

Welcome to the ADV Workgroup Meeting #9

March 19, 2024

AGENDA

- 1:00 – Welcome and introductions
- 1:10 – ADV Program Framework update
- 1:15 – Presentation: Legislative Concept Development and Proposals
- 1:30 – ADV Workgroup Discussion
- 2:00 – Break
- 2:05 – ADV Workgroup Discussion (continued)
- 2:40 – Community Input
- 2:50 – Next Steps & Adjourn @ 3 p.m.



Oregon's Abandoned and Derelict Vessel Workgroup

LEARN MORE

www.oregon.gov/dsl/waterways/Pages/ADV.aspx

CONTACT US

Facilitator

Erik Jensen, Jensen Strategies, LLC
erik@jensenstrategies.com

Oregon Department of State Lands

Cait McCusker, Community Engagement Officer
cait.mccusker@dsl.oregon.gov

Oregon Department of State Lands

Josh Mulhollem, Waterways Stewardship Manager
joshua.mulhollem@dsl.Oregon.gov



ADV Workgroup Member Participation



Use the "Raise Hand" feature to speak:

- To raise your hand, click the reactions near the bottom of your screen and click "raise hand" or by pressing star 9 if you are on the phone.
- You will be called in the order in which hands are raised.
- Please keep your mic muted unless it is your turn to speak.

When it's your turn to speak:

- When your turn is coming up, the moderator will call on you to begin speaking.
- We ask that all participants be respectful of each other and agency representatives.

Community Involvement

ADV Workgroup meetings are open to community members to attend and stay connected to the discussion.

- ADV Workgroup meetings include limited time on the agenda for input from community members.
- Current meeting information and materials will be posted on the DSL website. Meetings will be noticed one week in advance, and recordings will be made available.



ADV Workgroup Schedule and Updates



Oregon State Land Board Meeting

Tuesday, April 9, 2024 @ 10 a.m.

ADV Framework presentation to the Land Board.

ADV Workgroup Meeting 10

Tuesday, April 16, 2024 @ 1 p.m.

Future engagement plan and program progress in 2024.

Both meetings will be hybrid, hosted at the DSL office in Salem with online participation via Zoom. Meetings will be noticed one week in advance, and recordings will be made available.

ADV Program Framework Feedback Period



"I support your efforts."

"I think this program should be implemented as soon as possible."

"Federal funding should be maximized."

"...maintain a list of qualified contractors for the desired areas of expertise."

"...THE GOVERNMENT SHOULD NOT BE SELLING THEIR ROTTING JUNK TO PEOPLE..."

"No new taxes and fees on Oregon boaters!"

"New fees and taxes are not the answer."

"No more studies or consultants, just go to work!"

And a lot about cost-effective disposal options being a need.

Legislative Concept Proposals



Photo Courtesy of: Dorothy Diehl, Department of State Lands

Marine Debris and Sunk Vessels

1

Add language to 830.908 that defines “marine debris” as a vessel or components of a vessel that no longer meet the definition of a “boat” or functional “boathouse” or “floating home.” Add language elsewhere that eliminates or reduces storage and notice requirements for marine debris. Additionally, for vessels in which an owner cannot be identified, eliminate storage requirements.

2

Add a third category of ADVs that captures sunk and no longer usable vessels. This category only includes boats with no propulsion machinery, obvious integral structure issues, and those that have been sunk for a period of time that would obviously render them not usable.

3

Add a separate section in statute for disposition of marine debris and sunk vessels. This section allows for the removal and immediate disposal of marine debris and sunk vessels with no storage requirements and no notice requirements.



Current statutes do not differentiate between a derelict boat that has recently become a hazard or in danger of sinking and a boat that is completely sunk.

