



CHESAPEAKE BAY FOUNDATION

*Environmental Protection and Restoration
Environmental Education*

House Bill 143

State Boat Act – Abandoned or Sunken Vessels - Removal

DATE: FEBRUARY 12, 2020

POSITION: SUPPORT

The Chesapeake Bay Foundation supports House Bill 143 as a preventative measure against the release of environmental hazardous fuels, oils, and chemicals into the Chesapeake Bay by abandoned or sunken vessels. HB 143 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.

Each year, the Maryland Department of Natural Resources removes 35-40 vessels from Maryland’s waterways. Under current law, unless a vessel has been left in place for 30 days or more, it may not be considered “abandoned,” depending on the owner of the property where the vessel is located. 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 the Department.

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.

This legislation 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. The Department of Natural Resources 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 Department of Natural Resources to expedite its process in certain justified cases may be a help to efforts to reduce and mitigate the negative environmental impacts of abandoned or sunken vessels.

For these reasons, the Chesapeake Bay Foundation recommends a favorable report on HB143 from the Environment and Transportation Committee. Please contact Dr. Allison Colden, Fisheries Scientist, at acolden@cbf.org should you require any additional information.

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The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 300,000 members and e-subscribers, including over 107,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.