questionnaire either through email or through a provided state website form. A point of contact or program for ADVs could not be found for Delaware. Of the 28 states that were contacted, 14 responded and 14 states did not respond. The first request for information was sent March 8, 2019 with a follow up request on March 15, 2019.

Questionnaire responses revealed that records of funding levels, funding sources, and removed ADVs are not common among states. The combination of actors, funding sources, and likely leveraged unreported resources makes it difficult to assess the true nature of efforts and success outside of large programs like those in Washington and Florida, for example. Even

among states that responded to our questionnaire were points of contact that could not provide concrete numbers on funding and/or numbers of ADVs removed from waters.

Definitions of terms used in this report are provided below. While the use of ADV-related terminology varies across states, terms and phrases are used consistently throughout this report and are generally in line with those utilized by NOAA (2015).

ADV – ADV includes both abandoned and derelict vessels and does not separate or categorize types.

ADV legislation - A state is considered to have ADV legislation if in their code are definitions for abandoned and/or derelict vessels and the legislation provides general provisions on how to address, remove, or dispose of the vessels.

ADV program - A state is considered to have an ADV program when staff are actively aware/documenting the ADV issues in the state, working to resolve them, and provide a point of contact for the ADV program. A state may have legislation without a program.

Formal process - A formal process exists when there is an explicit mechanism that outlines how a vessel can be removed from the water (e.g. discovery, tagging, owner notification, removal, towing). A state may have legislation without a formal process.

Legislative authority – Legislative authority refers to the authority to make a decision about how and when a vessel can be removed; classified as centralized at the state level, decentralized at the county and/or municipality level, or both.

Implementation authority – Implementation authority refers to which entity has authority to execute any part of the ADV process (tagging, owner notification, removal, etc.); classified as centralized at the state level, decentralized at the county and/or municipality level, or both.

State funding – State funding is defined as a recurring, annual source of funding (e.g. recurring funds from the general assembly) for removing and disposing of abandoned and/or derelict vessels.

Other funding source – A source of funding, other than recurring state appropriations, that is available to address any part of the process regarding ADVs. These sources include, but are not limited to funds from grants, fees, and licensing.

Results

Legislation

Managers of waterways in coastal and Great Lakes states consistently cite determining vessel ownership, identifying funding sources, and understanding authorities for action to be the top hindrances to effectively dealing with ADVs (NOAA 2009, Parry and McElwee 2010). Of the 30 coastal and Great Lakes states, 29 have some type of legislation addressing ADVs, with New York as the only state without enacted laws. Legislation was enacted by 16 of those 29 states in the last 10 years alone (NOAA 2015, GAO 2017, Personal communication 2019) illustrating the growing call for action to formally respond to the challenges presented by ADVs.

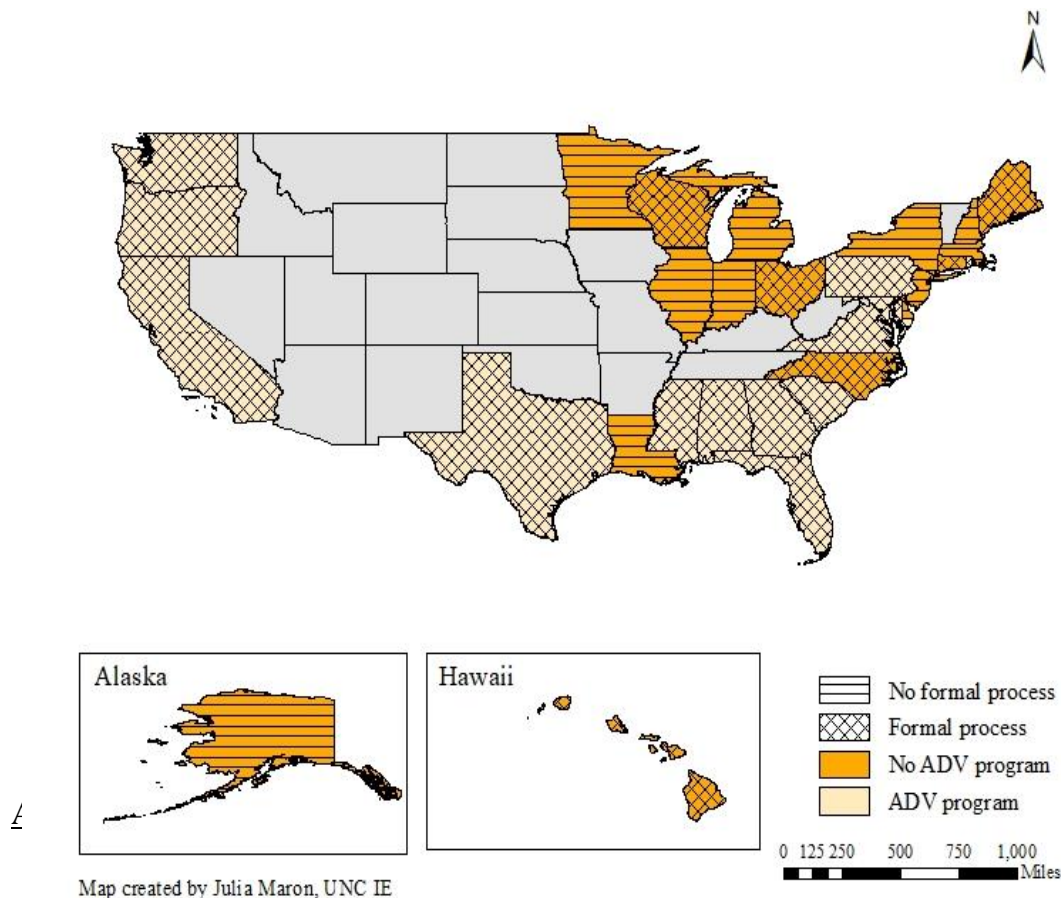
States are considered to have ADV legislation if in their code are definitions of abandoned and/or derelict vessels and broad provisions on how to address vessels are provided (Personal communication 2019 Sarah Latshaw) and thus 29 states have definitions of ADVs. But states vary broadly in the way ADVs are defined and addressed, and this part of the legislation directly impacts the enforcing parties' ability to efficiently remove ADVs from waters and the length of time it takes to act. Definitions range from defining an abandoned vessel as "Any boat, barge, dock, pier or other structure/vessel in the critical areas that is no longer functional for its primary, intended purpose and for which repair or salvage activity is not actively being pursued" in Florida to, an "Abandoned vessel is defined as a watercraft left unattended for a single period longer than six hours on Department-managed land or water at an area which is not authorized for boat docking" in Illinois. An unattended or unauthorized moored vessel on public or private property may be considered abandoned in as few as 6 hours or as long as 120 days. Alaska considers a vessel abandoned in 30 days while Georgia does so in 5 days (NOAA 2006, Kimrey and Doug 2014).

