

ABANDONED & DERELICT VESSEL

ENFORCEMENT AGENCY RESPONSE GUIDE



**A REFERENCE MANUAL TO ASSIST PUBLIC AGENCIES IN THE SEIZURE
OF ABANDONED AND DERELICT VESSELS UNDER ORS 830.911**

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MAY 2020

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Purpose of Document:

This manual provides general guidance to enforcement agencies regarding the response to abandoned and derelict vessels. It is not a legal or regulatory document. It is not a substitution for the advice of your agency's legal counsel or your own relevant legal expertise or enforcement training.

ORS 830.908 defines "enforcement agency" as "a law enforcement agency, federal agency, the State Marine Board, or any other public body, as defined in ORS 174.109, that has responsibility over land or water on which and abandoned vessel or a derelict vessel is located."

The Burden of ADVs:

The negative impacts of ADVs on the environment, the economy, and the public are numerous, and the problem is growing. Many of the impacts are obvious, such as navigational hazards and threat of pollution caused by deteriorating, leaking, adrift, or sunken vessels. Others are not as visible and include the decrease in enjoyability of waterway usage, and the monetary cost borne by the fee payers who contribute to the OSMB's removal funding. In many areas, the impacts of ADVs are intertwined with complex social issues such as homelessness, trespassing, and crime.

Boats become abandoned and derelict for a variety of reasons, and these reasons tend to vary throughout the state. ADVs on the coast tend to originate in marinas and are often larger than ADVs found elsewhere. In the Portland area, unwanted cabin cruisers and small fiberglass sailboats are frequently sold cheaply or given away to operators without the means to repair or maintain them. In more remote waterways, they are often dumped, or sink while underway and go unnoticed for a period of time. While certain scenarios are more common in certain areas, ADVs can appear anywhere and the problem is not isolated to the urban and coastal counties.

The Marine Board's role:

The Marine Board has no more authority than any other enforcement agency in Oregon to respond to abandoned and derelict vessels. One unique and important resource the Marine Board does have is access to vessel ownership documents, history, and other records which are instrumental in carrying out the required notice and for holding owners liable for costs arising from the salvage, storage, and disposal of abandoned and derelict vessels. The other resource that is unique to the Marine Board is the Salvaged Vessel Subaccount, which is a dedicated fund consisting of a small portion of the monies collected from title and registration fees for recreational vessels and floating homes. The Board may deposit no more than \$150,000 into the Salvaged Vessel Subaccount per biennium (July 1 of an odd-numbered year through June 30 of the next odd-numbered year; e.g. 2019-2021). The money may be used to pay costs associated with the salvage, towing, storage, and disposal of abandoned and derelict vessels. The Board may reimburse other enforcement agencies for up to 90% of such costs incurred by those agencies. The 10% match requirement may be fulfilled with approved in-kind contributions directly related to salvage, towing, storage, and disposal of the vessel. If reimbursement is desired, enforcement agencies should consult the Marine Board to confirm that funding is available prior to incurring costs.

Follow these procedures when you suspect a vessel is ABANDONED



Abandoned = left somewhere without authorization

(Not sinking, not obstructing a waterway, not endangering life or property, not a documented environmental hazard; if any of these apply, read the section on DERELICT vessels)

1. Record the date and precise location of first report or observation; take photos as soon as possible

2. Contact the OSMB's Abandoned & Derelict Vessel Program Coordinator

- The ADV Program Coordinator can provide guidance and technical assistance, as well as discuss the availability of reimbursement funding from the OSMB's Salvaged Vessel Subaccount

3. Confirm that the vessel is legally abandoned

- *ORS 830.908(1) An "Abandoned vessel" means a vessel that has been left without authorization on public or private land, the waters of this state, or any other water.*
- To be declared abandoned, the person or entity that owns or controls the land or water must assert that the boat is unauthorized.
- On waters of this state, up to the ordinary high water line, the property owner is almost always the Department of State Lands. Transient boating, including overnight anchoring, on waters of this state is allowed and encouraged in most cases. The DSL will not declare a boat unauthorized unless it has been in one location for more than 30 days so early communication is essential.
- Facilities such as docks and marinas are often located on submerged and submersible land owned by DSL and leased to a private or public entity. In these cases, the facility manager may assert that a vessel is unauthorized based on their own criteria.

