

**DERELICT AND ABANDONED VESSELS:
A UNIQUE STATE APPROACH TO PREVENTION AND REMOVAL**

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ABSTRACT
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The Texas General Land Office (TGLO) has developed an innovative and cost effective approach to dispose of abandoned vessels along the Texas coast. For years, unscrupulous vessel owners have removed serial numbers and registration information from primarily fiberglass boats and cast them adrift in remote or isolated areas along the Texas coast. Weather incidents have also contributed to hundreds of abandoned vessels in or near Texas waters. These vessels, which often still have fuel and lubricants on board, present a threat to the environment, navigation and public safety. Unfortunately, budget constraints, jurisdictional boundaries, and regulations prevent the local, state and federal agencies that have an interest in removing these vessels from taking action. The TGLO strategy is designed to help rid coastal areas of abandoned vessels before they enter coastal water. The Vessel Turn-In Program, known as VTIP, promotes partnerships by pooling the unique funding, capital and human resources of government entities and stakeholders to form a cost effective approach to eliminating abandoned vessels and the pollution they create.

INTRODUCTION

In 2003, the TGLO Oil Spill Prevention and Response Program began documenting derelict vessels along the Texas coast. Multiple responses to abandoned vessels often leaking oil into coastal waters created a burden on already limited budget and staffing resources for the agency. In 2005, the 79th Texas Legislature authorized the TGLO to declare and remove vessels in wrecked, derelict, or substantially dismantled condition and that were determined to be a threat to human safety, environment, or a navigation hazard. Although not funded, the legislation cleared bureaucratic red tape and paved the way for more than 1,000 vessels to be removed using federal grants and Stafford Act funds, as well as emboldened local law enforcement ability to prosecute the individuals that abandoned vessels in Texas coastal waters. However, even with the vast response and recovery effort by TGLO Oil Spill Prevention and Response teams and enhanced enforcement efforts by local law officials, the problem of abandoned and illegally dumped vessels continued to persist. By 2014, TGLO staff recognized the need for a structured education and outreach component and an active prevention program to coordinate existing response and enforcement efforts and fully mature the initiative, then referred to as the Derelict Sunken Vessel Program.

VTIP CONCEPT DEVELOPMENT

Acknowledging the need to develop an organized education and outreach effort, as well as a prevention program, was a critical juncture for the Derelict Sunken Vessel Program since,

like many public programs, funding was an issue. However, limited resources often spark creativity and innovation, especially when agencies are willing to coordinate efforts to maximize return. Dr. John Crompton, Professor of Public Affairs and Administration at Texas A&M College Station, writes of the often unrealized potential of government assets because these public assets are limited to only one dedicated service. Crompton's message also highlights the often forgotten message of *marketing* governmental and social services to bring increased value to a tax payer funded asset that might otherwise remain idle, thereby increasing the asset's value and eventually lowering overall tax burden. Crompton provided an excellent roadmap for developing untapped potential to assist with the Derelict Sunken Vessel Program pollution removal efforts.

PILOT PROGRAM STRUCTURE

In 2014, TGLO Oil Spill Prevention and Response Program began a coordinated effort with sister state agency Texas Parks and Wildlife Department (TPWD) and multiple departments within Galveston County, Texas government to develop and implement a pilot vessel turn-in program. The pilot would provide the public an opportunity to relinquish unwanted vessels free of charge and without question, with the goal of reducing the ever-growing pool of unwanted vessels ending up abandoned in Texas waterways. Program success would be measured by reducing the number of derelict vessels and demonstrating quantifiable cost savings for the agencies involved in this common environmental mission.

