

# Virginia Marine Debris Reduction Plan REPORT



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## Abandoned & Derelict Vessels Work Group

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**Virginia Coastal Zone**  
MANAGEMENT PROGRAM



**CLEAN  
VIRGINIA  
WATERWAYS**  
Of Longwood University

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For reference purposes, this document may be cited as:

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For more information, please visit the Virginia Coastal Zone Management Program (CZM)'s Marine Debris web page: <https://www.deq.virginia.gov/coasts/ocean-management/marine-debris>. Recordings from the Virginia Abandoned and Derelict Vessels Work Group (ADVWG) meetings, as well as meeting summaries, can be found at the Clean Virginia Waterways (CVW) webpage: <http://www.longwood.edu/cleanva/ADV.html>

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Note: Several actions contained herein reference potential legislative changes. These actions may be carried out by interested partner organizations. This document may also be reviewed by appropriate agency staff and legal counsels.

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## Abbreviations

ADV	Abandoned and Derelict Vessels
ADVSAC	Abandoned and Derelict Vessels Stakeholder Advisory Council
ADVWG	Abandoned and Derelict Vessels Work Group
A-NPDC	Accomack-Norhampton Planning District Commission
CBC	Chesapeake Bay Commission
CVW	Clean Virginia Waterways
CZM	Virginia Coastal Zone Management Program
DEQ	Virginia Department of Environmental Quality
DHR	Virginia Department of Historic Resources
DWR	Virginia Department of Wildlife Resources
EPA	United States Environmental Protection Agency
ERMA	Emergency Response Management Application
FWC	Florida Fish and Wildlife Conservation Commission
GA	Virginia General Assembly
GIS	Geographic Information System
HRPDC	Hampton Roads Planning District Commission
JLARC	Joint Legislation Audit and Review Commission
Mid-A MDAP	Mid-Atlantic Marine Debris Action Plan
MPPDC	Middle Peninsula Planning District Commission
NGO	Non-government organization
NOAA	National Oceanic and Atmospheric Administration
OAG	Office of the Attorney General (Virginia)
OCM	National Oceanic and Atmospheric Administration's Office for Coastal Management
PDC	Planning District Commission
RFP	Request for proposal
SNHR	Secretary of Natural and Historic Resources (Virginia)
USACE	United States Army Corps of Engineers Norfolk District
USCG	United States Coast Guard Sector Virginia
VCPC	Virginia Coastal Policy Center
VDEM	Virginia Department of Emergency Management
VDH	Virginia Department of Health
VMRC	Virginia Marine Resources Commission
VPA	Virginia Port Authority
VTIP	Voluntary Vessel Turn-in Program
WIF	Marine Habitat and Waterways Improvement Fund
WRC	North Carolina Wildlife Resources Commission

## Executive Summary

The Virginia Abandoned and Derelict Vessels Work Group (ADVWG), formed by the Virginia Coastal Zone Management Program (CZM) and Clean Virginia Waterways (CVW), conducted an examination in 2021 and early 2022 of the issues surrounding recreational and commercial abandoned and derelict vessels (ADV) in Virginia, focusing on solutions that have been attempted or implemented in other states. The ADVWG had the following overarching goal:

*Creation of a comprehensive, sustainable, and robust Virginia ADV Prevention and Removal Program.*

Concurrent with the work of the ADVWG, the Virginia Coastal Policy Center (VCPC) at the College of William & Mary's Law School researched and published a policy paper, *Abandoned and Derelict Vessels in the Commonwealth: How to Improve Virginia's ADV Program*, [downloadable from the VCPC website](#). This thorough legal and policy analysis provides advice to Virginia's decision-makers, government officials, and non-profit and business leaders on this complex issue.

Recognizing that the ADV problem is complex, the ADVWG focused mainly on recreational boats that have been abandoned in waterways. After five meetings of the full work group and 23 meetings of its four sub-committees, the following recommendations were made:

1. **In Year 1 (2023-2024)** the Virginia General Assembly (GA) should allocate approximately \$3 million of state FY2023 General Funds to the Virginia Marine Resources Commission (VMRC)'s existing Marine Habitat and Waterways Improvement Fund (WIF) to physically remove up to 100 high-priority ADVs and fund 1-2 new full-time VMRC staff and/or Virginia Marine Police officers for the new Virginia ADV Removal and Prevention Program.
2. **In Year 1 (2023-2024)** the GA should authorize the creation of an ADV Stakeholder Advisory Council (ADVSAC) to advise the creation and implementation of the Program.
3. **In Year 2 (2024-2025)** the GA should again allocate approximately \$3 million of General Funds to VMRC's WIF for continued ADV removal and Program staffing. The ADVSAC should be tasked with Program evaluation, creating a formal process to guide ADV removals, including a possible cost-benefit analysis. The ADVSAC should also review solutions to issues posed by liability during ADV removal as well as evaluate the feasibility of a vessel turn-in program (VTIP).
4. **In Year 3 (2026) & Beyond** the GA should continue to allocate General Funds (TBD) to VMRC's WIF to support ADV removal and Program staffing. Given the anticipated progress made in Years 1 and 2, the ADVWG anticipates a streamlined program with sustainable funding and technical expertise to function self-sufficiently (with minimal ADVWG assistance) and be able to examine the challenges and possible solutions to:
  - Abandoned commercial vessels
  - Vessels that are derelict, but not (yet) abandoned
  - Vessels that are abandoned on land, for example in parking lots
  - Vessel material salvage and reuse processes

Note: During the preparation of this report, the Virginia General Assembly included a budget item to House Bill 30 directing \$3 million from the general fund to VMRC to "support the removal of derelict boats from Virginia waterways" for state fiscal year 2023. The budget item was

*successfully passed as part of the overall 2023 budget on June 1, 2022 and is pending approval by Virginia Governor Glenn Youngkin as of June 3, 2022.*

# Virginia Abandoned & Derelict Vessels

## Work Group Report

*\*Documenting the efforts from December 2020 to May 2022*

### Introduction

Creation of the Virginia Abandoned and Derelict Vessels Work Group (ADVWG) was recommended in the 2021-2025 Virginia Marine Debris Reduction Plan (VMDRP). Addressing ADVs is one of the four goals found in the VMDRP. The Virginia Coastal Zone Management Program (CZM) and Clean Virginia Waterways (CVW), which created the ADVWG, invited government agencies (Federal, state and local), Virginia Tribes, nonprofit organizations, and members of the boating committee to join the ADVWG to address the issues posed by ADVs in Virginia (**Appendix A**). The ADVWG conducted an examination of the issues surrounding recreational, commercial, and current ADVs in Virginia, focusing on solutions that have been attempted or implemented in other states with well-developed programs. The ADVWG, convened in January 2021, had the following overarching goal:

*Creation of a comprehensive, sustainable, and robust Virginia Abandoned and Derelict Vessel Prevention and Removal Program.*

### Abandoned and Derelict Vessels: Definitions

ADVs are defined across multiple chapters and sections of the Code of Virginia. Virginia law defines “abandoned watercraft” as a “watercraft” (separately defined under the same section of VA Code) that is left unattended on private property for more than ten (10) days without the consent of the property’s owner, regardless of whether it was brought onto the private property with the consent of the owner or person in control of the private property (§ 29.1-733.2). Virginia does not formally use the term “derelict” in its statutes and “watercraft” are broadly defined with a few exceptions. However, it is unlawful in Virginia for an owner to allow a vessel to be in a state of abandonment and in danger of sinking, or in such disrepair as to constitute a hazard or obstruction to the use of a waterway as any vessel in significant disrepair that may pose a threat to the public or the environment (§ 28.2-1210(B)). In other states, “derelict” frequently refers to vessels that are dilapidated with an identifiable owner, while “abandoned” vessels are those where the owner is unknown or has surrendered rights of ownership. ADVs often litter ports, waterways, marinas, and estuaries.

NOTE: For all full citations from the Code of Virginia, please see the policy white paper *Abandoned and Derelict Vessels in the Commonwealth: How to Improve Virginia’s ADV Program*. This paper was researched and written by the Virginia Coastal Policy Center (VCPC) at the College of William & Mary’s Law School and is [downloadable from the VCPC website](#).

### Environmental & Public Safety Impacts

ADVs threaten our ocean, coasts, and waterways by obstructing navigational channels, causing harm to the environment (fuel leakage, release of hazardous materials, and habitat disturbance), and diminishing commercial and recreational activities. Unsightly abandoned vessels can also be a nuisance, attract vandals, and negatively impact tourism.

## **Economic Impacts**

In addition to the expenses of removing and disposing of ADVs (including removal of hazardous materials), ADVs can present many other financial impacts:

- Marinas can lose revenue when an abandoned boat takes up or damages a rentable slip.
- Loss of marina revenue leads to decreased local government tax revenue from businesses.
- Marina owners, property owners, communities, and governments (local, state, Federal) shoulder the expenses (in time and dollars) as they follow the process of obtaining the title for an ADV prior to removal (see **Appendix B**).
- ADVs may also decrease waterfront property values or damage tourism due to negative viewshed impacts.
- Law enforcement and the United States Coast Guard (USCG), may be obligated to conduct costly search and rescue operations at taxpayers' expense for persons assumed to be missing when reports of ADVs are received.
- Destruction of or damage to infrastructure, living shorelines, aquaculture beds, etc. can be caused from unmoored boats, or sunken boats that move in storms.

## **Aligning with Regional & State Plans**

Acknowledging the impact of ADVs on navigation, ecosystems, economies, and communities, ADVs were identified as a priority in the VMDRP as well as the Mid-Atlantic Marine Debris Action Plan (Mid-A MDAP). Both plans identified the benefits that increased collaboration could bring to marine debris issues including ADVs. See **Appendix C** for more about how the work of the ADVWG Group aligns with the Mid-A MDAP and the VMDRP.

### **Virginia Marine Debris Reduction Plan**

The VMDRP was funded by CZM and developed by CZM and CVW. Marine debris has become one of the most widespread pollution problems in the world's oceans and waterways, impacting wildlife, human health and safety, habitats, and economies. To strategically address this problem, CZM undertook a participatory and collaborative planning process from 2012 to 2014 that culminated in the development of the VMDRP. In the 2021 updated version of the VMDRP, ADV prevention and removal was elevated to one of the four major goals. The ADV Goal outlines the problem and provides a roadmap for Virginia's nonprofit organizations, local governments, state agencies, regional partners, researchers, and industries to work together on sustained approaches to reducing the flow of plastics and other trash items into inland, coastal and ocean waters.

Download the 2021-2025 **Virginia Marine Debris Reduction Plan** from:

<https://www.deq.virginia.gov/coasts/marine-debris> or  
<http://www.longwood.edu/cleanva/publications.html>



## Facilitation of the ADVWG

Facilitation of the ADVWG was provided by CZM staff and the Executive Director of CVW. While the focus of this work group was only ADVs, the process employed may serve as a pathway and BMPs to address dilapidated structures, docks, and other large marine debris items. Please see the **Stakeholder Process Summary** section below for materials associated with this effort. The process included:

- Initial background research about ADV programs and funding options from several other coastal states (completed in 2020 by CVW).
- Inviting people from diverse professional backgrounds to serve on the ADVWG.
- Creating Subcommittees to focus on key areas: Policy & Laws, Funding, Removal & Disposal, and Prevention & Public Education.
- Engaging VCPC in researching and writing a policy review (White Paper) outlining ADV programs in other states and their funding sources, the existing framework to address ADVs in Virginia, and policy recommendations to improve the existing framework.

## ADVWG Participants

The ADVWG included representatives from the following entities (see **Appendix A** for a full list of Members). Note that while no formal votes took place during the meetings to date, state and Federal representatives specifically requested or were assumed to be Ex Officio members in deference to their role to advise, but not formally endorse these recommendations until formally authorized by their respective organizational leadership.