4. Identify owner(s)

- Contact the Marine Board to verify ownership via registration numbers, hull identification number, federal documentation number, or vessel name

- Contact and identify anyone physically associated with the boat and document evidence of responsibility (This applies to law enforcement agencies; other enforcement agency personnel are encouraged to act within their own agency policies, training, and personal comfort level)

5. Serve proper pre seizure notice to vessel owner(s)

- At least 10 business days prior to the date you propose to seize the vessel, you must do all of the following:
 - Attach a pre seizure notice to the vessel (the Marine Board provides blank self-adhesive tags)
 - Mail a notice to the person last shown as owner in Marine Board records
 - Mail a notice to any other person who the enforcement agency has reason to believe is an owner
 - Provide a copy of the notice to the Marine Board
- The pre seizure notice must contain all the information relevant to abandoned vessels in ORS 830.918 provided in *Appendix A: Pre seizure notice requirements*. You may compose your own notice or use the template provided in *Appendix C: Pre seizure notice template for abandoned vessels*.

6. Begin planning for the physical removal of the vessel

- You will have three options on the date of seizure:
 - Attach seizure notice to vessel and transport to a land-based storage location for at least 30 days
 - Attach seizure notice to vessel and transport to an on-water storage location for at least 30 days
 - Attach seizure notice to vessel and leave the vessel in place for at least 30 days
- 30 days after the seizure, if the owner fails to reclaim the vessel or request a hearing, you will be authorized to dispose of the vessel
- If you are going to need a contractor to assist with any portion of the seizure and disposal, start making arrangements as soon as possible. Cost estimates should itemize removal, storage, and disposal.

7. Seize the vessel

- If the owner of the vessel fails to meet the conditions specified in the pre seizure notice, the enforcement agency is authorized to seize the vessel

8. Serve proper post seizure notice to vessel owner(s)

- Within 7 days of seizure, you must:
 - Post a notice on any website maintained by the enforcement agency
 - Mail a notice to the person last shown as owner in Marine Board records
 - Mail a notice to any other person who the enforcement agency has reason to believe is an owner
 - Provide a copy of the notice to the Marine Board
- The post seizure notice must contain all the information relevant to abandoned vessels in ORS 830.931 provided in *Appendix B: Post seizure notice requirements*. You may compose your own notice or use the template provided in *Appendix E: Post seizure notice template for all seized vessels*.

9. Dispose of the vessel

- After 30 days have passed and the owner has neither reclaimed the vessel nor requested a hearing within the specified timeframe, you are now authorized to dispose of the vessel
- The Marine Board can provide a *Letter in Lieu of Title for Vessel Disposal* if required by your contractor or disposal facility
- It is lawful to sell the vessel or parts of the vessel to recover costs incurred during removal and storage. The liability imposed on the responsible party shall be reduced by the net proceeds of the sale. The Marine Board discourages the sale of vessels in whole that have been found abandoned or derelict, as they are at a higher risk of becoming abandoned or derelict again in the future.

10. Regardless of whether you are seeking reimbursement, please submit an *ADV Seizure and Disposal Report* (Appendix G) to the Marine Board no later than 14 days after disposal or final resolution

Follow these procedures when you suspect a vessel is DERELICT



Derelict = Sunk or about to sink, obstructing a waterway, endangering life or property, or a significant environmental hazard

If any of the above conditions necessitate immediate seizure, follow procedures for EMERGENCY VESSEL SEIZURE (Seizure without notice)

(If *none* of the above conditions apply, read the section on ABANDONED vessels)

1. Record the date and precise location of first report or observation; take photos as soon as possible

2. If the vessel is causing an active oil sheen on the water:

- **Contact the US Coast Guard National Response Center (NRC) at 1-800-424-8802 -OR-**
- **Contact the Oregon Emergency Response System (OERS): 1-800-452-0311**

The call centers above will dispatch agencies to respond as appropriate. The responding agency will address fuel leaks and spills to remove the threat of pollution, but they will *not* seize or remove the vessel.