Overly explicit definitions or, conversely, the lack of clear definitions, of "abandoned" or even "vessel" can limit funding sources or even preclude certain watercraft from removal. Legislative or implementing authorities often utilize other laws including those relating to litter, property, marinas and waterways, and transportation to deal with ADVs (NOAA 2006, GAO 2107). Wisconsin has legislation to address ADVs and vaguely defines abandoned or derelict vessels (and thus is listed as having legislation in Appendix A). They do not, however, explicitly address the designation of vessels as abandoned or derelict and ADVs are instead addressed through a collection of other state statutes that prohibit the abandonment of property, to include vessels, where navigation is obstructed (NOAA 2015, GAO 2017).

Prior to enacting legislation in 2018, officials from Alabama reported that without a state law pertaining to ADVs, there was limited access to state resources and authorities available to take action to address ADVs. The lack of a law that defined a derelict or abandoned vessel limited the state's ADV agency, the Alabama Department of Conservation & Natural Resources, from having the full legal authority to conduct removal actions when necessary. Alabama officials also reported that the public's lack of understanding of vessel use laws and laws related to water safety also contribute to greater numbers of vessels abandoned in state waterways (GAO 2017). Alabama is the latest state to create ADV legislation, and even in the absence of laws,

definitions, authorities, and prior to legislation, spent over \$130,000 through 2016 identifying and removing ADVs from waters (GAO 2017, Personal communication 2019).

Prevention is another key issue in addressing ADV's, which can come in many forms. Some coastal states have legal mechanisms in place to dissuade owners from abandoning their vessels. Twenty-one of 30 states have laws that include civil penalties for abandoning or failing to remove a vessel after notice from the state, while 12 of 30 states impose criminal penalties for abandoning or failing to remove a vessel after notice from the state (GAO 2017). One approach that has shown promise, and has been adopted in 6 states including Oregon, is a Vessel Turn-in Program. This is a program in which owners with older vessels they do not want or can no longer afford, or marinas who have ended up with abandoned vessels, can turn vessels over to the state (or other public body) and have the boat disposed of at no cost. The details of this type of program vary by state but the objective is the same across the board – prevent vessels that are older or in poor condition from entering the water and becoming abandoned or derelict in the future. These programs help to reduce the cost of removing ADV's and have shown there is great demand for an inexpensive or free boat disposal option, though lack of funding remains a limitation (<https://new.thecoastalsociety.org/?cat=5>, GAO 2017).



Map created by Julia Maron, UNC IE

Figure 1. States with and without formal processes that outline how a vessel can be removed from the water and, states with and without an ADV program where staff are actively aware/documenting the ADV issues in the state and working to resolve them.

The authority to designate vessels as abandoned and/or derelict, and the authority to act on those vessels varies across states. These designations determine which authorities may engage in any part of the ADV process, to include when a vessel becomes an ADV, how and when a vessel can be removed, and the time between identification and removal. States have a combination of centralized, decentralized, or both for legislative and implementation authority. Nine states have both centralized and decentralized legislative and implementation authority (California, Connecticut, Maryland, North Carolina, Illinois, Rhode Island, Washington, Wisconsin, and Virginia). Fourteen states have centralized legislative authority and both centralized and decentralized implementation authority. Only Indiana has both centralized authority and implementation (NOAA 2015, Personal communication 2019), and only Minnesota has both decentralized authority and implementation, where local jurisdictions, local law enforcement officers, and private citizens identify and respond to ADVs (Figure 2) (NOAA 2015).

North Carolina is an example of both centralized and decentralized legislative and implementation authority. The state Department of Environmental Quality and local jurisdictions have the authority to make decisions regarding ADVs, as well as implement actions based on those decisions. Since North Carolina does not have a formal ADV program or funding at the state level, counties such as Brunswick and Dare have passed laws prohibiting abandonment of vehicles (and vessels) on public and private property within the county’s jurisdiction. Laws in these counties, in addition to the Town of Wrightsville Beach give local officials the authority to identify, remove, and dispose of the ADVs if necessary (NOAA 2015).

In Louisiana, ADVs are addressed with centralized authority and both centralized and decentralized implementation. A vessel is considered abandoned if left unattended for 7 days but removal is left to the owner. Thirty days after notification by the Office of State Parks, the owner, if identified, can be subject to fines and/or jail time. Removal of the vessel, if not done by the owner, generally falls to the local jurisdiction (Personal communication 2019).