- Federal, State, & Tribal Government Entities:
  - United States Coast Guard Sector Virginia (USCG) - Ex Officio
  - United States Navy (Navy) - Ex Officio
  - United States Army Corps of Engineers Norfolk District (USACE) – Ex Officio
  - United States Environmental Protection Agency (EPA) – Ex Officio
  - National Oceanic & Atmospheric Administration (NOAA) – Ex Officio
    - Office of Response and Restoration, Marine Debris Program
    - Office for Coastal Management
  - Nansemond Indian Nation - Ex Officio
  - Chesapeake Bay Commission (CBC) - Ex Officio
  - Virginia Marine Resources Commission (VMRC) – Ex Officio
  - Virginia Department of Wildlife Resources (DWR) – Ex Officio
  - Virginia Coastal Zone Management Program (CZM) – Ex Officio
  - Virginia Department of Environmental Quality (DEQ) – Ex Officio
  - Virginia Department of Health (VDH) – Ex Officio
  - Virginia Port Authority (VPA) – Ex Officio
  - Virginia Department of Emergency Management (VDEM) – Ex Officio
  - Accomack-Northampton Planning District Commission (ANPDC)
  - Hampton Roads Planning District Commission (HRPDC)
  - Middle Peninsula Planning District Commission (MPPDC)
  - Northern Neck Planning District Commission (NNPDC)
  - Stafford County (VA) Sheriff's Office
- Non-Governmental Organizations:
  - Clean Virginia Waterways (CVW)
  - BoatUS Foundation (“BoatUS”)
  - Lynnhaven River NOW (LRN)
  - Friends of the Rappahannock (FOR)

- The College of William & Mary's Law School's Virginia Coastal Policy Center (VCPC)
- Virginia Institute of Marine Science (VIMS)
- Smith Mountain Lake Association & Tri-County Lake Administration Commission
- Smith Mountain Lake Volunteer Fire & Rescue
- America's Great Loop Cruisers' Association
- Virginia Marine Trades Association (VMTA)
- Potomac Towing
- Portsmouth TowBoatUS
- L&G Marine Service
- Waterway Guide Media
- Virginia Aquarium
- GM Harbor Tours/Cleaner Portsmouth
- VOLUNTEER Hampton Roads
- Non-Member Organizations:
  - Virginia Department of Historic Resources (DHR)

### **Focus on Abandoned Recreational Vessels**

Early in the process, ADVWG members decided that it would be most effective to focus only on recreational vessels initially. This is based on an inventory of ADVs provided by the USCG showing that the majority of vessels appeared to be smaller recreational vessels<sup>1</sup>. While there are some commercial ADVs, interviews with marina operators also indicated that recreational vessels were a bigger immediate problem. Increased purchases of new and used fiberglass recreational boats during the COVID-19 pandemic also heightened concerns about a growing problem with fiberglass boats coming to the end of their functional usefulness. In addition, as the ADVWG continued to define the issue and develop solutions, the majority of this effort became associated with abandoned vessels (which may also be derelict) located in public and private waterbodies rather than abandoned vessels on land. The reasoning was thus: any vessel that has been abandoned in a waterbody, regardless of current condition, poses a threat to the environment, navigation, and overall public safety. These vessels should be prioritized over vessels that are simply in a state of dereliction on land and for whom the owner is known. While other states with advanced ADV programs have policies that promote responsible vessel ownership and identify “at-risk” derelict vessels that might become abandoned, removal of vessels on dry land and private property is considered a lower priority at this juncture.

### **Stakeholder Process Summary**

CVW created a website on which agendas and meeting summaries were posted. Zoom meetings were also recorded and uploaded to the CVW YouTube channel.

- Web page: <http://www.longwood.edu/cleanva/ADV.html>
- YouTube Channel: [www.youtube.com/c/CleanVirginiaWaterwaysofLongwoodUniversity](http://www.youtube.com/c/CleanVirginiaWaterwaysofLongwoodUniversity)

### **ADWWG Meeting Summary**

The overall ADVWG met in January, March, June, and October of 2021. The ADVWG met again in late February 2022 to review this report and discuss next steps. Meeting agendas featured initial discussion of the goals of the ADVWG, updates on Subcommittees' progress and research by CZM/CVW, presentation of the VCPC policy white paper, and several guest

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<sup>1</sup> An inventory spreadsheet of ADVs in coastal Virginia provided by USCG Sector Virginia indicated that most ADVs were pontoon boats, sailboats, and john boats rather than fishing trawlers or construction barges.

speakers from other states' ADV programs. While not all members were always able to attend meetings, they received monthly email updates on the progress made by the ADVWG and Subcommittees, documents to review, and a schedule of upcoming meetings. Consensus on policy recommendations tended to be solicited from the ADVWG, while the recommendations themselves were developed in each of the four Subcommittees listed below.

### **ADVWG Subcommittee Meeting Summary**

- *Laws & Policies Subcommittee*  
This Subcommittee met in February, March, July, and October 2021 to address the legal and policy issues associated with ADVs, including existing laws and regulations, agency jurisdictions and protocols, and potential policy changes. Unintended consequences of potential new policies in particular were analyzed, as well as lessons learned from interviews with other states' ADV programs. The Subcommittee worked closely with the VCPC team to identify additional questions to be researched and addressed in the policy white paper. This Subcommittee's membership also overlapped with that of the Funding Subcommittee and funding topics were frequently discussed.
- *Funding Subcommittee*  
This Subcommittee met in February, March, and April 2021 to review the current status of funding to address ADVs, evaluate options for policy changes to increase funding opportunities for ADV removal, documentation, and public outreach, and discuss how a potential new program would be budgeted for. This Subcommittee also worked closely with the VCPC team.
- *Removal & Disposal Subcommittee*  
This Subcommittee met in February, March, April, and July 2021 to review the technical and financial aspects of removal and disposal of ADVs located in Virginia and to recommend policy changes in concert with the Laws & Policies Subcommittee and Funding Subcommittee. Discussions included liability associated with ADV removal, learning about removal and disposal protocols and costs, and coordinating with applicable government entities on tracking vessel ownership. Policy ideas developed by the Policy & Law and Funding Subcommittees were consistently shared with this Subcommittee in order to be ground-truthed by technical experts such as agency pollution response staff and members of the towing industry.
- *Prevention & Public Education Subcommittee*  
This Subcommittee met in February, March, April, May, June, July, and August of 2021 and again in January, March, April, and May of 2022 to discuss how to engage the boating community about responsible vessel ownership, including a potential outreach campaign about the hazards of ADVs to public safety and environmental health. Ideas such as a voluntary vessel turn-in program (VTIP) were explored, while the Subcommittee also worked to define terms associated with ADVs and create a flowchart for public reporting of an ADV to government entities. Developments in the other Subcommittee were consistently shared with this Subcommittee in order to refine terminology and ground-truth public perception of proposed policy changes. This Subcommittee may likely continue work to support public dissemination of the report, build support for legislative changes, and evaluate options for concurrent non-legislative changes to improve awareness of the issue over the long term.

A joint meeting of the Laws & Policies, Funding, and Removal Subcommittees was also held in early September 2021 to review a first draft of ADVWG recommendations. Each of the four

Subcommittees may continue to meet as needed following the release of this report to help craft language for new legislative goals, provide technical assistance to a proposed ADV Stakeholder Advisory Council (ADVSAC), and serve as a forum for stakeholders to share new information or concerns. CZM and CVW will continue to coordinate these meetings and serve as a conduit between elements of the ADVWG and state agency staff tasked with working to address ADVs.

## Background Research & Findings: Best Practices, Existing Framework, Data Analysis, Projections

### Input from Other States' ADV Programs

In addition to interviews conducted by VCPC with five other states' ADV program staff (CA, FL, MD, NC, and WA), CZM and CVW interviewed staff with nine state programs (CA, FL, MD, NC, OH, OR, RI, SC, and WA) with laws, programs, and funding associated with ADVs per NOAA's *Abandoned & Derelict Vessels Info Hub*: <https://marinedebris.noaa.gov/resources/abandoned-and-derelict-vessels-info-hub>.

Key lessons learned and best practices included the following:

- **ADV program lead:** Eight programs are state-agency run and one state (SC) has a state-locality partnership where the state works with local public works departments for actual removal.
- **Vessel Type:** Seven states focus on or fund both recreational and commercial ADV removal; in two states only recreation ADVs are eligible for removal by the state.
- **VTIP:** three states have an existing program that is funded; one state (MD) has support for such a program, but no funding allocated. Five states have no such program. Florida engages owners of at-risk vessels via local law enforcement to encourage them to repair their vessel before it becomes derelict. Citations for certain vessel conditions can be sent to those boat owners in violation. According to the California State Parks Division of Boating and Waterways, boats turned in through the [California Vessel Turn-In Program](#)<sup>2</sup> cost about one-third as much to remove as compared to vessels that have been abandoned. The VTIP requires that the person surrendering the boat shows proof of ownership (title) with no liens. This proof of title eliminates the need for a time-consuming investigation to find the last known owner of the vessel.
- **State Funding sources:** States have various methods to fund their ADV programs:
  - ADV fee paid at time of vessel registration - four yes, five no
  - Legislative Funding - five yes, four no
  - Boat fuel tax - one yes (CA), eight no
  - Sales or excise tax - one yes (MD), eight no
  - State-funded grant program to locality applicants - seven no, one yes (FL), one locality is reimbursed by state (RI)
- **State-wide ADV inventory:** two states (FL and NC) maintain publicly-available inventories, four states maintain informal inventories for various degrees, and one state (SC) absorbed local inventories and works closely with them to keep updated. No states have locality-driven inventories, and three states have no formal or informal inventory.
- **ADV public education program:** none of the nine states interviewed have either an ADV-specific education program or incorporate information on ADVs into other programs such as boater safety or small boat handling certifications. Two states (FL and NC) have a publicly-accessible ADV inventory, as noted above. Another state (WA) noted that they rely heavily on coordination from their stakeholders (localities, law enforcement, and the

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<sup>2</sup> See <https://www.parks.ca.gov/pages/28702/files/vessel%20turn%20in%20program%20brochure.pdf>

boating community); no public inventory is maintained nor are program reports published for consumption by the general public.

Summary of Other State ADV Program Attributes									
State	ADV Fee	Legislative Funding	Fuel Tax	Excise Tax	Grant Program	VTIP	Program Lead	Public Inventory	Public Education Program
CA	Y	N	Y	N	N	Y	State	N	N
FL	N	Y	N	N	Y	Y	State	Y	N
MD	N	N	N	Y	N	Y, but no funding	State	N	N
OH	N	Y	N	N	N	N	State	N	N
OR	Y	Y	N	N	N	N	State	N	N
NC	N	Y	N	N	N	N	State	Y	N
RI	Y	N	N	N	N	N	State	N	N
SC	N	N	N	N	N	N	State Locality	N, private	N
VA	N	N	N	N	N	N	TBD	N, internal (ADVWG)	N
WA	Y	N	N	N	N	Y	State	N	N

**Table 1.** Summary of Other State ADV Program Attributes.

### Input from Virginia Marinas

CZM and CVW jointly interviewed four marinas located across the Commonwealth, including one in Virginia Beach, one in the Northern Neck, and two in Smith Mountain Lake. Common themes included:

- lost revenue when ADVs occupy rentable slips
- cost of damaged slips from sunken vessels
- extensive staff time spent on researching the last known legal owners
- cost and liability of ADV removal

Suggested policy changes included requiring by law that the last titled owner is the responsible owner, strengthening leasing agreements/contracts, finding ways to require insurance for boats that aren't deemed worthy of coverage, and exploring "extended producer responsibility" from boat manufacturers, where old boats are returned to the manufacturers so the producer can salvage parts & dispose of them responsibly. State agencies and localities can also assist by making regulations regarding removal, titling, and registration more digestible for the vessel owners and assist marina owners in that effort. It was also noted that more space at marinas means more revenue, which means more local government tax revenue from businesses.