2. Contact the OSMB's Abandoned & Derelict Vessel Program Coordinator

- The ADV Program Coordinator can provide guidance and technical assistance, as well as discuss the availability of reimbursement funding from the OSMB's Salvaged Vessel Subaccount

3. Confirm that the vessel is legally derelict

- *ORS 830.908(3) "Derelict vessel" means a vessel that is on waters of this state and that is:*
 - *(a) Sunk or in imminent danger of sinking*
 - *(b) Obstructing a waterway*

- (c) Endangering life or property
- (d) In such a dilapidated condition that it is in danger of becoming a significant environmental hazard as evidenced by repeated and documented instances of leaking fuel, sewage, or other pollutants

4. Identify owner(s)

- Contact the Marine Board to verify ownership via registration numbers, hull identification number, federal documentation number, or vessel name
- Contact and identify anyone physically associated with the boat and document evidence of responsibility (This applies to law enforcement agencies; other enforcement agency personnel are encouraged to act within their own agency policies, training, and personal comfort level)

5. Serve proper pre seizure notice to vessel owner(s)

- At least 10 business days prior to the date you propose to seize the vessel, you must do all of the following:
 - Attach a pre seizure notice to the vessel (the Marine Board provides blank self-adhesive tags)
 - Mail a notice to the person last shown as owner in Marine Board records
 - Mail a notice to any other person who the enforcement agency has reason to believe is an owner
 - Provide a copy of the notice to the Marine Board
- The pre seizure notice must contain all the information relevant to derelict vessels in ORS 830.918 provided in *Appendix A: Pre seizure notice requirements*. You may compose your own notice or use the template provided in *Appendix D: Pre seizure notice template for derelict vessels*.

6. Begin planning for the physical removal of the vessel

- You will have three options on the date of seizure:
 - Attach seizure notice to vessel and transport to a land-based storage location for at least 30 days
 - Attach seizure notice to vessel and transport to an on-water storage location for at least 30 days
 - Attach seizure notice to vessel and leave the vessel in place for at least 30 days
- 30 days after the seizure, if the owner fails to reclaim the vessel or request a hearing, you will be authorized to dispose of the vessel
- If you are going to need a contractor to assist with any portion of the seizure and disposal, start making arrangements as soon as possible. Cost estimates should itemize removal, storage, and disposal.

7. Seize the vessel

- If the owner of the vessel fails to meet the conditions specified in the pre seizure notice, the enforcement agency is authorized to seize the vessel.

8. Serve proper post seizure notice to vessel owner(s)

- Within 7 days of seizure, you must:
 - Post a notice on any website maintained by the enforcement agency
 - Mail a notice to the person last shown as owner in Marine Board records
 - Mail a notice to any other person who the enforcement agency has reason to believe is an owner

- Provide a copy of the notice to the Marine Board
- The postseizure notice must contain all the information relevant to derelict vessels in ORS 830.931 provided in *Appendix B: Postseizure notice requirements*. You may compose your own notice or use the template provided in *Appendix E: Postseizure notice template for all seized vessels*.

9. Dispose of the vessel

- After 30 days have passed and the owner has neither reclaimed the vessel nor requested a hearing within the specified timeframe, you are now authorized to dispose of the vessel
- The Marine Board can provide a *Letter in Lieu of Title for Vessel Disposal* if required by your contractor or disposal facility
- It is lawful to sell the vessel or parts of the vessel to recover costs incurred during removal and storage. The liability imposed on the responsible party shall be reduced by the net proceeds of the sale. The Marine Board discourages the sale of vessels in whole that have been found abandoned or derelict, as they are at a higher risk of becoming abandoned or derelict in the future.

10. Regardless of whether you are seeking reimbursement, please submit an *ADV Seizure and Disposal Report* (Appendix G) to the Marine Board no later than 14 days after disposal or final resolution

EMERGENCY VESSEL SEIZURE

(Seizure without notice)



Follow these procedures when you suspect a vessel presents a hazard to navigation or an imminent threat to public health or safety

- 1. Record the date, time, and precise location of first report or observation; take photos as soon as possible**
- 2. Notify other relevant jurisdictions as necessary** (e.g. US Coast Guard, adjacent marine LE agencies, fire and rescue, Department of Environmental Quality, etc.)