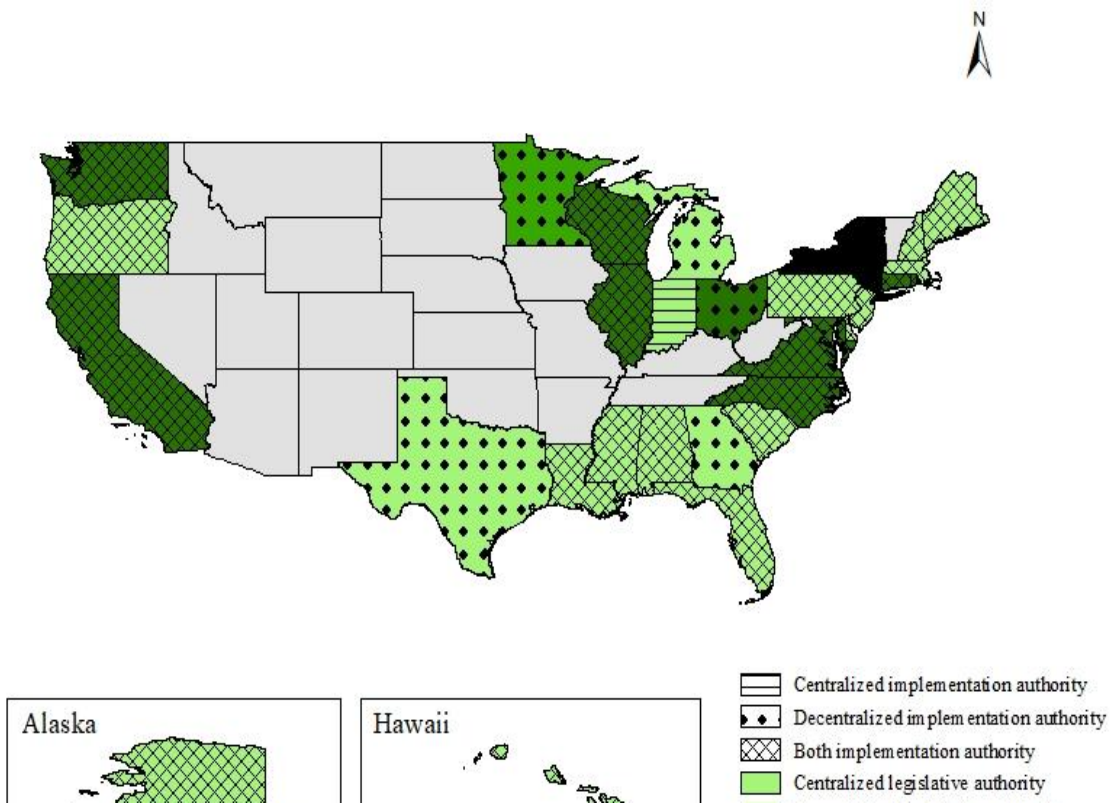


Figure 2. States with implementation authority that is centralized, decentralized, or both to execute any part of the ADV process and, states with legislative authority that is centralized, decentralized, or both to determine how and when a vessel can be removed.

In addition to legislation, some states have a “formal process,” defined as an explicit mechanism that ultimately outlines how a vessel may be removed from the water (e.g. discovery, tagging, owner notification, removal, towing). Eleven states with legislation have a formal process. Five states with ADV legislation and have a formal process to facilitate actions (Figure 1), but do not have a defined ADV program. These are Connecticut, Maine, North Carolina, Ohio, and Wisconsin. In the case of Connecticut for example, there is no recurring funding and the Department of Energy and Environmental Protection is writing procedures to deal with ADVs. A process, however, has been developed such that under their state legislation, derelict vessels are handled by harbor masters and municipalities, and are defined differently than abandoned vessels (Personal communication 2019).

In states that have a process for designating a vessel as “abandoned” for removal, state laws vary with respect to the amount of time between when a state identifies a potential ADV and when the state is authorized to remove it - ranging up to 6 months. Moreover, 24 of the 30 states prohibit abandoning a vessel or require that the owner remove an abandoned or derelict vessel under certain circumstances after notice from the state. While not a topic of this report, a related issue and one linked to legislative guidelines are the requirements of each state to identify and notify the owner of an ADV. To determine ownership of a vessel as it changes hands between people can be difficult, especially if new owners do not know the registration requirements of their home state (NOAA 2009).

Funding and Outcomes

The states that identified the greatest numbers of ADVs, as reported between 2013 and 2016, are Ohio (1,400), Texas (1,080), Florida (824), California (657), and Washington (366). Ohio has no allocated state funding for ADVs, while Washington has a comprehensive program and expends more than all other states spending approximately \$2.5 million annually and having removed over 700 vessels since 2002 (GAO 2107, Personal communication 2019). The lack of

recurring state funds proportionate to an ADV problem is a common challenge for most states (Parry and McElwee 2010). Having appropriate legislation or an established ADV program are key steps, but without reliable funds to remove vessels, programs not only do not remove all identified ADVs, they often do not have complete ADV inventories.

There is no recurring state funding in 20 of the 30 coastal and Great Lakes states.

Ten states (California, Florida, Maryland, Massachusetts, Michigan, Mississippi, Oregon, Rhode Island, Virginia, and Washington) currently have recurring state funding focused on ADV prevention, response, and removal, although those funds are not always provided each year often due to budget shortfalls (Figure 3). Two examples of this are Alabama and Maine, where legislation created a fund but there has not been money allocated to the fund to date (NOAA 2015, GAO 2017, Personal communication 2019). In some cases, there may be no recurring state funds however there are other funding sources. Between the years of 2013 and 2016, 11 states reported ADV-related expenditures. Four of those states did not have recurring state funding yet collectively expended over \$1.5 million responding to ADVs (GAO 2017).