Furthermore, model contract language could be provided to marinas, shipyards, and dry-storage facilities to minimize the problem by having a signed contract with each boat owner giving business the ability/right to remove or dispose of a vessel if bills are not paid.

### **Input from Other Stakeholders**

CZM and CVW also solicited input from others concerned with the burden of ADVs including private waterfront property owners, local governments (including local wetlands board staff), law enforcement agencies, Tribes, and two universities. Input from these entities mirrored the comments from marina managers, and are summarized below.

#### *Current Processes for Removal of ADVs – Stakeholder Feedback*

Because ADVs are typically personal property, that property cannot be taken (by a government, marina, or others) without following strict steps, designed to protect citizens' property rights. The current process, outlined in a document by DWR (see **Appendix B**), can be time consuming, expensive, and frustrating to those who want to remove an ADV. Some aspects of the process seem antiquated – including the requirement to run ads in newspapers – and could be updated. There are also concerns about taking on the liability of temporarily taking ownership of the ADV during the removal and disposal process. By far, the main concern expressed to CZM and CVW was the question of fairness – if a landowner (or marina manager) awakens to find an abandoned boat on their property, the entire burden for finding the lawful owner, and the expense of removal (if the boat's owner cannot be located or held accountable), falls to the hapless landowner. CVW & CZM heard over and over that the current process to remove an ADV places an unfair burden on property owners and marina owners. Stakeholders mentioned the need for a state-funded program that would a) make proper disposal of older boats more affordable and less burdensome for boat owners, and b) cover the costs of removal of ADVs in cases where the owner is unknown or unable to remove the vessel.

## Current Processes & Resources in Virginia

As stated in the VCPC White Paper *Abandoned and Derelict Vessels in the Commonwealth: How to Improve Virginia's ADV Program*:

*“Virginia’s approach to addressing the increasingly prevalent issue of ADVs is piecemeal, with responsibilities split between different state agencies and relevant statutes in multiple chapters and sections of the Code of Virginia.”*

### Existing Authority

Virginia’s current approach to addressing the increasingly prevalent issue of ADVs is piecemeal, with responsibilities split between different state agencies (DWR and VMRC) and relevant statutes in multiple chapters and sections of the Code of Virginia. In summary, VMRC is the only state agency in Virginia with the statutory authority to physically remove ADVs in the Commonwealth and only within either tidally-influenced waters or tributaries with a drainage area of five square miles or greater. For inland lakes that have been created by damming rivers such as Lake Anna or Smith Mountain Lake, VMRC only has jurisdiction over the historic river or tributary channel, regardless of whether the lake is a public or privately-owned waterbody. The Code of Virginia also gives localities the statutory authority to create ordinances to give them the authority to remove vessels. To date, only the City of Norfolk and the City of Virginia Beach have done so and have used this authority to remove several ADVs. DWR’s authority in contrast is limited to the registration and titling of vessels and tracking ownership of ADVs. Physical removal of ADVs in public tidal and non-tidal waters (including lakes) is typically performed by private salvage and towing companies, assuming all liability for the process, although the effort is often closely coordinated with VMRC’s Marine Police, DWR, or local law enforcement.

### Existing Funding

Currently, funding for ADV removal in Virginia in theory could come from the Marine Habitat and Waterways Improvement Fund (WIF), which is appropriated from the General Assembly (GA) to VMRC and totals approximately \$250,000 annually. However, none of these funds have recently been allocated to addressing ADVs because the money in that account can be used for anything related to the *“purposes of improving marine habitat and waterways, including the removal of obstructions or hazardous property from state waters.”* In addition, DWR’s boating registration fees, once collected, are sent initially to the GA’s General Fund for consideration before they are returned to DWR to fund similar operating expenses as those of VMRC. DWR’s boating operations are thus tied to revenue raised from boating registration and fees while VMRC’s funding (with a few exceptions) is tied to budgetary allocations from the General Assembly.

In summary, there is currently **no funding directly allocated to addressing ADVs** at the state level. Furthermore, existing funding dedicated to DWR or VMRC is earmarked to support critical agency operations, including personnel.

### Preventative Measures

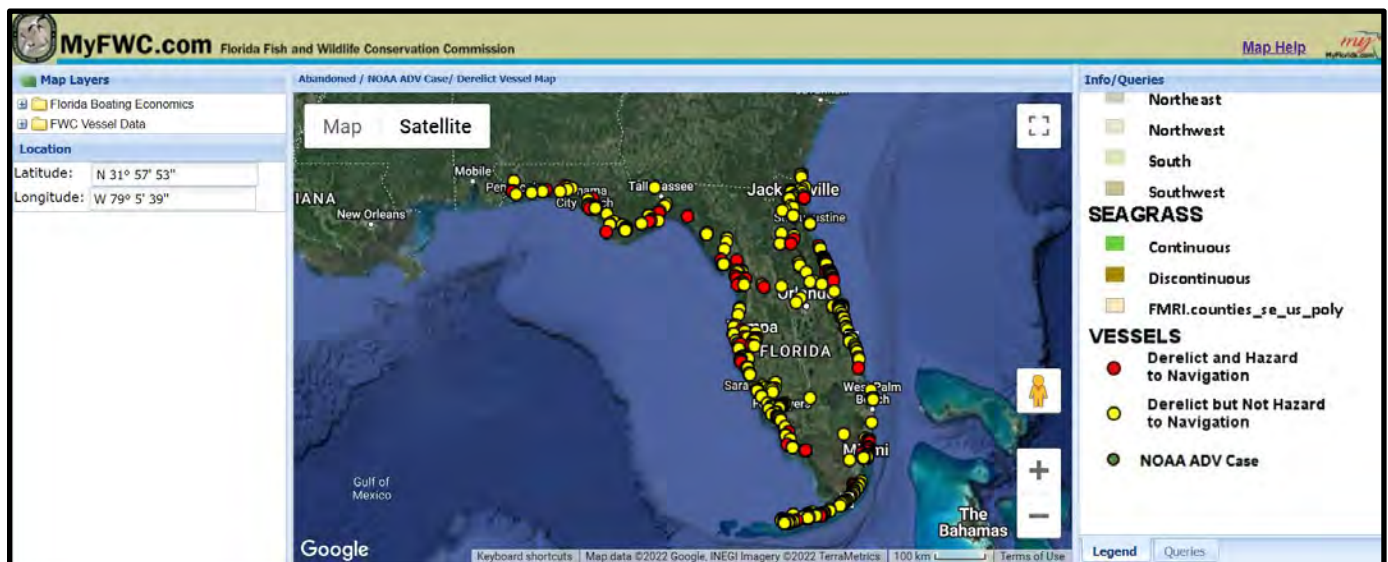
Currently neither the Virginia DWR website nor the Virginia Boater’s Guide (*“FRESHWATER FISHING & BOATING IN VIRGINIA January 1-December 31, 2021”*) offers information on correct disposal of old unwanted watercraft. The DWR website does provide forms and the procedure to acquire title and registration on an abandoned vessel (**see Appendix B**). DWR’s website defines an abandoned watercraft as *“...a watercraft that is left unattended on private property for more than 10 days without the consent of the property’s owner.”*

## Vessel Inventory

Based on researching other states' ADV programs, CZM and CVW staff determined that developing a list of ADV locations, status, and last known owner information would be a critical first step in the process of prioritizing vessels for removal based on:

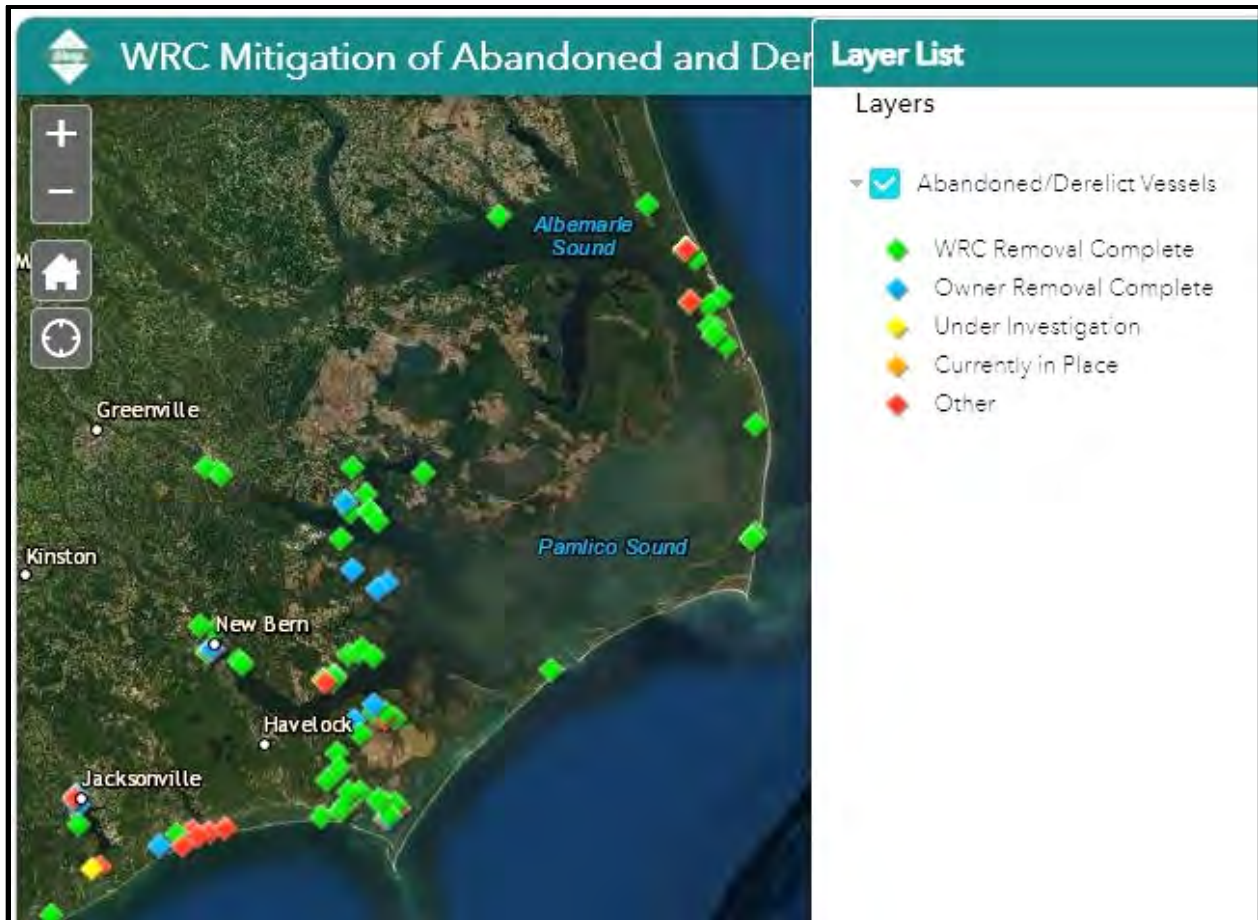
- ease of access (sunk, floating, etc.);
- current or future threat to the environment and to public safety; and
- proximity to other ADVs (to maximize economies of scale for removal costs).

Florida's Fish & Wildlife Conservation Commission (FWC), responsible for ADV removal in that state, has developed an interactive GIS map of current ADV locations (**Figure 1** below), available to the general public and vetted state government staff (owner information and exact locations are password protected). The mapping tool is available at <https://app.myfwc.com/le/arrestnet/derelictvessel/vesselmap.aspx>.