If the vessel is causing an active oil sheen on the water or imminent threat of release is suspected:

- **Contact the US Coast Guard National Response Center (NRC) at 1-800-424-8802 -OR-**
- **Contact the Oregon Emergency Response System (OERS): 1-800-452-0311**

The call centers above will dispatch agencies to respond as appropriate. The responding agency will address fuel leaks and spills to remove the threat of pollution, but they will *not* seize or remove the vessel.

3. Contact the OSMB's Abandoned & Derelict Vessel Program Coordinator

- Make contact with Marine Board staff as early in the process as you can, but don't delay taking emergency action

4. Seize the vessel

- Eliminate the existing hazard or threat by removing or securing the vessel
- Preseizure notice is not required, but postseizure notice, hearing opportunity, and storage requirements apply

5. Identify owner(s)

- Contact the Marine Board to verify ownership via registration numbers, hull identification number, federal documentation number, or vessel name
- Contact and identify anyone physically associated with the boat and document evidence of responsibility (This applies to law enforcement agencies; other enforcement agency personnel are encouraged to act within their own agency policies, training, and personal comfort level)

8. Serve proper postseizure notice to vessel owner(s)

- Within 7 days of seizure, you must:
 - Post a notice on any website maintained by the enforcement agency
 - Mail a notice to the person last shown as owner in Marine Board records
 - Mail a notice to any other person who the enforcement agency has reason to believe is an owner
 - Provide a copy of the notice to the Marine Board
- The postseizure notice must contain all the information relevant to derelict vessels in ORS 830.931 provided in *Appendix B: Postseizure notice requirements*. You may compose your own notice or use the template provided in *Appendix E: Postseizure notice template for all seized vessels*.
- **After 30 days have passed and the owner has neither reclaimed the vessel nor requested a hearing within the specified timeframe, you are now authorized to dispose of the vessel**

9. Dispose of the vessel

- After 30 days have passed and the owner has neither reclaimed the vessel nor requested a hearing within the specified timeframe, you are now authorized to dispose of the vessel
- The Marine Board can provide a *Letter in Lieu of Title for Vessel Disposal* if required by your contractor or disposal facility
- It is lawful to sell the vessel or parts of the vessel to recover costs incurred during removal and storage. The liability imposed on the responsible party shall be reduced by the net proceeds of the sale. The Marine Board discourages the sale of vessels in whole that have been found abandoned or derelict, as they are at a higher risk of becoming abandoned or derelict in the future.

10. Regardless of whether you are seeking reimbursement, please submit an *ADV Seizure and Disposal Report* (Appendix G) to the Marine Board no later than 14 days after disposal or final resolution

Appendix A: Preseizure notice requirements

ORS 830.918 Preseizure notice

(1) Except as provided in ORS 830.923 (Seizure without notice), at least 10 business days before seizing an abandoned vessel or a derelict vessel an enforcement agency shall provide notice by:

(a) Attaching a notice to the vessel;

(b) If the vessel has or had a certificate under ORS 830.770 (Certificate of number required on boat) or 830.775 (Operation of certain boats without certificates of registration), mailing notice to the persons last shown as owners of the vessel in the records of the State Marine Board; and

(c) Mailing notice to any other person for whom the enforcement agency has obtained a mailing address and who the enforcement agency has reason to believe is an owner of the vessel.

(2) The notice required under this section must include:

(a) The name, address and telephone number of the enforcement agency.

(b) A statement indicating whether the enforcement agency proposes to seize the vessel by reason of being an abandoned vessel, a derelict vessel, or both.

(c) The time by which the owner must act to avoid having the vessel seized.

(d) A statement indicating that if the vessel is seized, the owner will be liable for the costs of salvage, towing and storage of the vessel.

(e) A statement indicating that if the vessel is seized the vessel may be destroyed or sold if the costs of salvage, towing, storage and disposal are not paid.

(f) A statement indicating the owner may request a hearing before the enforcement agency seizes the vessel, and the time and manner in which a request may be made.

(3) In addition to the requirements of subsection (2) of this section, if an enforcement agency proposes to seize a vessel by reason of being an abandoned vessel the notice required by this section must indicate that:

(a) The vessel will be seized unless the owner moves the vessel to a place where the vessel can be lawfully kept within the time specified in the notice; and

(b) The owner may be cited for failure to remove an abandoned vessel if the owner fails to move the vessel to a place where the vessel can be lawfully kept within the time specified in the notice.