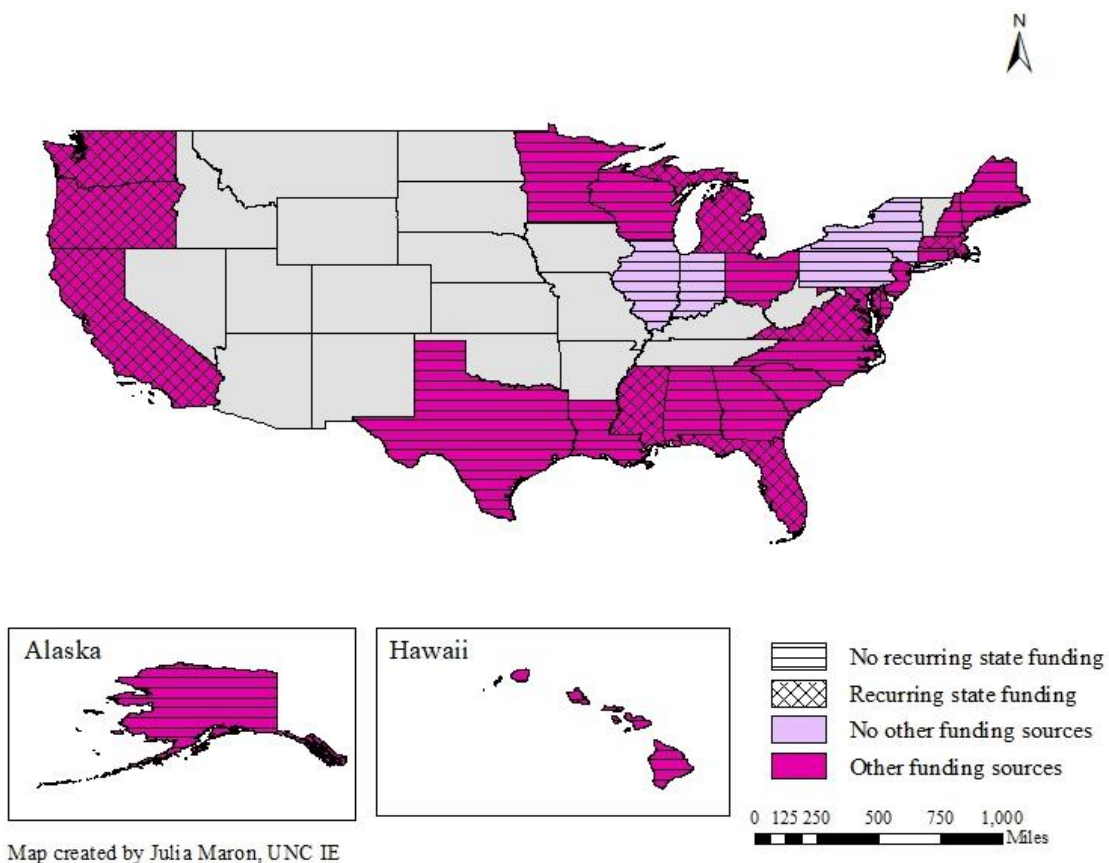


Figure 3. States with and without recurring state funding and/or other funding sources that are available to address any part of the process regarding ADVs. These other funding sources include, but are not limited to monies from grants, fees, and licensing.

As expected, states with funding, both recurring and other sources, report higher numbers of ADV removals, but these states also tend to report the highest numbers of identified ADVs. Texas, Florida, California, and Washington each removed at least half of all identified ADVs between 2013 and 2016 (NOAA 2015, GAO 2017). Ohio is an outlier with the highest number of identified ADVs at 1,400 and no confirmed removals (GAO 2017). As with funding amounts, there are no reporting requirements for removed ADVs and it is challenging to collect complete data from all states.

Where there may not be recurring state funding or other funding sources, other resources support activities related to ADVs. Potential funding resources include insurance claims, abandoned vessels auctions, and state or municipality fees/funds (NOAA 2015). Regardless of a state reporting funding sources, monies are utilized from various programs, grants, and other revenue sources to remove ADVs. This creates hard to follow funding streams for planning and executing ADV removal. The below states offer examples of various mechanisms used to fund ADV mitigation.

Texas

Although there is no recurring funding source for a specific ADV program in the state of Texas, it is cited by NOAA (2015) as having state funding. The funding, however, originates from the Coastal Protection Fund, technically under the Oil Spill Prevention and Response Act, used to pay for costs associated with oil spill prevention and response. Funds can also be used for vessel removal through special funds under Texas Water Code § 26.0291 and § 26.265 (NOAA 2015).

Georgia

Georgia has an abandoned vessels program under Ga. Code. Ann & 52-7-70 – 52-7-77, however is denoted by NOAA (2015) as not having recurring state funding. In 2006, the legislature appropriated funding for the program for two years, but in 2008 the appropriations were not reinstated. Funding for ADV-related activities and the program comes from other state funds/fees, liens, and sales of abandoned vessels. Georgia does not have dedicated funding for inventorying ADVs but in 2015, received resources to complete a state-wide inventory of abandoned and derelict vessels (NOAA 2015).