**Figure 1.** Florida Fish and Wildlife Conservation Commission's Derelict Vessel Map

In North Carolina, Hurricane Florence (2018) prompted the state to make ADVs a bigger priority. Several organizations including the N.C. Wildlife Resources Commission (WRC), the N.C. Department of Environmental Quality, the North Carolina Coastal Federation (an NGO), NOAA, and the USCG have partnered to address the issue and work to form a more proactive solution to ADVs in the future. WRC is the lead agency on ADV removal, hiring a contractor to remove a vessel from state waters, but retaining full title to the vessel to shield the contractor from liability. A publicly-available GIS map tracking mitigation of ADVs (see **Figure 2** below), including layers indicating vessels where removal by WRC is complete, removal by owner is complete, the vessel is under investigation, the vessel is currently in place, or the vessel has a status of "other" can be viewed at <https://www.ncwildlife.org/Boating/Abandoned-and-Derelict-Vessel-Program>.



**Figure 2.** North Carolina Wildlife Resources Commission's Mitigation of Abandoned & Derelict Vessels Map

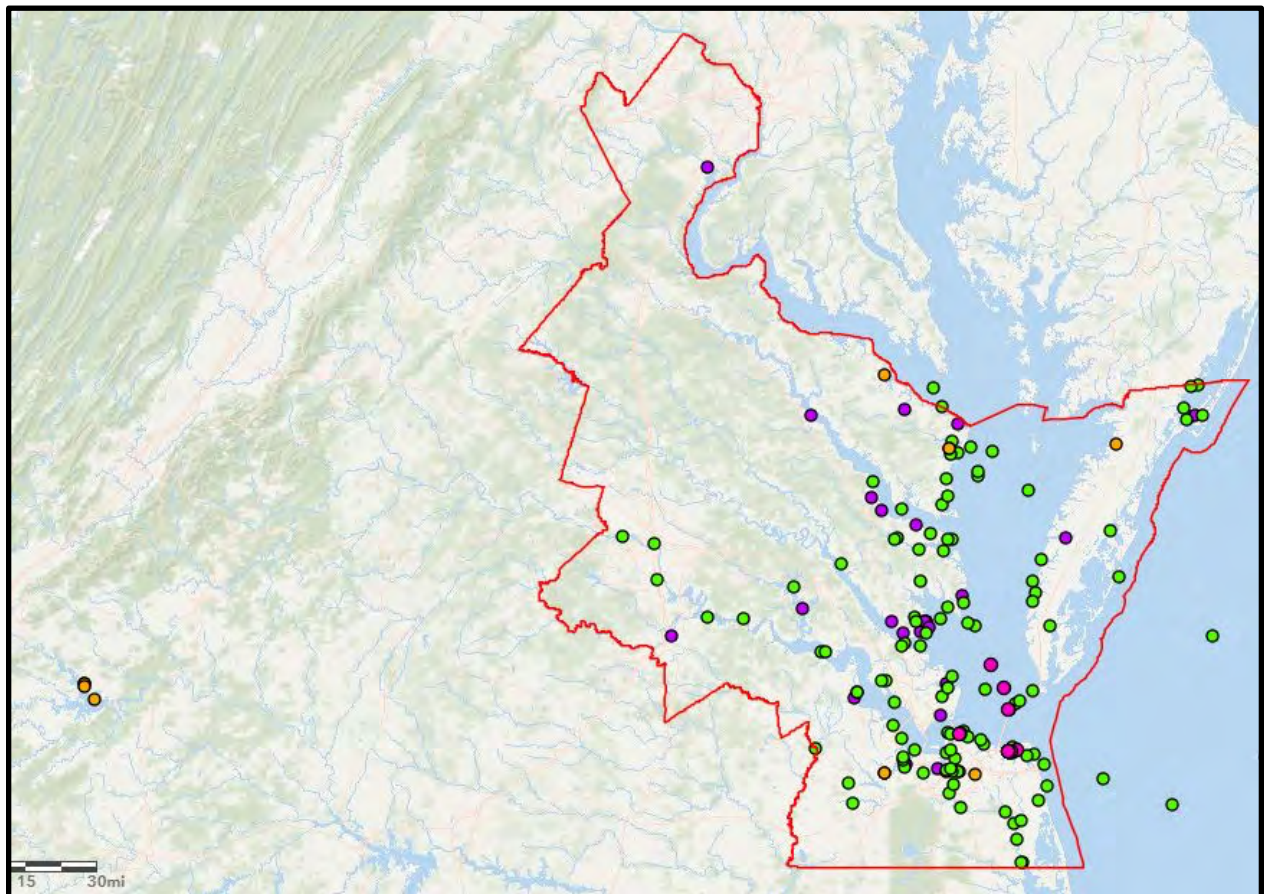
In early February 2021, USCG Sector Virginia staff provided CZM and CVW with an informal database (Excel spreadsheet) of approximately 170 vessels previously reported as abandoned or derelict dating back to 2013. The list served as a reference to avoid triggering an unnecessary and financially costly use of resources for conducting redundant search and rescue operations. The database included vessel descriptions, ownership information if available, and location coordinates which were used by CZM staff to create a preliminary map of ADVs in Virginia in early June 2021. In early December 2021, VMRC also provided CZM and CVW with an informal database spreadsheet listing 33 vessels, including location coordinates and ownership information, but not vessel descriptions. The purpose of the VMRC database was to assist Virginia Marine Police officers with open cases regarding ADVs. The USCG and VMRC spreadsheets were combined into a draft ADV inventory by CZM staff in January 2022.

CZM & CVW then created a Google Forms document in February 2021 to gather ADV locations from the public so a more complete inventory could be created. The Google Forms link ([https://docs.google.com/forms/d/e/1FAIpQLSd4WWq5Ik66I\\_yIupZBwJA8bRWguUUJvqwnznrYk\\_6U19zPRA/viewform](https://docs.google.com/forms/d/e/1FAIpQLSd4WWq5Ik66I_yIupZBwJA8bRWguUUJvqwnznrYk_6U19zPRA/viewform)) was distributed on several occasions to the ADVWG throughout 2021 to add to the list or ground-truth vessel status and locations. Information requested included location coordinates, vessel description and condition, owner identification, and whether the vessel appeared to be a navigational or environmental hazard. Photographs of each vessel reported via the survey were also requested and consistently received. Initial interviews with



marinas in Virginia Beach, in the Northern Neck, and on Smith Mountain Lake in 2021 also yielded reports and photographs of ADVs. As of April 12, 2022, the Google Forms survey (**Appendix E**) had received 55 responses reporting ADVs. CZM and CVW will continue to review the responses to remove duplicative vessel reports and update the inventory and map. For the purposes of fiscal planning for vessel removal, a number of 200 ADVs was used in budget calculations.

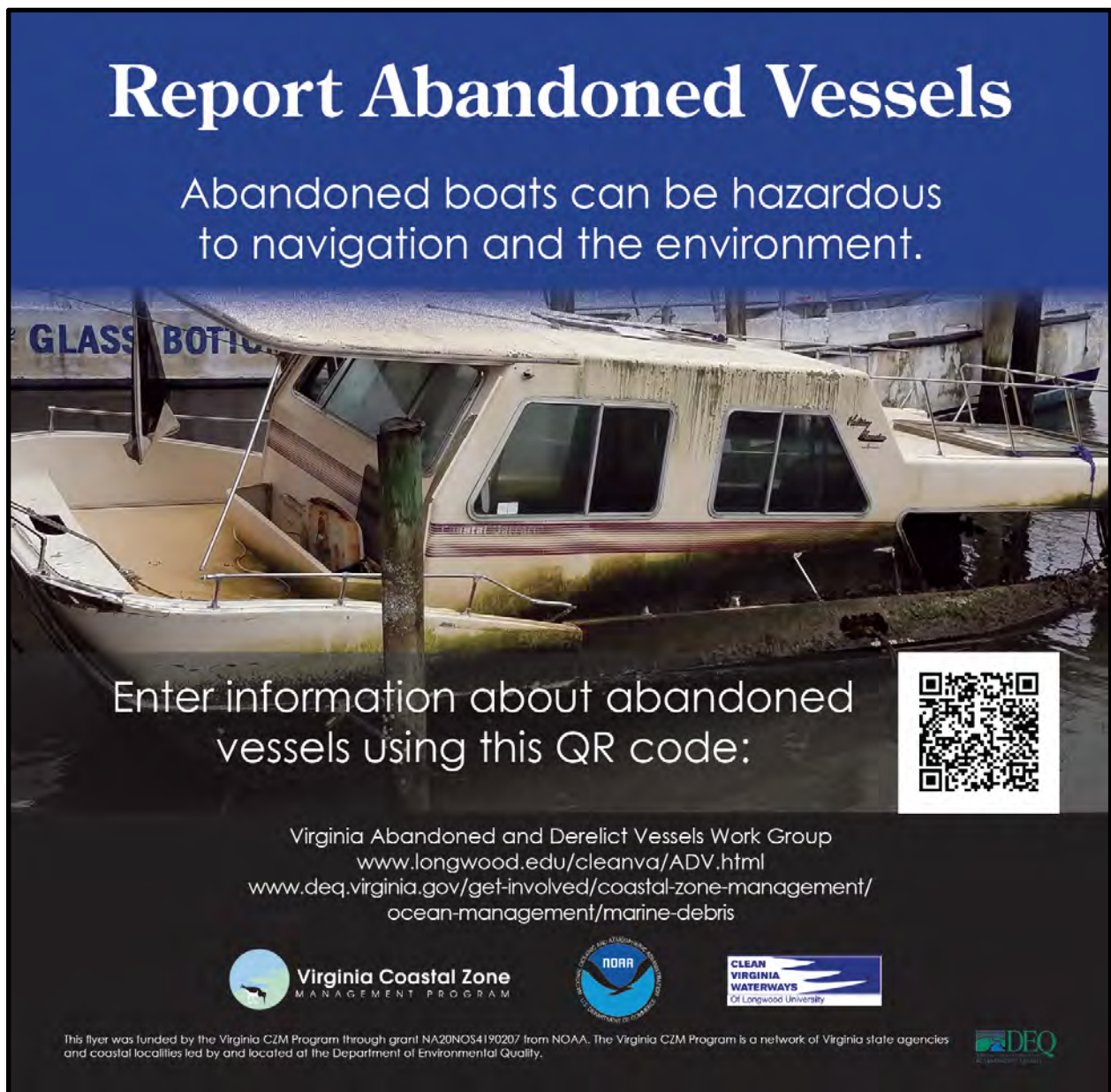
CZM staff plotted the locations of the USCG, VMRC, and reports from the Google Forms survey received as of January 10, 2022 to create a draft, color-coded (for each source) GIS map (**Figure 3** below), which remarkably showed no physical redundancies for ADV locations. Upon further review however, CZM staff determined that a few ADV locations may have been reported repeatedly based on the coordinates provided by the three sources (e.g., a 20-ft motorboat aground adjacent to property owned by the Nansemond Indian Nation in Suffolk had been reported from both the Nansemond River and from adjacent dry-land locations). Work remains to be done to a) verify the exact location and condition of ADVs reported and b) eliminate redundant reports for a given vessel. To avoid potential looting of reported vessels, CZM and CVW have not made the actual list of ADVs (including coordinates) available to the public or the overall ADVWG, but have shared the list with BoatUS Foundation, Lynnhaven River NOW (LRN), and DHR staff to capitalize on reporting opportunities during routine towing operations and historic resource site fieldwork, respectively. BoatUS Foundation and LRN are both trusted CZM grant partners who have indicated that the vessel locations will only be shared with a small network of TowBoatUS certified towers and staff. To date, the rest of the ADVWG has only briefly seen the map and inventory spreadsheet during Zoom meetings.





**Figure 3.** Preliminary Map of ADVs in Virginia (last updated 1-10-22 by CZM staff). ADVs reported by the USCG are shown as green dots, those reported by VMRC are purple dots, and those reported by the CZM/CVW survey (via Google Forms) are orange dots. Note especially the inclusion of ADVs reported in Smith Mountain Lake, well outside Virginia's Coastal Zone (red line), but nevertheless an important region in the statewide effort to address ADVs.

