



CHESAPEAKE BAY FOUNDATION

*Environmental Protection and Restoration
Environmental Education*

Senate Bill 219

State Boat Act – Abandoned or Sunken Vessels - Removal

DATE: JANUARY 29, 2020

POSITION: SUPPORT

POSITION

The Chesapeake Bay Foundation supports Senate Bill 219 and recommends a favorable report from the Education, Health, and Environmental Affairs Committee. SB 219 would alter the definition of “abandoned or sunken vessel” and allow for the immediate removal of an abandoned or sunken vessel that presents an urgent hazard to navigation, public health, or the environment.

COMMENTS

Each year, the Maryland Department of Natural Resources (DNR) removes 35-40 vessels from Maryland’s waterways. Under current law, a vessel must be left in place anywhere from 30 to 180 days to be considered “abandoned,” depending on the owner of the property where the vessel is docked or moored. For those vessels found floating in Maryland waters, current law requires 15 days’ notice to the vessel’s last known owner via certified mail before the vessel may be seized, removed, or taken into custody by DNR.

In addition to posing risks to other recreational users, abandoned or sunken vessels may leech into the water harmful fuels, oils, and chemicals of common maritime application, posing an environmental hazard to fish and wildlife. Additionally, vessels floating free may damage sensitive habitats like underwater grass beds, oyster reefs, and marshes when they run aground. In these cases, physical damage remains long after the vessel has been removed and restoration is often required.

Senate Bill 219 would establish a process whereby a vessel posing an imminent threat to navigation, public health or the environment may be addressed immediately, without a 15-day waiting period. DNR would be required to document the conditions justifying the immediate seizure and notify the last known owner of the vessel within five days of taking the vessel into custody. Allowing DNR to expedite its process in certain justified cases may be a help to the Department’s efforts to reduce and mitigate the negative environmental impacts of abandoned or sunken vessels.

CONCLUSION

For these reasons, the Chesapeake Bay Foundation recommends a favorable report on SB 219 from the Education, Health, and Environmental Affairs Committee. Please contact Dr. Allison Colden, Fisheries Scientist (acolden@cbf.org) for any additional information.

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