(4) In addition to the requirements of subsection (2) of this section, if an enforcement agency proposes to seize a vessel by reason of being a derelict vessel the notice required by this section must indicate:

(a) The reason or reasons that the enforcement agency believes that the vessel is a derelict vessel;

(b) That the vessel will be seized unless either the problems identified in the notice are remedied within the time specified in the notice; and

(c) That the owner may be cited for possession of a derelict vessel if the owner fails to remedy the problems identified in the notice within the time specified in the notice.

(5)An owner of a vessel may request a hearing before an enforcement agency seizes a vessel under ORS 830.908 (Definitions for ORS 830.908 to 830.948) to 830.948 (Salvaged Vessel Subaccount) by submitting a request for hearing to the enforcement agency not more than 10 business days after the notice required by this section is given. The request must indicate if the owner contends that the vessel is not abandoned or derelict, or indicate such other specific grounds on which seizure of the vessel is challenged. [2013 c.680 §4]

Appendix B: Postseizure notice requirements for all seized vessels

ORS 830.931 Post-seizure notice

(1) Not more than seven days after an enforcement agency seizes a vessel under ORS 830.908 (Definitions for ORS 830.908 to 830.948) to 830.948 (Salvaged Vessel Subaccount), the enforcement agency shall post notice in the form required by this section on any website maintained by the enforcement agency and mail a copy of the notice to the persons described in ORS 830.918 (Preseizure notice) (1).

(2) The notice required under this section must include the date by which the costs of salvage, towing and storage must be paid to avoid title to the vessel vesting in the enforcement agency. The date may not be less than 30 days after the date on which the vessel was seized.

(3) The notice required under this section must include a description of the vessel and of any personal property located on the vessel, and state all of the following:

(a) That the vessel has been seized.

(b) The time of the seizure.

(c) The name, address and telephone number of the enforcement agency.

(d) The reason the vessel was seized.

(e) That the owners of the vessel are liable for salvage, towing, storage and disposal costs incurred by the enforcement agency by reason of the seizure, and the amount of those costs that have accrued as of the date of the notice.

(f) That title to the vessel will vest in the enforcement agency if the costs of salvage, towing and storage are not paid, and the date by which those costs must be paid.

(g) That the owner may request a hearing, and the time and manner for requesting a hearing.

(h) That the owner may challenge the reasonableness of any salvage, towing or storage costs at the hearing.

(i) That the vessel and its contents may be immediately reclaimed by presenting proof of ownership or right to possession and payment of the costs that have accrued.

(4) Except as provided in subsection (5) of this section, an owner of a vessel may request a hearing after an enforcement agency seizes a vessel under ORS 830.908 (Definitions for ORS 830.908 to 830.948) to 830.948 (Salvaged Vessel Subaccount) by submitting a written request for hearing to the enforcement agency not more than 10 business days after the notice required by this section is given. The request must include a statement of the specific grounds on which the seizure is challenged, and whether the owner challenges the reasonableness of any salvage, towing or storage costs incurred by the enforcement agency.

(5) If an owner of a vessel requested a hearing under ORS 830.918 (Preseizure notice) (5), the owner may request a hearing under subsection (4) of this section only for the purpose of challenging the reasonableness of any salvage, towing or storage costs incurred by the enforcement agency. [2013 c.680 §6]

Appendix C: Preseizure notice template for abandoned vessels

CERTIFIED MAIL

Print on Enforcement Agency Letterhead with address

0000-0000-0000-0000

February 1, 2020

Owner Name

Owner Address

Owner Address

Re: NOTICE OF PROPOSED SEIZURE OF VESSEL OR 123 ABC

Dear Owner:

A 1984 Bayliner sailing vessel, 27' in length, with registration number OR 123 ABC has been at anchor on the Willamette River in Marion County, OR since January 1, 2020. The Enforcement Agency proposes to seize the vessel by reason of it meeting the statutory definition of an "abandoned vessel" due to being left without authorization on waters of this state.