CVW compiled a list of marinas in Virginia (such a list of marina contacts did not exist prior to the ADVWG), and sent a flyer (**Figure 4** below) to them in March 2022 asking for their assistance in making boaters aware of the ADV inventory, and how they could contribute to it. A press release was sent to 140 media outlets in April 2022 to promote awareness of the ADV inventory. Social media was also used to raise awareness about the inventory.



**Figure 4.** Flyer for ADV Inventory - distributed in April 2022 by members of the ADVWG, including USCG Sector Virginia, USACE Norfolk District, and marinas across the state.

### **Fiberglass Reuse Options**

First generation fiberglass boats from the 1970s through the 1990s are at the end of their usefulness and are expensive to dispose of; some owners abandon or sink their boats to avoid the disposal expenses. NOAA's Marine Debris Program has funded pilot programs that are working on practical end-of-life disposal options to avoid the navigational and environmental threats from ADVs. The ADVWG's Removal & Disposal Subcommittee learned that the usual end-of-life disposal for old fiberglass boats in Virginia is to be chopped up, crushed, or shredded and taken to landfills where they will persist. A pilot program in Rhode Island is exploring sustainable disposal options, including reprocessing fiberglass hulls into an energy source in the manufacturing of cement. This issue is of growing concern given the large number of older boats that were sold to new boat owners during the COVID-19 pandemic. In November 2021 and February 2022, members of the ADVWG held virtual meetings with representatives from Titan America, Virginia's sole cement manufacturer (located in Roanoke) to explore a possible collaboration to use old fiberglass hulls as an alternative energy source for fueling cement plant kilns. The ADVWG will continue to explore options for collaboration, including DEQ permitting requirements for experimental testing of fiberglass, lessons learned from Rhode Island's NOAA-funded fiberglass reuse pilot project, and cost-benefit analyses of a long-term program of fiberglass material supply. To be part of the calculations are the increased number of fiberglass hulls that would need to be disposed of if Virginia were to create a VTIP.

### **Resources Required for a Virginia ADV Program**

A comprehensive, sustainable, and robust Virginia Abandoned and Derelict Vessel Prevention and Removal Program will require staff to document vessel locations, track ownership, prioritize removal and disposal, and manage contracts for ADV removal and disposal. Additional resources will be needed to educate boat owners on their responsibilities to dispose of their older vessels, identify at-risk vessels, explore options for fiberglass hull reuses, and perhaps build a VTIP. See **Appendix D** for estimates on program costs, as well as funding options.

## Legislative Recommendations\*

*\*See Next Steps section for interim actions for calendar year 2022 to move initial legislative recommendations forward for consideration by the General Assembly in the January 2023 session.*

The recommendations in this report were developed during 2021 through a participatory and collaborative process involving the stakeholders listed on page 6 of this report. After careful consideration of comments from all work group members since January 2021, and examination of other states' ADV programs, the following actions are recommended for the creation of a comprehensive, sustainable, and robust Virginia Abandoned and Derelict Vessel Prevention and Removal Program. Note: ADVWG members acknowledged that new fees and taxes are met with opposition, but a comprehensive and sustainable solution to the ADV problem in Virginia requires action, legislative and policy changes, and dedicated funding.

### 1. Year 1 (Calendar Year 2023-2024):

The General Assembly (GA) should authorize the following items introduced during the January 2023 legislative session, with approved funding to become available on July 1, 2023:

- A. VMRC to spend **additional General Funds** (approximately \$3 million from taxpayer revenue) specifically allocated<sup>3</sup> to the existing Marine Habitat and Waterways Improvement Fund (WIF) for new ADV program staff [1-2 new full-time employees (FTE) – either VMRC staff or Virginia Marine Police officers]<sup>4</sup>, physical removal and disposal of up to 100 high priority ADVs (to be determined by VMRC with input from a newly created ADVSAC – see Recommendation B below). Outreach and education to boaters about proper vessel disposal should start during Year 1, utilizing the ADVWG, particularly the Prevention & Public Education Subcommittee. VMRC and/or Marine Police officers should also begin identifying and engaging owners of vessels deemed to be “at-risk” (in a state of dereliction, but not yet abandoned) during Year 1. As noted above, if the budget items are approved during the January 2023 GA session, these funds would be available starting July 1, 2023. However, formation of the ADVSAC, hiring of new staff, and finally vessel removal is anticipated to take a few more months. Please also see **Table 2** below for **annual** cost estimates.

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<sup>3</sup> Due to the limited protections associated with how and why WIF monies can be used, the ADVWG recommends that any legislation that places money in the fund be specifically worded to state that those monies may only be used for the purpose of ADV removal or ADV program support.

<sup>4</sup> This funding allocation to new staff will ultimately be up to VMRC and the GA as the ADVWG discussed the possibility of the GA restoring approximately \$500,000 of General Funds to VMRC's budget to cover staff and operational expenses, allowing a similar amount to be freed up from the WIF to go directly to ADV removal. Additionally, as noted under Table 2. Proposed Annual Expenses, the VMRC staff or Virginia Marine Police officer requirement could be reduced to 1 FTE to manage grants to localities or NGOs who would complete environmental analyses and provide cost quotes from certified/licensed contractors as part of a competitive RFP funding application. VMRC could also supplement any General Fund or WIF monies with fees associated with dredging or impacting state-owned subaqueous bottom (royalties) or violations associated with unauthorized wetland impacts.

<b>Expense Category</b>	<b>Amount (Per Year)</b>
VMRC Project Manager (salary, benefits, computer, etc.)	\$125,000
VMRC Field Coordinator or Virginia Marine Police Officer (salary, benefits, computer, etc.)	\$100,000
Education, outreach, travel (flyers, stickers, computer license fees, graphic designer, community engagement events, info on current laws)	\$20,000
At-Risk Program (Potential funding for additional Virginia Marine Police staffing to identify at-risk vessels, maintain a database, produce stickers and/or outreach letters – separate from education/outreach materials)	\$90,000
Agency Administrative Expenses at 5% (based on \$2.5 million for removal and disposal)	\$125,000
Removal and disposal*	\$2,500,000
<b>Total</b>	<b>\$2,960,000</b>

**Table 2.** Proposed ADV Program Annual Expenses

\*During discussions with VMRC, it was noted that they might prefer that dispersal of funding for ADV removal could be via a competitive grant Request for Proposals (RFP) process to localities or Planning District Commissions (PDCs) or reimbursements to localities and PDCs for removing ADVs on their own (similar to other states such as FL and RI).

- B. Creation of ADV Stakeholder Advisory Council (ADVSAC)** modeled after VMRC's successful Recreational Fishing Advisory Board, to advise creation and implementation of the VA ADV Removal and Prevention Program. The ADVSAC would include state agencies, Tribes, representatives from marinas, non-profit organizations, towers, and other boating community stakeholders. ADVSAC technical support would be provided by VMRC and possibly DWR senior level staff to ensure fair and objective prioritization of vessels for removal. The creation of the ADVSAC should occur within six (6) months of VMRC receiving funding for ADV removal.

**Concurrent Activities of the ADVWG – Year 1 (Calendar Year 2023-2024)**

- **Inventory:** CZM and CVW will also work with USCG Sector Virginia and VMRC to finalize the initial ADV inventory database, establish a process for sharing ADV reports among CZM, CVW, USCG, DHR, and VMRC, and for submitting data to NOAA for posting to their publicly-available Emergency Response Management Application (ERMA) online GIS tool. Once a new ADV state program is established, its staff would continue to coordinate updates with state and local law enforcement and share new

vessel reports with NOAA on a monthly or bi-monthly basis (not any more frequently since NOAA will provide this service free of charge utilizing existing staff). Care would be taken to protect sensitive information regarding vessel ownership and exact location in each submittal. Ultimately VMRC will likely house the databases for both existing ADV and vessels determined to be “at-risk.”

- **Public Outreach:** The ADVWG, in particular the Prevention & Public Education Subcommittee, will continue and refine outreach activities to applicable parties, including, but not limited to the boating community, marinas, maritime businesses, and law enforcement. This effort will take place regardless of whether legislative changes occur.
- **Note:** *It is anticipated that involvement in the new ADV Program by ADVWG Members, CZM staff, and CVW will not be necessary after Year 1, except on a limited basis as requested by the ADVSAC.*

## 2. **Year 2 (Calendar Year 2024-2025):**

Given the above, the ADVWG anticipates: Program evaluation and removal of additional existing vessels as prioritized by the ADVSAC.

- A. **Continued Funding:** The GA should allocate an additional \$3 million in General Funds to VMRC’s WIF for continued ADV removal (up to another 100 vessels) and Program staffing.
- B. **Process:** The ADVSAC, with assistance from new program staff and the ADVWG would develop a process to guide removals. This process could include, but not be limited to: criteria for prioritizing ADV removal, a checklist for removal steps, an application for third parties to apply for VMRC funding, and guidance for developing contracts and handling liability (see below). In addition, a public notice process for vessel removal and potentially a regulatory “roadmap” for coordination with Federal, state, and local natural resource permitting agencies may need to be developed. The ADVSAC can include entities (local and state agencies, PDCs, marinas, landowners, Tribes, nonprofit organizations, and others) being approved to remove an ADV and being reimbursed, and/or VMRC contracting with vendors. The ADVSAC should evaluate successes and challenges and make adjustments as needed to ensure transparency, inclusion, and effectiveness of the program. This process should include a **cost-benefit analysis**.
- C. **Liability:** Given there are concerns about taking on the liability of temporarily taking ownership of the ADV, the ADVSAC should review possible solutions including a provision for exceptions. In some states, a state agency assumes this liability during removal. Several possibilities to explore could include legislation granting VMRC and/or Virginia Marine Police a liability shield for ADV removal in the interest of protecting public safety and extension of the liability shield to organizations receiving funding from VMRC for ADV removal (contractors, NGOs, etc.). Additionally, VMRC could require the third party removing the vessel(s) to post a surety or bond to cover the cost of any damages to public or private property and the environment during removal and disposal. Furthermore, the ADVWG and VMRC could work to develop best management practices (BMPs) for safe vessel removal based on existing safety protocols employed by the USCG, VMRC, DWR, local law enforcement, and those used by other state ADV programs.
- D. **Vessel Turn-in Program (VTIP):** The ADVSAC could consider pros and cons of such a program, including the following questions: What percent of vessel removal should be funded (100% or would a match be required)? Would the



program accept boats from people's backyards – or only boats that are in the water? The VTIP Program could work in conjunction with the outreach effort associated with the “at-risk” vessel identification program.

### 3. **Year 3 (Calendar Year 2026) & Beyond:**

Given the anticipated progress made in Years 1 and 2 outlined above, the ADVWG anticipates a streamlined state program with sustainable funding and technical expertise to continue self-evaluation for improvement. The ADVSAC will effectively replace the ADVWG (as several ADVWG members may be appointed to the ADVSAC) and CZM and CVW would only be called upon for additional consultation on an as-needed basis. Additional items the ADVSAC could consider include:

- Benefits of a law which requires all vessels to be titled annually regardless of whether they are used on public water bodies
- Program expansion to remove “at-risk” vessels that are in a state of dereliction, but not yet abandoned, as identified in Years 1 and 2.
- Consider recycling/reuse options

## **Less Feasible Options Discussed**

The ADVWG decided that the following were not feasible solutions to the ADV problems in Virginia at this time, but they are recorded here for future reference.