Beached nonfunctional vessels

1

Add the following to the definition of derelict vessel:

A vessel which is in close enough proximity to a waterway to reasonably assert that the vessel is at risk of entering the waterway either by force of nature or human activity and which:

- a) Has been damaged or altered to the point that the boat would not be expected to float;
- b) Is missing operational components such as engine, propeller, or steering wheel; or
- c) Is in a position or condition which indicates the vessel was deposited in its location by the action of the water (a cabin boat that is upside down on a riverbank).



Redefining “abandoned vessel”

A

Add a definition for “Vessel in trespass” that means a vessel that is located on public or private land, the waters of this state, or any other water without authorization. Include trespassing vessels with abandoned and derelict vessels in how they must be managed, removed, stored, etc.

OR

B

Amend the definition of “abandoned vessel” to read “a vessel that is located on public or private land, the waters of this state, or any other water without authorization.”



There is ambiguity in the definition of “abandoned vessel.”

Expedited disposal for unowned vessels

1

Add provisions for which a boat that is abandoned, derelict, or trespassing, and that has no official actions on the title or registration of that boat for a specified period of time, can be disposed of in the same manner as marine debris and sunk and unusable vessels.

2

Add language that allows a vessel to be disposed of in the same manner as marine debris and sunk and unusable vessels if the enforcement agency performing the removal/disposal made reasonable efforts to determine an owner and documents those efforts.



Determination of legal ownership is impossible in some cases.

Owners and others with potential ownership interest

1

Amend the statute that specifies who must be mailed a notice to “the persons last shown as owners of the vessel in the records of the State Marine Board, the vessel documenting agency of another state, and/or the U.S. Coast Guard.”

2

Replicate current statutes for reporting ownership information of vehicles to statutes regarding vessels.

3

Add language to the above that stipulates that ownership information includes any individual that is documented as potentially having an ownership interest, such as reported buyers or those that have applied for but not received a title, as potential owners that must be reported.



Many transactions associated with vessel title transfers are not completed by both parties.

Personal property on sunken vessels

1

Add provisions that personal property found on a sunken vessel, and potentially any abandoned or derelict vessel that has been seized and removed using the proper procedures, can be considered part of the vessel and can be stored and disposed of as such.



Searching through and cataloguing personal property on sunken vessels can be unsanitary, unsafe, and is sometimes impossible.

Owners vs. responsible parties

1

Add “identified responsible party” definition where someone that is not a titled owner can more clearly be determined to be liable for an ADV. This would include but not be limited to an operator, occupant, an individual suspected of purposely dumping a vessel, or an individual otherwise determined to have primarily caused or allowed through direct action or inaction a vessel to become an ADV.



ADV statutes are focused on titled owners only.

Vessel Insurance

1

Adopt language that requires vessels to carry insurance that explicitly covers salvage and removal should a vessel become abandoned or derelict.



Unlike with vehicles, there is no insurance requirements that are applied to everyone operating a boat in Oregon.

Boat registration fees

1

Adjust fee schedule on recreational boats found in 830.790.



830.790 Certificate or registration fees.

*(1) The biennial fee for the original or renewal certificate of number or registration is:
(a) \$5 plus \$5.95 per foot, or portion thereof, for all sailboats 12 feet in length or more
and for all motorboats...*

Give Community Input Today



Use the "Raise Hand" feature to provide community input. Time is limited and we may not be able to hear from all of you today.

- To raise your hand, click the reactions near the bottom of your screen and click "raise hand" or by pressing star 9 if you are on the phone.
- You will be called in the order in which hands are raised.
- Please keep your mic muted unless it is your turn to speak.

When it's your turn to speak:

- When your turn is coming up, the moderator will call on you to begin speaking.
- Please say your name, where you're from, and any organization you're representing.
- Please keep your remarks to two minutes and be respectful of each other and agency representatives. We will help track your time.



Thank You!

Contact us or learn more:

Cait McCusker
Community Engagement Officer
cait.mccusker@dsl.oregon.gov

www.oregon.gov/dsl/waterways/Pages/ADV.aspx