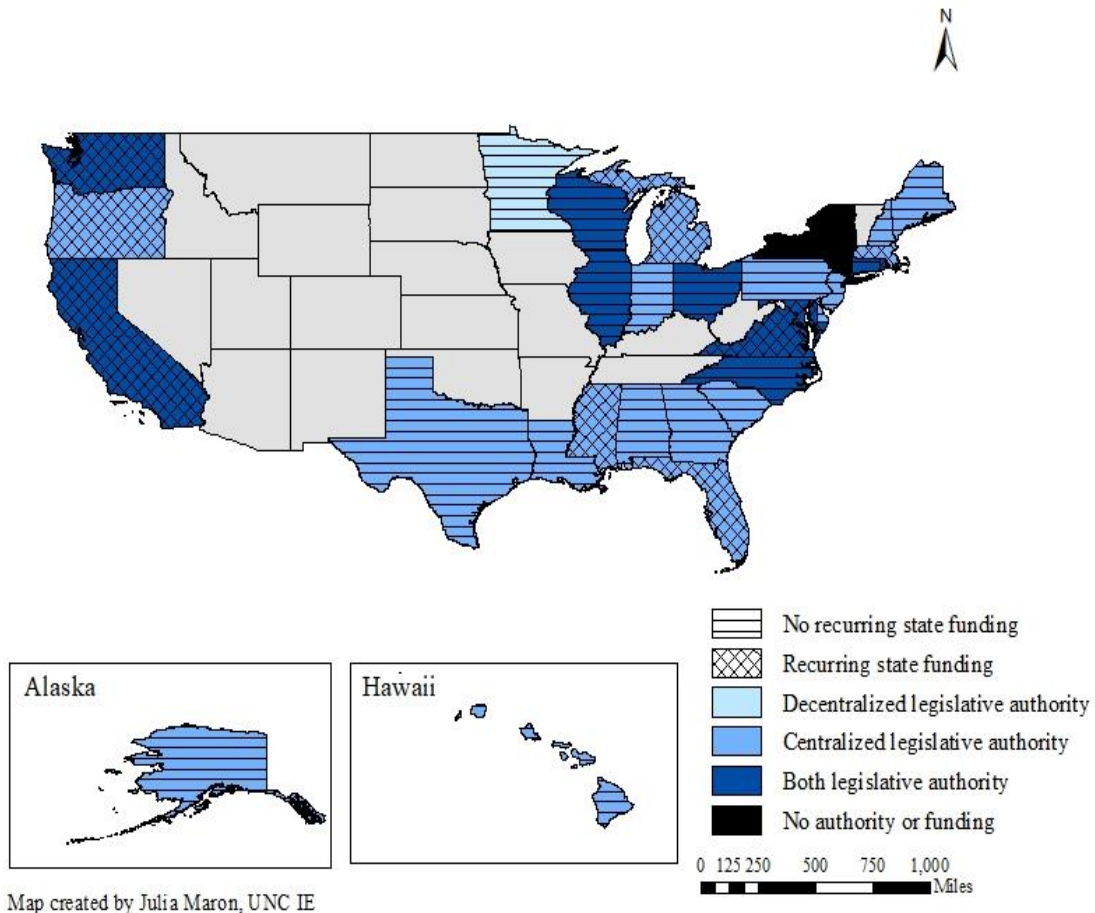
Hawaii

Hawaii is listed by NOAA (2015) as having an ADV program, although not formal as it addresses abandoned vessels through a collection of laws administered by the DLNR. DLNR actively identifies and removes abandoned and derelict vessels from harbors and immediately removes vessels that become grounded on reefs. There are no recurring state funds or other funding sources. Although not its intention, the boating special fund,

funded through fuel taxes on small boats and established under Haw. Rev. Stat. & 248-8, may be used by DLNR to cover costs associated with sale or disposal of ADVs (NOAA 2015). Even without state and other funds, between 2013 and 2016, Hawaii spent over \$1 million addressing ADVs (GAO 2017).

South Carolina

South Carolina has a formal ADV program administered through the Office of Ocean and Coastal Resource Management. The state does not provide recurring funding to address ADVs but “OCRM actively pursues federal funding opportunities, grants, state appropriations, and money from the Boating Operating Fund for ADV removal” (Personal communication 2019, Elizabeth N. Hartje).



Sum Figure 4. States with and without a recurring, annual source of funding and either centralized, decentralized, or both legislative authority to decide how and when a vessel can be removed.

The number of states recently enacting laws to address ADVs suggest it is a problem with growing recognized impact and a demand for action. Impediments that hinder progress are the lack of clear processes that enable action with designated authority and steady funding streams. States have a need for legal definitions of abandoned and derelict vessels so that vessels can be formally declared one or the other, thus enabling subsequent actions. A large majority of states have given implementation authority to act on ADVs to multiple agencies at multiple levels of government, empowering greater numbers to participate in ADV mitigation. There is less flexibility by states on providing legislative authority – the decision when to act – in a decentralized format. Clearly, funding is an issue that ultimately provides adequate and required resources for sustained efforts. There does not appear to be a single strategy employed by states; efforts to remove ADVs are often the result of a collection of actors piecing together strategies and funding, and thus ADVs are ultimately still removed despite limitations.

Acronyms

ADV	Abandoned and/or derelict vessel
DLNR	Department of Land and Natural Resources
EPA	Environmental Protection Agency
FEMA	Federal Emergency Management Agency
NOAA	National Oceanic and Atmospheric Administration
USACE	United States Army Corps of Engineers
USCG	United States Coast Guard

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- Personal communication. 2019. Shawn Brown. Indiana Conservation Officer, Commander - District X. March 13, 2019. Indiana.
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- Personal communication. Evan Ridley. Rhode Island Fiberglass Vessel Recycling Project. March 20, 2019. Rhode Island.
- Personal communication. 2019. Elizabeth N. Hartje. Ocean and Coastal Resource Management, Department of Health & Environmental Control. March 19, 2019. South Carolina.
- Personal communication. 2019. Michelle Castilleja. Derelict Vessels and Structures Coordinator, Oil Spill Prevention & Response, Texas General Land Office. March 11, 2019. Texas.
- Personal communication. 2019. Jerry Farmer. Derelict Vessel Removal Program, Department of Natural Resources. March 11, 2019. Washington.
- Personal communications. 2019. Kate Kohlmann. Department of Natural Resources. March 11, 2019. Wisconsin.