(Photo of abandoned vessel if possible)

Oregon State Marine Board records indicate you are the owner of this vessel. As the owner, you are responsible for moving the vessel to a location where it can be lawfully kept. If you fail to move the vessel prior to the date specified in this notice, the Enforcement Agency will be authorized to seize the vessel. Furthermore, you may be cited for failure to remove an abandoned vessel. If the vessel is seized, you will be liable for the costs of salvage, towing, and storage of the vessel. If the costs of salvage, towing, and storage are not paid, the vessel may be destroyed or sold, and you will remain liable for unpaid costs.

To prevent the seizure of your vessel and possible citation for failure to remove an abandoned vessel, you must move the vessel to a location where it can be lawfully kept prior to the following date and time:

5:00PM February 15, 2020

You have the right to request a hearing to challenge the seizure of the vessel. If you wish to request a hearing, you must submit your request in writing to the Enforcement Agency prior to the deadline given above. You must indicate the specific grounds on which the seizure of the vessel is challenged.

If you have questions, please contact Deputy Bob Smith at 503-555-0000 or bsmith@emailaddress.com.

Sincerely,

Bob Smith, Deputy Sheriff

CC: ADV Program Coordinator, Oregon State Marine Board

Appendix D: Preseizure notice template for derelict vessels

CERTIFIED MAIL

Print on Enforcement Agency Letterhead with address

0000-0000-0000-0000

February 1, 2020

Owner Name

Owner Address

Owner Address

Re: NOTICE OF PROPOSED SEIZURE OF VESSEL OR 000 XYZ

Dear Owner:

A 1972 Coronado sailing vessel, 25' in length, with registration number OR 000 XYZ was observed capsized and partially sunk in the Willamette River in Marion County, OR on January 31, 2020. The Enforcement Agency proposes to seize the vessel by reason of it meeting the statutory definition of a "derelict vessel" due to being sunk or in imminent danger of sinking.

(Photo of derelict vessel if possible)

Oregon State Marine Board records indicate you are the owner of this vessel. As the owner, it is your responsibility to remedy the problem. If you fail remedy the problem or remove the vessel prior to the date specified in this notice, the Enforcement Agency will be authorized to seize the vessel. Furthermore, you may be cited for failure to remove a derelict vessel. If the vessel is seized, you will be liable for the costs of salvage, towing, and storage of the vessel. If the costs of salvage, towing, and storage are not paid, the vessel may be destroyed or sold, and you will remain liable for unpaid costs.

To prevent the seizure of your vessel and possible citation for failure to remove a derelict vessel, you must remedy the problem or move the vessel to a location where it can be lawfully kept prior to the following date and time:

5:00PM February 15, 2020

You have the right to request a hearing to challenge the seizure of the vessel. If you wish to request a hearing, you must submit your request in writing to the Enforcement Agency prior to the deadline given above. You must indicate the specific grounds on which the seizure of the vessel is challenged.

If you have questions, please contact Deputy Bob Smith at 503-555-0000 or bsmith@emailaddress.com.

Sincerely,

Bob Smith, Deputy Sheriff

CC: ADV Program Coordinator, Oregon State Marine Board

Appendix E: Postseizure notice template for all seized vessels

CERTIFIED MAIL

Print on Enforcement Agency Letterhead with address

0000-0000-0000-0000

February 17, 2020

Owner Name

Owner Address

Owner Address

Re: NOTICE OF SEIZURE OF VESSEL OR 000 XYZ

Dear Owner:

A 1972 Coronado sailing vessel, 25' in length, with registration number OR 000 XYZ was seized by the Enforcement Agency at 9:00 AM February 16, 2020 for being a derelict vessel. At the time of seizure, the vessel contained the following property: dishes, camp stove, toiletries, clothing, and bedding (see attached photos). The Enforcement Agency served preseizure notice to you, the owner, on February 1, 2020. The deadline to prevent the seizure by either remedying the problem or requesting a hearing was 5:00PM February 15, 2020.

Oregon State Marine Board records indicate you are the owner of this vessel. As the owner, you are liable for all costs arising from salvage, towing, and storage. You may immediately reclaim your vessel by presenting proof of ownership and paying the salvage, towing, and storage costs that have accrued so far, which are currently estimated to be approximately \$2,400.