- ***Creation of a separate ADV fee paid to DWR at the time of vessel registration*** - some members of the ADVWG proposed the creation of a relatively small (\$2-10) ADV fee that is paid at the same time boaters pay their boat registration fee, noting that this amount is small compared to the cost of purchasing the vessel. In addition, other states including CA, OR, RI, and WA have such a fee. While Virginia’s boat registration fee (\$36 for 16 to <20 foot boat) is among the lowest on the East coast (for example, Delaware’s fee is \$120, New Jersey’s is \$84, and North Carolina’s is \$93), there are concerns about adding an ADV fee. A 2019 study (<http://jlarc.virginia.gov/landing-2019-dgif.asp>) by the Joint Legislative Audit & Review Commission (JLARC) noted DWR charges less than several other states for boater registration fees and that the fee could be increased every three years – so the next possible increase would be in 2022. Any increase would need to be approved by a regulatory board. Other stakeholders noted that any increase in fees would be met with opposition and/or the timing of an additional fee, no matter how small, would need to occur at a time other than the increase in normal registration fees. Another concern was that an ADV fee would penalize good boaters, while removing ADVs would benefit all taxpayers.
- GA creates ***excise tax*** on boat purchases - this was deemed not politically feasible at this juncture.
- GA creates/increases ***fuel taxes*** to fund the ADV program.
- At one time, the ADVWG discussed establishing a fund that would cover ***multiple water quality improvement projects*** beyond ADV removal (for example, hydrilla removal, etc.). This was deemed to be an unnecessary side effort that would detract from the ADV removal focus.
- ***Raise existing \$2,000 cap*** on watercraft tax on boat sales.
  - The current cap on the watercraft tax is disproportionate/inequitable for less expensive vessels. Currently, purchasers pay a 2% Watercraft Sales Tax on the gross purchase price of watercraft (including motor), and the maximum tax to be paid is \$2,000. So, a vessel costing \$100,000 generates the same sales tax of \$2,000 as vessels costing much more.
- Require a ***minimum titling fee*** (even for watercraft of low value).
- Require all boat owners to have an updated ***insurance policy covering ADV liability***.

## Items for ADVSAC Consideration

The ADVWG decided that the following ideas, while potentially feasible, should be evaluated through further research (possibly through grants) and stakeholder discussion led by the ADVSAC before being included in policy recommendations:

- a. Address abandoned **commercial** vessels while avoiding negative impacts to commercial fishing and aquaculture enterprises via increasing regulatory and financial burdens associated with ADV policies. Such small businesses are already stretched thin financially. Also conduct public outreach to watermen to solicit feedback on ADV issues such as navigational hazards, opportunity costs of working waterfronts degraded by abandoned vessels, and effects of grounded/sunk vessels on the natural environment (e.g., oyster reefs, pollutants impacting water quality, etc.)
- b. Any GA funds earmarked for addressing ADVs should be new and separate from existing allocations to agency budgets. Funds should not under any circumstance be taken from existing agency budgets or away from budget increases for existing (non-ADV) programs.
- c. Clarify/emphasize that the ADV program is meant to address ADVs only and is not a program that will pay to dispose of all vessels in the Commonwealth. This is important to ensure that state funding goes toward removing vessels deemed by the ADVSAC to be threats to public safety or the environment instead of a de facto public trash collection service.
- d. **Grants to localities** - Once funded, the Virginia ADV Prevention and Removal Program may investigate the feasibility of offering grants to local government agencies to remove ADVs in their jurisdiction.
- e. **General Assembly grants DWR the same removal authority as VMRC** for inland waters. Since DWR already works with private contractors to remove vessels, this change is more for clarification than a substantive change in jurisdiction.
- f. Research and draft a possible **VTIP and a fiberglass hull reuse program**. This program could include an incentive for owners to turn in older boats that are being stored on dry land and private property. The program could provide free vessel removal, eliminating the financial burden faced by boat owners for disposal, while towing contractors would be allowed to keep any materials that are deemed salvageable. The state would then pay for any fiberglass hulls to be cleaned and crushed then sent to Titan America's cement plant to be burned as an alternative energy source.
- g. Develop an **at-risk vessel** identification and removal program following initial investigation and cataloging of vessels and owner outreach efforts in Years 1 and 2.
- h. In alignment with the Stafford Act, investigate and collaborate with existing partners (USCG Sector Virginia, VDEM, Office of the Governor, etc. to update and revise an **emergency ADV removal process** when Virginia declares a state of emergency and is eligible for Federal funding in the event of a natural disaster. A state ADV program could create waivers for expedited review by state agency ADV program staff and/or ADVSAC.
- i. Possibility of establishing an **expedited process to obtain title to an ADV** that balances the need for due process/property rights, yet does not put an undue burden on marinas, local governments, etc. The current process consists of notifying the last known owner of the vessel via certified mail, place a public notice in a local newspaper, then apply for the title and pay a processing fee (see **Appendix B** for more details).
- j. Continue to monitor **unintended consequences** by reviewing new ADV program policies, providing updates to stakeholders, and working with ADV program staff and the ADVSAC to determine a process for policy refinement and reevaluation.
- **Increase current boat registration fee cap**. All watercraft 40 feet or longer pay the same registration fee of \$50 (for three years). Some consider this to be

disproportionate/inequitable for smaller vessels.

- **Require registration of vessels in VA** waters for longer than 90 days. In the future, the ADVSAC should explore the following proposed concerns associated with vessel registration:
  - Should Virginia require registration of non-Virginia registered, but USCG- documented vessels to ensure they're paying a fee & therefore doing their part to fund ADV removal (or currently just DWR operations) while they're using Virginia waters?
  - For Virginia registered vessels, should the state create a minimum titling fee to ensure at least some revenue when a vessel is unusable or the owner otherwise lowballs the estimated value on which the fee is based?
  - For Virginia registered vessels, should the state require that the buyer reports acquisition of title to DWR under any circumstance? Currently only the seller is required to report the sale and title change. If the buyer doesn't use the boat on a public water body, they can keep it on land indefinitely without closing the titling loop or registering the vessel. This creates a problem of tracking ownership as there could be multiple buyers of the vessel later on without the vessel touching the water. DWR has to go back to the original seller to consult.

## **ADVWG Next Steps**

As part of the formal policy recommendation process, the following steps are recommended for calendar year 2022:

- A. CZM and CVW work with DWR to add ADV prevention information to the 2023 boaters guide publication, DWR website, blog, social media accounts, and other outreach opportunities.
- B. Further verification and updates of vessel inventory, including establishment of protocols for sharing ADV reports among CZM, CVW, USCG, DHR, and VMRC, then submitting data to NOAA for posting on its public ERMA online GIS database.
- C. Obtain additional cost data including tipping fees for ADVs at landfills; refine range of vessel removal costs.
- D. Continue to share resources: video (overview of the ADV issue in Virginia); fact sheet on the issue (to be developed); summary of possible legislative actions.
- E. Develop and launch a public outreach campaign in 2022 to provide support for legislation and to promote general public awareness on the issue. Engage the ADV Prevention & Public Education Subcommittee to continue and refine outreach activities to applicable parties, including, but not limited to the boating community, marinas, maritime businesses, and law enforcement.

## **Appendices**

### **Virginia Abandoned & Derelict Vessels Work Group Report**

## Appendix A: 2021 ADVWG Members

\* Denotes *Ex Officio* member (nonvoting)

Agency	First Name	Last Name
Accomack-Northampton Planning District Commission	Jessica	Steelman
America's Great Loop Cruisers' Association	Kimberly	Russo
Boat US Foundation	Alanna	Keating
Chesapeake Bay Commission, Virginia Director	Adrienne	Kotula
Clean Virginia Waterways of Longwood University	Katie	Register
Former Wetlands board, USACE	Steve	Baum
Franklin County Supervisor	Lorie	Smith
Hampton Roads PDC	Ben	McFarlane
Hampton Roads PDC	Keith	Cannady
Harbor Tours Inc & Commissioner of a Cleaner Portsmouth	Ben	Foster
L&G Marine Service (US Boat Tow Captain)	Gary	Jacobs
Law offices of Boyd & Boyd, P.C.	Jim	Boyd
Longwood University	Mitchell	Sharry
Lynnhaven NOW & Virginia Coastal Alliance	Jim	Deppe
Lynnhaven NOW & Virginia Conservation Network Board	Karen	Forget
Middle Peninsula PDC	Lewie	Lawrence
Middle Peninsula PDC	Curt	Smith
Nansemond Indian Nation	Keith	Anderson
National Oceanic & Atmospheric Administration (Scientific Support Coordinator for USCG Sector Virginia)*	Frank	Csulak
Naval Station Norfolk*	Christopher	Robus



Naval Station Norfolk's Public Works Department Environmental Group*	Glenn	Redavid
Naval Station Norfolk's Public Works Department Environmental Group*	Whitney	Styron
Naval Station Norfolk's Public Works Department Environmental Group*	Jen	Tabor
NOAA Marine Debris Program*	Christy	Kehoe
NOAA Marine Debris Program*	Sarah	Latshaw
NOAA Marine Debris Program*	Jason	Rolfe
Northern Neck PDC	John	Bateman
Northern Neck PDC	Lisa	Hull
Portsmouth TowBoatU.S. operation	Robert	Holland
Potomac Towing	Terry	Hill
Smith Mountain Lake Assn & Tri-County Lake Admin Commission	Neil	Sturman
Smith Mountain Lake Volunteer Fire & Rescue	Neil	Harrington
Stafford County Sheriff Office	Lee	Peters
U.S. Army Corps of Engineers, Norfolk District*	John	Payne
U.S. Army Corps of Engineers, Norfolk District*	Gregg	Williams
U.S. Army Corps of Engineers, Norfolk District*	Eric	Legaspi
US Environmental Protection Agency, Region 3*	Kelly	Somers
US Navy*	Steve	Jones
US Navy, Judge Advocate General's Corps (JAGC), Naval Station Norfolk*	Morgan	Sellers
U.S. Coast Guard*	Alex	Gurchinoff Schlebach
U.S. Coast Guard, Sector Virginia*	Lawrence	Schmidt
U.S. Coast Guard, Sector Virginia*	Ashley	Holm
U.S. Coast Guard, Sector Virginia*	Leatherman	Alexander

U.S. Coast Guard, Sector Virginia*	Erica	Elfguinn
U.S. Coast Guard, Sector Virginia*	Peter	Francisco
U.S. Coast Guard, Sector Virginia*	Jess	Sorrell
Virginia Aquarium & Marine Science Center	Mark	Swingle
Virginia Coastal Zone Management Program	Jeff	Flood
Virginia Coastal Zone Management Program	Laura	McKay
Virginia Department of Emergency Management*	Bruce	Sterling
Virginia Department of Environmental Quality*	John	Giese
Virginia Department of Environmental Quality*	Meghan	Kies
Virginia Department of Environmental Quality*	Julianne (Julie)	Laferriere
Virginia Department of Environmental Quality*	Renee	McKinnon
Virginia Department of Environmental Quality*	Elizabeth (Beth)	Lohman
Virginia Dept Emergency Management (HazMat)*	Todd	Cannon
Virginia Dept Emergency Management (HazMat)*	Ray	Haring
Virginia Dept of Health*	Preston	Smith
Virginia Dept Wildlife Resources*	Stacey	Brown
Virginia Dept Wildlife Resources*	Tim	Dooley
Virginia Dept Wildlife Resources*	Tom	Guess
Virginia Marine Police*	Jamie	Green
Virginia Marine Resources Commission*	Tony	Watkinson
Virginia Marine Resources Commission*	Rachael	Peabody
Virginia Marine Resources Commission, Habitat Management Division*	Justin	Worrell
Virginia Institute of Marine Science, Clean Marina Program*	David	Rudders

Virginia Institute of Marine Science & Albemarle-Pamlico National Estuary Partnership*	Kirk	Havens, PhD
Virginia Marine Trades Association	Elizabeth	Prillaman
Virginia Port Authority*	William (Bill)	Burket, Jr.
Virginia Port Authority*	Tracy	Freeman
VOLUNTEER Hampton Roads	Olga	Gonzalez Nichols
Waterway Guide Media	Ed	Tillett
William & Mary Law School	Anthony	Cusato
William & Mary Law School & Virginia Coastal Policy Center	Elizabeth	Andrews
William & Mary Law School & Virginia Coastal Policy Center	Jesse	Reiblich