Appendix A. Abandoned and Derelict Vessel Information Table

Superscripts

1. State ADV legislation - A state is considered to have ADV legislation if in their code are definitions for abandoned and/or derelict vessels and the legislation provides provisions on how to address, remove, or dispose of the vessels.

2. ADV program - A state is considered to have an ADV program when staff are actively aware/documenting the ADV issues in the state, working to resolve them, and provide a point of contact for the ADV program. A state may have legislation without a program.

3. Formal process - A formal process exists when there is an explicit mechanism that outlines how a vessel can be removed from the water (e.g. discovery, tagging, owner notification, removal, towing). A state may have legislation without a formal process.

4. Legislative authority – Legislative authority refers to the authority to make a decision about how and when a vessel can be removed; classified as centralized at the state level, decentralized at the county and/or municipality level, or both.

5. Implementation authority – Implementation authority refers to which entity has authority to execute any part of the ADV process (tagging, owner notification, removal, etc.); classified as centralized at the state level, decentralized at the county and/or municipality level, or both.

6. Recurring State ADV funds – State funding is defined as a recurring, annual source of funding (e.g. recurring funds from the general assembly, boater registration, etc.) for removing and disposing of abandoned and/or derelict vessels.

7. Other funding sources – A source of funding, other than recurring state appropriations, where there is a defined source available to address any part of the process regarding ADVs. These sources include, but are not limited to funds from grants, fees, and licensing.

8. Money spent/allocated for funding – Funding refers to specific dollar values, gathered from personal communications unless otherwise noted below.

a. California

[http://dbw.parks.ca.gov/pages/28702/files/2018%20AWAF%20VTIP%20SAVE%20Programs%20Summary%20\(002\)%20-%20FINAL.PDF](http://dbw.parks.ca.gov/pages/28702/files/2018%20AWAF%20VTIP%20SAVE%20Programs%20Summary%20(002)%20-%20FINAL.PDF)

b. North Carolina

<https://www.coastalreview.org/2018/11/derelict-boats-remain-a-local-issue-in-nc/>

c. Virginia

https://data.nodc.noaa.gov/coris/library/NOAA/CRCP/project/1022/review_state_abandon_derelict_vessel_program.pdf

9. Outcomes – The estimated or recorded number of vessels removed, gathered from personal communications unless otherwise noted below.

a. California

<https://www.slc.ca.gov/abandoned-vessels-program/>

<https://www.thelog.com/news-departments/keeping-abandoned-vessels-out-of-local-waters-requires-a-team-effort/>

b. North Carolina

<https://www.coastalreview.org/2018/11/derelict-boats-remain-a-local-issue-in-nc/>

c. Virginia

https://data.nodc.noaa.gov/coris/library/NOAA/CRCP/project/1022/review_state_abandon_derelict_vessel_program.pdf

State	Year legislation enacted	State ADV legislation ¹	ADV Program ² (year)	Formal process ³	Legislative Authority ⁴	Implementation Authority ⁵	Recurring state ADV funds ⁶	Other funding source(s) ⁷	Money spent/all oated for funding ⁸	Outcomes ⁹
Alabama	2018	Act 2018-179 (SB50)	Act 2018-179 (2018)	Yes	Centralized (Alabama Law Enforcement Agency)	Both	No (new program)	Alabama ADV Fund, legislative appropriations, federal grants	No regular funding to date	None recorded so far
Alaska	2018	AK Stat. § 30.30.010 - § 30.30.180 (Abandoned and Derelict Vessels Act)	None	No	Centralized (Department of Transportation and Public Facilities)	Both	No	Legislative appropriations, other (insurance claims, other state funds/fees, municipal /county funds, federal funds)	No available information	No available information
California	2011	SB 595; Division 3, Chapter 3, Sections 510-527 and Sections 550-551 of the HNC; Section 6302 of the Public Resour	Abandoned Vessels Program (2012)	Yes	Both (California State Lands Commission, local public agencies)	Both	Yes	Surrendered and Abandoned Vessel Exchange grants, vessel registration fees, other (insurance claims, other state funds/fees, municipal /county funds,	FY 18/19 funding: \$2,750,000 ^a	2,400 removed since 1999 ^a

State	Year legislation enacted	State ADV legislation ¹	ADV Program ² (year)	Formal process ³	Legislative Authority ⁴	Implementation Authority ⁵	Recurring state ADV funds ⁶	Other funding source(s) ⁷	Money spent/allotted for funding ⁸	Outcomes ⁹
		ces Code						federal funds)		
Connecticut	2015	CT Gen Stat. § 15-140c and 15-11a	None	Yes	Both (Department of Energy and Environmental Protection AND harbor masters)	Both	No	Legislative appropriations, private, other (insurance claims, other state funds/fees, municipal/county funds, federal funds)	None	~500 removed as of 2019
Delaware	2006	DE Code, Title 23, Ch. 13, Sec. C. §1303 through §1305	None	No	Centralized (Department of Natural Resources and Environmental Control)	Both	No	Annual General Fund under Division of Watershed Stewardship	No available information	No available information