To prevent the sale or disposal of the seized vessel and property, you must reclaim the vessel and pay all accrued costs prior to:

5:00PM March 17, 2020

If you fail to reclaim the vessel prior to the date specified in this notice, the title to the vessel and all property within the vessel will vest with the Enforcement Agency. The vessel will be destroyed or sold, and you will remain liable for unpaid costs. The total cost of salvage, towing, storage, and disposal is estimated to be approximately \$3,700, but the final cost could be higher or lower than this estimate.

You have the right to request a hearing to challenge the seizure of the vessel and the reasonableness of costs associated with salvage, towing, and storage. Your request must be submitted in writing to the Enforcement Agency not more than 10 days after the date of this notice. The deadline to request a hearing is:

5:00PM February 27, 2020

If you have questions, please contact Deputy Bob Smith at 503-555-0000 or bsmith@emailaddress.com.

Sincerely,

Bob Smith, Deputy Sheriff

CC: ADV Program Coordinator, Oregon State Marine Board

Definitions

- As used in ORS 830.908 to 830.944:
- (1) “Abandoned vessel” means a vessel that has been left without authorization on public or private land, the waters of this state, or any other water.
- (2) “Business day” means any day other than a Saturday, a Sunday or a legal holiday as described in ORS 187.010.
- (3) “Derelict vessel” means a vessel that is on the waters of this state and that is:
 - (a) Sunk or in imminent danger of sinking;
 - (b) Obstructing a waterway;
 - (c) Endangering life or property; or
 - (d) In such dilapidated condition that it is in danger of becoming a significant environmental hazard as evidenced by repeated and documented instances of leaking fuel, sewage or other pollutants.
- (4) “Enforcement agency” means a law enforcement agency, a federal agency, the State Marine Board or any other public body, as defined in ORS 174.109 (“Public body” defined), that has responsibility for land or water on which an abandoned vessel or a derelict vessel is located.
- (5) “Owner” means a person who has a property interest in a vessel.
- (6)(a) “Vessel” means a boat, a boathouse as defined in ORS 830.700 (Definitions for ORS 830.060 to 830.140 and 830.700 to 830.870), a floating home as defined in ORS 830.700 (Definitions for ORS 830.060 to 830.140 and 830.700 to 830.870), or any other floating structure that is normally secured to a pier or pilings.
- (b) “Vessel” does not include a dock as defined in ORS 307.120 (Property owned or leased by municipalities, dock commissions, airport districts or ports).

ABANDONED & DERELICT VESSEL SEIZURE AND DISPOSAL REPORT



BoatOregon.com | (503) 378-8587

ENFORCEMENT AGENCY INFO

Enforcement Agency	Point of Contact	Phone Number	Email	Report Author

OTHER AGENCIES INVOLVED

Other Agency Involved	Point of Contact	Other Agency Involved	Point of Contact

VESSEL INFO

State Registration #	HIN	Length	Manufacturer	Type	Vessel Name

Owner of Record #1	Mailing Address	Phone Number	Email

Owner of Record #2	Mailing Address	Phone Number	Email

VIOLATION INFO

Waterbody	Case Nickname or Landmark	County	Location Coordinates

Describe how vessel met legal definition of <i>Abandoned</i> (or N/A)	Describe how vessel met legal definition of <i>Derelict</i> (or N/A)	Describe how vessel warranted <i>Seizure w/o Notice</i> (or N/A)

Responsible Party #1	Mailing Address	Phone Number	Email

DOB	DL	Physical Address	Other Info

Date of preseizure notice	Date of postseizure notice	Date of seizure	Date of disposal

COST REPORTING

Contractor	Point of Contact	Phone Number	Tasks Completed

Removal Cost	Storage Cost	Disposal Cost	Total Cost

Is the enforcement agency requesting reimbursement from the OSMB Salvaged Vessel Subaccount? Y N

If requesting reimbursement for more than 90% of the total cost, you must describe the enforcement agency's in-kind contributions directly related to the salvage, storage, and disposal of the vessel.

If more space is needed, please attach additional pages. If requesting reimbursement, include all expense receipts and invoices. Please submit this form to the Marine Board within 14 days of disposal or other resolution.