## **Appendix B: Procedure to Acquire Registration/Title to an Abandoned Watercraft**

(As of November 2020 from the Virginia Department of Wildlife Resources. Available from: <https://dwr.virginia.gov/forms-download/BOAT/BRT-006-Abandoned-Boat-Procedure.pdf>)



## **PROCEDURE TO ACQUIRE REGISTRATION/TITLE TO AN ABANDONED WATERCRAFT**

**An “abandoned watercraft” is a watercraft that is left unattended on private property for more than 10 days without the consent of the property's owner. In order to apply for title to an abandoned watercraft, it must have been abandoned on the applicant’s property or water immediately adjacent to his/her property for a period of 60 DAYS.**

**This 60 days begins to run at the time the watercraft becomes abandoned,  
i.e. after the initial 10 day period.**

### **INSTRUCTIONS:**

1. If the abandoned watercraft has a registration number assigned by the Commonwealth or any other state, or is documented with the Coast Guard, or if there are any other means of identifying the owner(s), a copy of the registration/title or if documented a copy of the “Abstract of Title” must be acquired.
2. The person desiring to acquire title shall make a good faith effort to secure the last known address of all owners and lienholders. If the address is different than what is listed on the official record an explanation of where/how the address was obtained is required.
3. You must notify the last registered owner(s) according to the state’s/Coast Guard’s official records (unless a more recent address is available), by **REGISTERED MAIL** with return receipt requested, that if ownership is not claimed and the boat removed within 30 days, you will apply to the Department for Watercraft Registration/Title in your name (letter attached).
4. If there is an unsatisfied lien listed on the state’s/Coast Guard’s official records, you must notify the lienholder by **REGISTERED MAIL** with return receipt requested, that if ownership is not claimed and the boat removed within 30 days, you will apply to the Department for Watercraft Registration/Title in your name.

If the lienholder has merged, changed names or address, contact the State Corporation Commission (SCC) to request information about the lienholder’s new name or location. If the lienholder has gone out of business, you will need a letter from the SCC stating that the lienholder is no longer in business.

5. If there is no means to identify the owner(s), you must make a good faith effort to notify the rightful owner and document your efforts of such attempt.
6. Place a notice, to appear for three consecutive issues in a newspaper of general circulation published in the county or city where the watercraft is located. This notice must accurately describe the watercraft, its location, and any identifying numbers. The notice must also state that if the watercraft is not claimed and removed within 30 days of the date the first notice is published, you will apply to the Department for registration/title in your name (sample advertisement notice attached).
7. At the end of the 30-day period, you may apply to the Department for title/registration. The **application and appropriate fees** must be accompanied by the following:
  - a. The attached Affidavit for Abandoned Watercraft completed and notarized.

- b. Proof that the registered letter(s) was/were mailed at least 30 days prior to the application. Attach the unopened, undeliverable letter if returned by the post office, or attach the green return post card from the post office showing the signature of the recipient and the date of receipt.
- c. A copy of the letter that was mailed to the previous owner(s).
- d. A detailed explanation of the steps taken to identify the owner(s) and lienholder (if applicable) if the watercraft shows no identifying numbers.
- e. Proof that a notice was printed in a newspaper of general circulation for three consecutive issues.
- f. A copy of the state registration/record or if documented a copy of the "Abstract of Title" (if applicable) proving to whom the watercraft was registered or titled or documented.
- g. Any response received from the previous owner(s) and lienholder (if applicable).
- h. A completed Application for Watercraft Certificate of Title & Certificate of Number (Registration).
- i. Please allow 30-60 days for processing

Upon receipt by the Department of all items required and after all fees and taxes due have been paid, the Department shall then issue title/registration in the applicant's name.

**All cost incurred in obtaining title/registration to a watercraft shall be borne by the applicant.**





DEPARTMENT OF WILDLIFE RESOURCES - CLIENT SERVICES  
P.O. BOX 9930, HENRICO, VA 23228-9930  
TELEPHONE: (866) 721-6911 WEBSITE: WWW.DWR.VIRGINIA.GOV

### **ABANDONED WATERCRAFT AFFIDAVIT**

I/we affirm that I/we have complied with the provisions of Section 29.1-733.25 of the Code of Virginia, as amended, in regard to the watercraft described below. I/we hereby submit the following to obtain a Virginia Watercraft Registration/Title for this watercraft, which was abandoned on my/our property or in the water immediately adjacent to my/our property for a period of **AT LEAST 60 DAYS**.

City/County where the boat is located \_\_\_\_\_

Make of Watercraft \_\_\_\_\_ Year built \_\_\_\_\_ Length \_\_\_\_\_

Hull ID Number \_\_\_\_\_ Boat Number \_\_\_\_\_

Attached is the following documentation pursuant to Section 29.1-733.25 of the Code of Virginia to support the issuance of a new watercraft registration/title to the above-described watercraft:

1. The receipts with signatures for the registered letter(s) which notified the owner(s) and lienholder(s) of the location of the watercraft and of my/our intention to apply for Virginia Watercraft Registration/Title if it is unclaimed after 30 days notice (If the Post Office returns the notifications undelivered, attach those unopened letters to this form).
2. A copy of the letters that were sent to the last registered/titled/documented owner(s) and lienholder.
3. A detailed explanation of the steps taken to identify the owner and lienholder if the owners could not be determined.
4. A copy of the notice that was published in \_\_\_\_\_  
(Newspaper) on \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_.
5. Any response that was received from the last registered/titled owner(s).

\_\_\_\_\_  
Printed name of Applicant

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Printed name of Applicant

\_\_\_\_\_  
Signature of Applicant

STATE OF VIRGINIA City/County of \_\_\_\_\_:

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ before me personally appeared the affiant(s) signing above, acknowledged and made oath that the matters set forth in the foregoing affidavit are true.

X  
Notary Public

\_\_\_\_\_  
My Commission Expires

**An Application for Certificate of Title must accompany this form.**

**THIS LETTER IS TO BE DELIVERED VIA REGISTERED MAIL TO THE LAST REGISTERED OWNER (S) AND LIENHOLDER ACCORDING TO THE OFFICIAL RECORDS OF THE STATE OF REGISTRATION AT LEAST 30 DAYS PRIOR TO APPLICATION FOR TITLE AND REGISTRATION.**

Date: \_\_\_\_\_

Registered/Titled Owner's Name and Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear \_\_\_\_\_:

According to the records of the Commonwealth/State of \_\_\_\_\_, you  
(State of Registration)  
are the last registered owner for a \_\_\_\_\_ with hull  
(Model year) (Make of vessel)  
identification number \_\_\_\_\_ and registration number \_\_\_\_\_  
(Hull Identification Number) (Registration Number).  
which has been abandoned on my/our property for at least 60 DAYS.

If this watercraft is not removed from my/our property within 30 days of the receipt of this letter, I/we will make application for Watercraft Registration/Title to the Virginia Department of Wildlife Resources as is provided for in 29.1-733.25 of the Code of Virginia.

If you wish to claim ownership of this watercraft, please contact either me/us and/or the Virginia Department of Wildlife Resources by certified letter as soon as possible at the addresses given below:

Department of Wildlife Resources  
Boat Section  
P.O. Box 9930  
Henrico, VA 23228

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Print your name and Mailing Address)

Sincerely,

(Your Signature)

**SAMPLE AD TO BE PLACED IN NEWSPAPER**

**NOTICE**

**ABANDONED WATERCRAFT**

Notice is hereby given that the following watercraft has been abandoned for more than 60 DAYS on the property of: (List name, address, and telephone number).

Description of watercraft

Make, length, year built, color and any identifying numbers

Application for Watercraft Registration/Title will be made in accordance with Section 29.1-733.25 of the Code of Virginia if this watercraft is not claimed and removed within 30 days of first publication of this notice. Please contact the Virginia Department of Wildlife Resources with questions.





DEPARTMENT OF WILDLIFE RESOURCES - CLIENT SERVICES  
P.O. BOX 9930, HENRICO, VA 23228-9930  
TELEPHONE: (866) 721-6911 WEBSITE: WWW.DWR.VIRGINIA.GOV

**The person in possession of the abandoned watercraft may apply for title and registration in his name by submitting to the Department the following:**

- Application for Certificate of Title and Certificate of Number completed with the appropriate fees.
- Abandoned Watercraft Affidavit completed and notarized.
- A copy of the watercraft registration record from the last state the watercraft was registered/titled if applicable.
- If the watercraft was documented with the U S Coast Guard, a copy of Abstract of Title.
- The newspaper advertisement in the correct format and evidence of the ad running for 3 (three) consecutive issues.
- A copy of the letter(s) mailed to the previous owner(s) of record at the most current address available. (If address is different than what is listed on the official record an explanation of where the address was obtained from is required.)
- A copy of the letter mailed to the lien holder at the addresses, if the lienholder is out of business a copy of the letter from the State Corporation Commission stating this fact is required.
- Copies of the return receipts for the registered letters OR the unopened letter marked as "Undeliverable", "Refused", etc. by the Post Office.
- Copies of any response from the last registered/titled owner(s).

**Please allow 30-60 days for processing.**

## **Appendix C: Aligning the ADVWG with Virginia Marine Debris Reduction Plan & Mid-Atlantic Marine Debris Action Plan Goals**

There are eight Actions to decrease ADVs in the Virginia Marine Debris Reduction Plan, show in this Appendix. Note that Actions 4.1.1.2. and 4.3.1.3. align with Actions found in NOAA's Mid-Atlantic Marine Debris Action Plan.

# Goal 4: Understand, Prevent and Mitigate the Impacts of Abandoned and Derelict Vessels

**Abandoned and derelict vessels (ADV)** are vessels in significant disrepair that may pose a threat to the public or the environment. “Derelict” frequently refers to vessels that are dilapidated with an identifiable owner, while “abandoned” vessels are those where the owner is unknown or has surrendered rights of ownership. ADVs often litter ports, waterways, marinas, and estuaries. They threaten our ocean, coasts, and waterways by obstructing navigational channels, causing harm to the environment, and diminishing commercial and recreational activities.

**Goal Performance Metric:** Increased prevention and removal of abandoned and derelict vessels from Virginia’s coastal and inland waters.

Strategy 4.1.: Prevention, Behavior Change, Education, Outreach		
Objective 4.1.1.: By the end of 2025, share outreach, best practices, and educational materials to the boating community and relevant jurisdictions to address abandoned and derelict vessels.		
<b>Factor:</b> Lack of knowledge on the current process for removing ADVs in Virginia among stakeholders (Knowledge/Information)	<b>Action 4.1.1.1.:</b> By the end of 2022, <b>educate</b> boat owners, marina managers, law enforcement, local governments, and vessel towers <b>on the current process and responsibilities for removal of ADVs</b> in Virginia including the need to do due process in locating the last known registered owner of the vessel. Include information on responsible boat ownership, how to prepare a vessel for disposal (remove hazardous materials, etc.), and disposal options.	<b>Lead(s) and Partner(s):</b> Virginia Abandoned & Derelict Vessel Work Group <i>This work group is a project of the Virginia Coastal Zone Management Program and Clean Virginia Waterways. (See appendix for list of members.)</i>
<b>Factor:</b> Insufficient knowledge about storm preparedness and recycling shrinkwrap boat covers (Knowledge/Information)	<b>Action 4.1.1.2.:</b> By the end of 2024, explore <b>creation of a recycling program for shrinkwrap boat covers</b> , and create outreach products, such as fact sheets and educational materials, highlighting best practices for proper disposal of shrinkwrap boat covers, reusable alternatives to single-use boat covers, and storm preparedness. Share with marinas, boating shops, boat shows, yacht clubs, and other relevant private sector entities.  <i>This Action aligns with the Mid-Atlantic Marine Debris Action Plan Action 4.1.1.1.</i>	<b>Lead(s) and Partner(s):</b> Virginia Coastal Zone Management Program in collaboration with Clean Virginia Waterways, Virginia Institute of Marine Science, Virginia Clean Marina Program, BoatUS Foundation, Ocean Conservancy



## Strategy 4.2.: Research and Monitoring

**Objective 4.2.1.:** Identify hot spots for abandoned and derelict vessels in Virginia, promote data collection, and further implement a shared inventory of known vessel locations and hot spots.