State	Year legislation enacted	State ADV legislation ¹	ADV Program ² (year)	Formal process ³	Legislative Authority ⁴	Implementation Authority ⁵	Recurring state ADV funds ⁶	Other funding source(s) ⁷	Money spent/allotted for funding ⁸	Outcomes ⁹
Florida	2011	FL Stat. § 823.11 and § 376.15	Florida Derelict Vessel Removal Program and At-Risk Vessel Program (2016)	Yes	Centralized (Florida Fish and Wildlife Conservation Commission)	Both	Yes	Derelict Vessel Removal Grant legislative appropriations, Florida Coastal Protection Trust fund, federal grants and disaster funds, vessel registration fees, private	~\$1-1.5 million/year in appropriations since 2016	Removed 92 in 2008 and 2013, 132 in 2016, 34 in 2017
Georgia	2010	GA Code Ann. § 52-7-70 through § 52-7-77	Abandoned Vessels Program; Abandoned and Sunken Vessels Project (2010)	Yes	Centralized (Georgia Department of Natural Resources)	Decentralized	No	Private, other (insurance claims, other state funds/fees, municipal/county funds, federal funds), liens, foreclosures, and sales of abandoned vessels	No available information	No available information

State	Year legislation enacted	State ADV legislation ¹	ADV Program ² (year)	Formal process ³	Legislative Authority ⁴	Implementation Authority ⁵	Recurring state ADV funds ⁶	Other funding source(s) ⁷	Money spent/all oated for funding ⁸	Outcomes ⁹
Hawaii	2013	HI Rev. Stat. § 200-41	None	Yes	Centralized (Department of Land and Natural Resources)	Both	No	Legislative appropriations, federal grants, vessel registration fees	No available information	No available information
Illinois	1960	625 Ill. Comp. Stat. § 45/3C	None	No	Both (State statutes and law enforcement officer, towing company and private citizen)	Both	No	None	No available information	No available information
Indiana	2019	IC 14-15-3-30; Title 312 Natural Resource Commission, Article 6 Navigable Waters	None	No	Centralized (Department of Natural Resources)	Centralized	No	None	No available information	No available information
Louisiana	2011	LA Rev. Stat. § 34:843; 30:101.1; 30:80;	None	No	Centralized (Department of Environmental Quality,	Both	No	Varies depending on statute utilized	No available information	No available information

State	Year legislation enacted	State ADV legislation ¹	ADV Program ² (year)	Formal process ³	Legislative Authority ⁴	Implementation Authority ⁵	Recurring state ADV funds ⁶	Other funding source(s) ⁷	Money spent/allotted for funding ⁸	Outcomes ⁹
		30:71; 30:222 1; 30:241 3.1; 30:246 9; 56:10.2			Department of Natural Resources)					
Maine	2013	ME Rev. Stat. tit. 12, § 1861 & 1866	None	Yes	Centralized (Bureau of Parks and Lands)	Both	No	Maine's Submerged Lands Fund, other (insurance claims, other state funds/fees, municipal /county funds, federal funds)	No available information	No available information
Maryland	2015	MD Code, Com. Law § 8-721	Abandoned Vessels Program (2015)	Yes	Both (Department of Natural Resources and local jurisdictions that DNR delegates)	Both	Yes	State Boating Act through the Maryland Waterway Improvement Fund, vessel registration fees	\$200,000 spent annually, including 8-10 grants to local jurisdictions	20-25 vessels removed per year
Massachusetts	2015	MA Gen. Laws Ch. 91, § 38	None	No	Centralized (Department of Conserv	Both	Yes	Abandoned Vessel Trust Fund	No available information	No available information

State	Year legislation enacted	State ADV legislation ¹	ADV Program ² (year)	Formal process ³	Legislative Authority ⁴	Implementation Authority ⁵	Recurring state ADV funds ⁶	Other funding source(s) ⁷	Money spent/all ocated for funding ⁸	Outcomes ⁹
		through § 48			ation and Recreation)					
Michigan	2015	MI Comp. Laws § 324.801 30(f) - § 324.801 30(o) (Public Act 549)	None	No	Centralized (Secretary of State)	Decentralized	Yes	Public Act 549	No available information	No available information
Minnesota	2018	MN Stat. § 86B.107	None	No	Decentralized (private owner, local jurisdiction, law enforcement officer)	Decentralized	No	Private, other (insurance claims, other state funds/fees, municipal /county funds, federal funds)	No available information	No available information
Mississippi	2013	MS Code Ann. § 49-27-71 and through 22 Miss. Admin. Code Pt. 14	ADV program, Department of Marine Resources (1998)	Yes	Centralized (Department of Marine Resources)	Both	Yes	Derelict Vessel Fund, other (insurance claims, other state funds/fees, municipal /county funds, federal funds)	\$50,000-\$100,000/year from Tidelands Funds	About 200 removed since late 1990s

State	Year legislation enacted	State ADV legislation ¹	ADV Program ² (year)	Formal process ³	Legislative Authority ⁴	Implementation Authority ⁵	Recurring state ADV funds ⁶	Other funding source(s) ⁷	Money spent/allotted for funding ⁸	Outcomes ⁹
New Hampshire	2015	NH Rev. Stat. Ann. § 270-B	None	No	Centralized (Department of Safety)	Both	No	Legislative appropriations	No available information	No available information
New Jersey	2008	NJ Rev. Stat. § 12:7c-9-3(b)	None	No	Centralized (Motor Vehicle Commission)	Both	No	Legislative appropriations, federal grants	No available information	No available information
New York	None	None	None	No	None	None	No	None	None	None
North Carolina	2015	North Carolina littering laws (N.C. Gen. Stat. § 76-40(a)), N.C. Gen. Stat. § 75A-10)	None	Yes	Both (Department of Environmental Quality and local jurisdictions)	Both	No	Federal and community contributions	\$72,000 spent from NOAA and community contribution ^b	38 removed since 2017 ^b
Ohio	2011	OH Rev. Code § 1547, Title 15, Conservation of Natural Resources	None	Yes	Both (State statutes and local law enforcement)	Decentralized	No	Federal grants, vessel registration fees, private	No available information	No available information