Previous public sector efforts to remove abandoned vessels generally relied on contracting with private companies for removal services. Creating a pilot program development team to coordinate human and capital resources, the partnering agencies realized that although no

one agency had all the resources needed to fully complete a cost effective vessel removal, pooling the assets of each government entity resulted in substantially lower cost than if the individual agencies paid a private contractor for the work. The team developed a strategy focusing on “highest and best use of available resources” that capitalized on each agency’s available assets. During initial inventory discussions, the team determined county road and bridge equipment such as a backhoe or hydraulic excavator not employed in everyday use could be used to crush a vessel. A dump truck from another county department was available to haul surrendered boats to the landfill. A TGLO trailer with a winch used for pulling abandoned vessels from the water could be enlisted to help mobility-challenged individuals who would otherwise be unable to participate in the program. Often, the trailers on which the vessels were loaded and transported were as dilapidated as the vessels themselves; the same TGLO trailer was ready on site to assist when a trailer failed.

Notably, coordination of heavy equipment became only part of the effort. In addition to exploiting valuable physical assets, a wealth of intellectual capital and legislative authority within the participating agencies helped clear the way for the surrendered vessels to be destroyed. Through a coordinated preclearance process, agency staff determined many vessels were of questionable ownership and documentation. TPWD as well as the Galveston County Sheriff’s Department stepped in to assist with vessels that had outstanding liens by contacting the lien holder and getting the necessary releases after verifying the vessel had no intrinsic value. Additionally, TPWD cleared the way for vessels that had title issues due to a death in the family, lost, and skipped titles (the practice of a boat being sold multiple times without a title change.) The TGLO used its agency authorization to declare vessels abandoned in cases when vessels were deposited on someone’s land due to weather incidents or, in one particular situation, when

vacant land was used as a vessel dumping ground. The TGLO was also able to utilize the agency's Coastal Protection Fund to remove and safely dispose of fuel from the vessels.

Galveston County absorbed landfill costs.

Galveston County and TGLO also combined efforts to publicize and generate media to increase participation and highlight the turn-in event. Program announcements were enclosed in utility bills to the residents of a 15 square mile area where the turn-in would take place. The local emergency management one-call system was also enlisted to send a "robo call" message to the residents in the targeted program area. The communications department for each participating agency posted event news through their respective social media platforms. Program information not only reached the target audience to generate participation but was also seen by others following the participating agency social media sites. Both Galveston County free local newspapers, as well as two area subscription based newspapers, publicized the initiative and provided day-of coverage. Television news stations provided live shots and taped segments of the event day, including interviews with program participants and derelict vessel shots. As a result, overall public awareness of the consequences of abandoned vessels was enhanced. Pilot program planning team members received verification the program had reached well beyond the targeted community when participating agencies received numerous calls inquiring when and where the next program event would take place.

PILOT EVENT DEVELOPMENT

In order to not be overwhelmed with vessel surrenders and ensure an orderly relinquishment process, the program planning team chose to accept only the first 25 qualifying vessels. The VTIP preclearance process ascertained the vessel's location, current ownership and

status of the vessel title. Vessels were restricted to less than 26 feet in length and could be turned in only by private citizens (not businesses) or as a result of abandonment on a private citizen's property. A length restriction was needed because 26 feet is the maximum size vessel the participating agencies could handle based on available equipment and ability to safely destroy and dispose. Furthermore, vessels more than 26 feet in length must be US Coast Guard documented vessels; clearing title issues for vessels longer than 26 feet was determined to be an extensive process outside the preclearance team's scope. Vessels were required to be turned in by a private citizen because participating agencies felt allowing businesses to participate in the program could quickly take up the 25 vessel slots and discourage general public participation, as well as distorting the true picture of issues to address for additional turn in events. Texas law provides precise procedures for a business to obtain a title and ownership of a vessel from the owner. Based on past experiences, the participating agencies knew that coastal area citizens often had vessels dumped on their property and, out of frustration, would sometimes "re-gift" to neighbors, on vacant property or in coastal water. Allowing only local coastal residents the opportunity to participate made for a fair and manageable turn-in process and also provided a strong disincentive for abandoned vessels to continue their travels into public and private property or waterways.