<b>Factor:</b> Need for an up-to-date database to keep inventory of known ADVs in Virginia (Tools/Skills)	<b>Action 4.2.1.1.:</b> Every year, engage marinas and the boating community in updating and sharing with relevant federal, state and local entities the <b>inventory of known ADVs</b> in Virginia. Update GIS-based inventory of vessels and prioritize removal based on criteria developed by the Work Group to improve navigational safety, minimize environmental harm, and maximize cost-savings through economies of scale (multiple vessel removal in a given location).	<b>Lead(s) and Partner(s):</b> Virginia Abandoned & Derelict Vessel Work Group
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## Strategy 4.3: Proper Disposal and Infrastructure

**Objective 4.3.1.:** Increase proper disposal capacity and infrastructure for abandoned and derelict vessels, fiberglass, and vessel-related debris.

<b>Factor:</b> Lack of vessel recycling options (Tools/Skills)	<b>Action 4.3.1.1.:</b> By the end of 2024, <b>identify a fiberglass reuse option</b> and other sustainable vessel disposal alternatives for ADV in Virginia.  <i>This Action aligns with the Mid-Atlantic Marine Debris Action Plan Action 4.3.1.3.</i>	<b>Lead(s) and Partner(s):</b> Virginia Abandoned & Derelict Vessel Work Group
<b>Factor:</b> Lack of recycling infrastructure for ADVs in Virginia (Tools/Skills)	<b>Action 4.3.1.2.:</b> Through the work of the Virginia Abandoned and Derelict Vessel Work Group, continue to <b>build capacity within Virginia to prevent, remove, and dispose of ADVs.</b>	Virginia Abandoned & Derelict Vessel Work Group

## Strategy 4.4.: Removal

**Objective 4.4.1.:** Remove abandoned and derelict vessels from the ocean, waterways, marinas, and coasts in coordination with relevant federal, state, and local jurisdictions and disseminate funding opportunities.

<b>Factor:</b> Lack of funds for ADV removal and prevention (Resources/Authority)	<b>Action 4.4.1.1.:</b> By the end of 2023, <b>secure funding to remove high priority ADVs</b> from Virginia's coastal zone in conjunction with a pilot prevention program. This will also create a model that will assist with the creation of a Virginia ADV Program.	<b>Lead(s) and Partner(s):</b> Virginia Abandoned & Derelict Vessel Work Group
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## Strategy 4.5.: Policy, Management, Legislation and Enforcement

**Objective 4.5.1.:** By the end of 2022, engage with federal, state and local agencies to explore abandoned and derelict vessel removal and prevention approaches, and craft policy and legal recommendations.

<b>Factor:</b> Need for the creation and funding for a Virginia ADV Removal and Prevention Program (Resources/ Authority)	<b>Action 4.5.1.1.:</b> In advance of the January 2023 General Assembly session, based on the ADV White Paper by the Virginia Coastal Policy Center (fall 2021), and the recommendations from the Virginia ADV Work Group Report (fall 2021) provide <b>specific legislation and policy suggestions to elected officials and policy makers to fund, create and staff a Virginia ADV Removal and Prevention Program</b> . Allow for up to two sessions (2023 and 2024) of the General Assembly to pass all needed legislation.	<b>Lead(s) and Partner(s):</b> Virginia Abandoned & Derelict Vessel Work Group
<b>Factor:</b> Need for monitoring the Virginia ADV Removal and Prevention Program (Resources/Authority)	<b>Action 4.5.1.3.:</b> Provide continuing <b>evaluation and direction of the Virginia ADV Removal and Prevention Program</b> through input from stakeholders, and the creation of an ADV Advisory Council (method to be determined, e.g., executive order, etc.)	<b>Lead(s) and Partner(s)</b> To be determined

## Appendix D: Estimates of Program Costs & Funding Options

Based on interviews with other states and ADVWG discussions, it became clear that sufficient staff capacity is a critical need for managing funding allocated to ADV removal. Documenting vessel locations, tracking ownership, prioritizing removal and disposal, and managing contracts are at the core of the proposed budget below. Additional efforts to educate the public and identify at-risk vessels will require additional funds and may involve locality or non-governmental partners, but the core ADV program should be housed within an existing state agency.

**Table 3: Possible ADV Fee**

<b>Number of registered Recreational vessels in Virginia (as of 2021)</b>	<b>Potential Annual ADV Program Fee (Yearly fee, but collected at same time as the 3-year registration fee)</b>	<b>Annual Income from Fee would be:</b>
235,000	\$2	\$470,000
235,000	\$4	\$940,000
235,000	\$6	\$1,410,000
235,000	\$8	\$1,880,000
235,000	\$10	\$2,350,000

Funding Would Support:

- Staffing (2 VMRC FTE):
  - 1. Project Manager or VMRC Virginia Marine Police Officer
    - Vessel removal prioritization
    - Financial reports
    - Interagency coordination - report to Advisory Council
    - Stakeholder engagement
    - Contractor management
    - Environmental/regulatory coordination
  - 2. Field Coordinator
    - Inventory management
    - Prevention and Outreach Campaign
    - NGO collaboration
    - Marina collaboration
    - Coordination with local law enforcement to identify at-risk vessels and respond to ADV reports
    - Years 2-3 develop vessel turn-in program w/ localities
- Vessel Removal (via contractors)
- Possible Vessel Turn-in Program in future years
- Prevention of ADV campaign

<b>Expenses</b> (assuming a yearly fee of \$6 per recreational vessel)	<b>Amount</b>
VMRC Program Manager (salary, benefits, computer, etc.)	\$125,000
VMRC Field Coordinator or Virginia Marine Police Officer (salary, benefits, computer, etc.)	\$100,000
Education, outreach, travel (fliers, stickers, computer license fees, graphic designer, community engagement events, info on current laws)	\$20,000
At-Risk Program (Potential funding for additional Virginia Marine Police staffing to identify at-risk vessels, maintain a database, produce stickers and/or outreach letters)	\$90,000
Agency Administrative Expenses at 5% (based on \$1.25 million for removal fund processing)	\$125,000
Removal and disposal costs* (contracts with towers, possible reimbursements to local govts and block grants to PDC for removal of backlog)	\$2,500,000
<b>Total</b>	<b>\$2,960,000</b>

**Table 4.** Proposed Annual Expenses per Table 3 above.

**\*Cost of Removal & Disposal**

Towers estimate that ADV removal, preparation, and disposal can be approximately \$300 per foot, although this cost can increase greatly due to factors including:

- Is the vessel sunken, and if so, depth of vessel and distance to shore
- Habitat (e.g., removal of ADV from marshes are more expensive)
- Hazardous material removal
- Distance to suitable off-loading site
- Distance to landfill willing to take the ADV
- Tipping fees at landfills
- Condition of vessel (fully submerged, stuck in mud most expensive, floating and secured at dock least expensive)

The budget above assumes that 100 vessels will be removed, prepared, and disposed of each year at an average of \$25,000 per vessel (includes removal and disposal costs) for a total removal cost of \$2,500,000.

## Appendix E: Google Form Survey to Create ADV Inventory

### Inventory of Abandoned and Derelict Vessels in Virginia

Have you found a derelict or abandoned vessel? Or is the vessel drifting or otherwise unmoored? If so, please use this form to give us some information. Answer as many of the questions as you can.



Clean Virginia Waterways & the Virginia Coastal Zone Management Program are partnering to co-facilitate a Work Group to address the issues associated with abandoned and derelict vessels (ADV's) in the Commonwealth of Virginia. An important first step is creating a state-wide inventory of such vessels, then prioritizing removal based on the information you provide below (hazards to navigation, risk to the environment, size/location of vessel, etc.). We appreciate any & all information you can provide in the form below.

Thanks for doing your part to improve the health & safety of our waterways & helping those who enjoy those resources!

Sincerely,

Katie Register - Executive Director, Clean Virginia Waterways, Longwood University  
([registerkm@longwood.edu](mailto:registerkm@longwood.edu))  
Jeff Flood - Coastal Planner, Virginia Coastal Zone Management Program  
([jefferson.flood@deq.virginia.gov](mailto:jefferson.flood@deq.virginia.gov))

P.S. Are you an owner/manager of a marina or other boat-related businesses? If so, please put up our flyer to let boaters know about this inventory! You can request a flyer by using this link: <https://forms.gle/9vsRaBivJN4nDaPY6>

 [cleanvirginiawaterways@gmail.com](mailto:cleanvirginiawaterways@gmail.com) (not shared)  
[Switch account](#) 

Where is the vessel? Please list water body & latitude and longitude if possible. If not, list water body & nearest land address or town. The web site <https://www.latlong.net/> can help you find the latitude & longitude.

Your answer:

What habitat is the vessel currently in?

☐ Open Water - Sea

☐ Open Water - Bay

☐ Open Water - River

☐ Open Water - Creek/Stream

☐ Marsh

☐ Marina or dock

☐ Boat launch/other access

☐ Other:

Is the vessel stationary or drifting?

☐ Stationary

☐ Drifting

If stationary, is the vessel sunk, moored, or both?

☐ Sunk

☐ Moored

☐ Both

How long has the vessel been abandoned or derelict & how long has it been at its current location?

Your answer:

Does the vessel appear to be a navigational hazard?

☐ Yes

☐ No

☐ Unsure

Does the vessel appear to be leaking fuel or other chemicals? If yes, you can call the Environmental Protection Agency's National Response Center at 1-800-424-8802.

☐ Yes

☐ No

☐ Unsure

Does there appear to be other debris (natural or trash) near the vessel?

☐ Yes

☐ No

Does the vessel appear to be occupied? Ex: people visible, evidence of current or recent activity (smoke, lights, noise, accessories, etc.?)

☐ Yes  
☐ No  
☐ Unsure

---

Vessel Name? May be found on the hull near the bow or on the hull on the stern.

Your answer:

---

Vessel's registration number? The number usually found on the hull near the bow & must read left to right. Ex: VA-4696-AF

Your answer:

---

Vessel make & model

Your answer:

---

Is the vessel commercial or recreational?

☐ Commercial  
☐ Recreational  
☐ Unsure

---

Vessel Length? (estimate is fine)

Your answer:

---

What is the vessel's color & hull type? If faded color or damaged, please add as many description details as possible.

Your answer:

Has the vessel been reported as a pollution threat before?

☐ Yes  
☐ No  
☐ Unsure

---

If a previously reported pollution threat, are there National Response Center numbers to reference? If so, please list below.

Your answer:

---

Owner contact information? If the owner has been non-responsive, what names/numbers have you tried already?

Your answer:

---

Please provide any additional information about the vessel, including your known history of the vessel.

Your answer:

---

**Photos of the boat (jpeg or PDF)**

If you have a photo(s) of the boat you are reporting, please send them as an attachment to [jefferson.food@delaware.gov](mailto:jefferson.food@delaware.gov). Please include the latitude and longitude so we can match up your photo(s) with the information you have entered on this form.

---

**THANK YOU!**

Please use this on-line form to report any additional vessels that you believe are abandoned and/or are derelict. If you would like to learn more about ADVs in Virginia, visit <http://www.knowwood.edu/cleanva/ADV.html>

---