State	Year legislation enacted	State ADV legislation ¹	ADV Program ² (year)	Formal process ³	Legislative Authority ⁴	Implementation Authority ⁵	Recurring state ADV funds ⁶	Other funding source(s) ⁷	Money spent/allocated for funding ⁸	Outcomes ⁹
Oregon	2017	OR Rev. Stat. § 830.908	Abandoned and Derelict Vessel Program, Oregon State Marine Board (2017)	Yes	Centralized (Oregon State Marine Board)	Both	Yes	Salvaged Vessel subaccount, recreational vessel registration fees/floatation home title fees, other (insurance claims, other state funds/fees, municipal/county funds, federal funds)	\$150,000 is allocated to an ADV fund biennially	130 removed since 2005 using OSMB funds
Pennsylvania	2000	58 Pa. Code § 93.17 and 58 Pa. Code § 93.110	PA Fish and Boat Commission (2000)	Yes	Centralized (Pennsylvania Fish and Boat Commission)	Both	No	None	No available information	No available information
Rhode Island	2012	RI Gen. Laws §46-6 (Derelict and Abandoned Vessel and Obstruction Removal)	Derelict and Abandoned Vessel and Obstruction Removal Commission (2012)	Yes	Both (Department of Environmental Management, Harbor masters)	Both	Yes	Vessel registration fees	\$4,000 - \$32,000 spent per removed vessel, as reported in 2019	2-4 vessels removed per year

State	Year legislation enacted	State ADV legislation ¹	ADV Program ² (year)	Formal process ³	Legislative Authority ⁴	Implementation Authority ⁵	Recurring state ADV funds ⁶	Other funding source(s) ⁷	Money spent/all ocated for funding ⁸	Outcomes ⁹
		Account)								
South Carolina	2004	State statutes under Fish, Game and Watercraft (Title 50), Chapter 30 of South Carolina's Code of Regulations	Abandoned Vessel Removal Task Force under the Office of Ocean and Coastal Resource Management and DNR (2004)	Yes	Centralized (Department of Health and Environmental Control through the Office of Ocean and Coastal Resource Management)	Both	No	Ocean and Coastal Resource Management, legislative appropriations, federal grants, private, other (insurance claims, other state funds/fees, municipal /county funds, federal funds)	Recently secured \$174,000 in federal funding for removal of ADVs due to Hurricane Irma	100+ vessels removed since 2004
Texas	1992	TX Nat. Res. Code § 40.002	Oil Spill Prevention and Response Act (1992)	Yes	Centralized (Texas General Land Office)	Decentralized	No	Federal grants and monies in general revenue accounts	\$3,000 to \$400,000 annually, varies on location and condition of vessel	Since 2009, discovered 1460 and removed 1256 vessels

State	Year legislation enacted	State ADV legislation ¹	ADV Program ² (year)	Formal process ³	Legislative Authority ⁴	Implementation Authority ⁵	Recurring state ADV funds ⁶	Other funding source(s) ⁷	Money spent/allotted for funding ⁸	Outcomes ⁹
Virginia	2014	VA Code Ann. §15.2-909, §28.2, §29.1, §28.2-1204.2	Abandoned Boat and Debris Program (2014)	Yes	Both (Marine Resources Commission and local governments)	Both	Yes	Marine Habitat and Waterways Improvement Fund, legislative appropriations, sales of state-owned marine lands	\$1 million for Elizabeth River Project ^c	44 removed from 1996-2001 ^c
Washington	2002	WA Rev. Code §79.100 (Derelict Vessel chapter)	DNR Derelict Vessel Removal Program (2002)	Yes	Both (Department of Natural Resources and local municipalities)	Both	Yes	Derelict Vessel Removal Account, legislative appropriations, federal grants	Approximately \$2.5 million allocated annually	700+ vessels removed since 2002
Wisconsin	2011	WI statutes under Title 30	None	Yes	Both (Department of Natural Resources and local municipalities)	Both	No	Municipalities	No available information	No available information
Territory	Year legislation enacted	State ADV legislation ¹	ADV Program ² (year)	Formal process ³	Legislative Authority ⁴	Implementation Authority ⁵	Recurring state ADV funds ⁶	Other funding source(s) ⁷	Money spent/allotted for funding ⁸	Outcomes ⁹

State	Year legislation enacted	State ADV legislation ¹	ADV Program ² (year)	Formal process ³	Legislative Authority ⁴	Implementation Authority ⁵	Recurring state ADV funds ⁶	Other funding source(s) ⁷	Money spent/allotted for funding ⁸	Outcomes ⁹
American Samoa	None	Title 15 under Department of Parks and Recreation	None	No	Centralized (Department of Parks and Recreation)	Centralized	No	None	None	None
Guam	1997	Department of Parks and Recreation (Title 23) and Commercial Port of Guam (Title 10)	None	Yes	Both (Department of Public Health and Social Services, private owners)	Both	No	None	No available information	No available information
Puerto Rico	None	None	None	No	None	None	No	Boat Fund	None	None
United States Virgin Islands	2015	Title 12 Conservation, Title 19 solid and hazardous waste management, and Title 25 Navigation	None	Yes	Centralized (Department of Planning and Natural Resources)	Centralized	Yes	Coastal Protection Fund, Marine and Aviation Fund	No available information	No available information