VTIP RESULTS

From the first VTIP pilot event through four subsequent turn in opportunities along the Texas coast, the VTIP concept has yielded numerous tangible and intangible results and is now an integral part of the TGLO's pollution eradication efforts. Perhaps most importantly, the turn-

in program has brought awareness to the public about the problems of abandoned vessels along the Texas coast because the program has been reported through multiple media outlets.

Vessel surrenders are quantified using two methods at TGLO. All VTIP surrenders are individually counted in number and in foot measurement. Vessel turn-ins in which the vessel was brought in from coastal waters (not land-based) are able to be counted for legislative budgeting processes and are quantified separately for agency performance measures.

The initial pilot program and vessel turn-in event resulted in numerous quantifiable success stories. The total cost for the pilot vessel turn in event was \$6,000.00. The TGLO used Coastal Protection Fund money to remove fuel and oil from vessels and spent \$4,500.00 to contract with a discharge cleanup organization. The county paid \$1,500.00 for landfill fees. A total of 26 vessels were turned in on the event day; one additional vessel from county property was removed and brought to the site. The total length for all 26 vessels was 478 feet. Cost per foot calculations show a total cost of \$12.55 per foot to dispose of the vessels for the cost for all participating agencies. The VTIP surrender cost for a 20 foot boat is approximately \$250. In comparison, when removing vessels from coastal waters, costs are approximately \$200 a foot for contractor charges. Private contractor costs for one 20 foot vessel are near \$4,000 - just \$1,500 short of the *entire* VTIP pilot event.

Additionally, the 26 vessels with a combined total of 490 gallons of fuel and oil removed, as well as five 55 gallon drums of hydrocarbon saturated material were properly disposed. An additional unexpected benefit realized during the pilot event was opportunities for recycling. Initial planning for the pilot event included recycling for batteries, fuel and oil from the vessels. However, several unanticipated recycling opportunities were also presented including stainless

steel fuels tanks, stainless steel propellers, various boat motor parts and accessories, and metals such as copper, aluminum, and steel. Recyclable items were able to be converted into cash to defer landfill costs as well as landfill space. Although engine parts cannot be recycled as used boat parts because of serial number issues, such parts could still be recycled for the value of the steel. A recycling component in coordination with local resources is now part of every subsequent VTIP event strategy.

A valuable lesson learned from the initial turn-in event proved to be a main tenant of future turn in efforts; instead of contracting with a recycler, the county had the option of recycling to defer landfill costs or allowing their local fire or police departments to participate in the stripping effort and use the money for needs within their departments. In a subsequent turn-in event, the City of Galveston police department used funds for its dive team, as well as recycled the lead keel of a sailboat that provided enough funding to cover the landfill costs.

All combined, VTIP events have resulted in a total of 177 vessels (3,001 linear feet) removed. Five 55 gallon drums of hydrocarbon waste and 780 gallons of fuel were safely disposed. Total projected costs savings for all five VTIP events are \$750,250.00. The success of the initial turn-in event led to an additional four 2016 VTIP events in Brazoria, Matagorda and Galveston counties.

Texas Land Commissioner George P. Bush has directed agency staff to begin plans for VTIP events throughout the Texas coast. TGLO staff are coordinating with numerous public and private entities to build on the VTIP success story. Three VTIP events are currently scheduled for 2017 including events in Nueces and Cameron counties.

CONCLUSION

The VTIP model demonstrates that pooling local, state, and federal resources can lead to a more cost effective approach of ridding our nation's coast of abandoned vessels. More federal, state, and local dollars are not always the only answer to a problem; if the Texas Legislature had written a blank check for the Derelict Sunken Vessel Program, there would have been no impetus to further develop the turn-in initiative into the program's current format that highlights not only pollution eradication, but joint government cooperation and optimum use of taxpayer funded equipment and human capital. The TGLO VTIP program continues to prove that coordinating resources from different government entities can save tax payer dollars, maximize resource use and serve as a successful method for marketing government and social services to the public.

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