



Oregon

Tina Kotek, Governor

Department of State Lands

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State Land Board

January 31, 2025

Tina Kotek
Governor

To: Senate Committee on Natural Resources and Wildfire
Chair Golden, Vice Chair Nash and Members of the Committee

Tobias Read
Secretary of State

From: Josh Mulhollem, Waterways Stewardship Manager
Oregon Department of State Lands

Elizabeth Steiner
State Treasurer

Re: Testimony on Senate Bill 795

Chair Golden, Vice-Chair Nash, and members of the committee. My name is Josh Mulhollem and I am the Waterways Stewardship Manager of the Oregon Department of State Lands. I appreciate the opportunity to speak with you today about Senate Bill 795.

The Department of State Lands supports this bill and asks for the committee's support.

Abandoned and derelict vessels, ADVs, are an ongoing threat to Oregon's rivers and ocean. In June 2023, the Legislature provided an initial \$18.8 million from the Monsanto settlement to begin removing these hazardous boats from waterways and developing a statewide ADV program. Ports, marinas, boat owners and more worked together with agencies to identify challenges and desired solutions, including the statutory fixes proposed in SB 795.

Recent highlights from the ADV program include:

The 115-foot Dredge Anderson, once used to clear Mount St. Helens ash from Oregon riverbeds, was removed from the Columbia River at Rainier in December. This \$1.3 removal was a high priority due to the threat of a significant incident and environmental cleanup on the Columbia River without state intervention.

People are often amazed by how many toxic substances may be on these vessels and the many precautions required for proper disposal. Oil, lead, and PCBs can all seriously harm our waterways. The dredge was covered in peeling lead paint, and some of the paint also contained PCBs, which are among the U.S. Environmental Protection Agency's most toxic chemicals, and which stay in the environment for a very long time.

Working with the Oregon State Marine Board to pool funds and resources and remove nine sunken boats with the Columbia County Sheriff's Office. The St. Helens community had been

wanting these boats out of the Columbia River for years – but the resources had never been there. The Legislature made that happen for those folks, with the immediate benefit of a cleaner, more pleasant river.

Seeking proactive solutions to keep hazardous boats from reaching waterways. The Department does not want to keep hauling boats up off the bottom of rivers. Taking hazardous vessels out of waterways is one way the ADV program protects waterways. But we are also interested in proactively supporting owners in properly disposing of vessels and preventing situations like this, so the state doesn't need to intervene. I look forward to talking with you more about that in the future.

Overview – Senate Bill 795

In working within current statutes to seize and dispose of vessels like the ones highlighted above, the Department has identified challenges we hope can be alleviated with Senate Bill 795.

For example, a completely destroyed boat is currently still defined as a vessel and is subject to the same notice requirements and storage requirements as a boat someone might actually want to retrieve. Seized vessels have to be stored for at least 30 days after the second notice before they can be disposed of. The current statutes make no exceptions for completely ruined, water-logged, unsanitary vessels. Storage is expensive and logistically challenging, and since in many cases it is impossible to identify an owner, storing items isn't helpful to anyone.

The notices associated with a destroyed boat are also required to include a description of the property inside the boat, which is not practical or safe or beneficial in most cases. There is also some ambiguity about how the contents of the boat should be handled and what the process would be for someone to re-claim items from the boat.

Senate Bill 795 contains revisions that would address these issues from multiple angles. First, the bill elaborates on some vague definitions, including making clear that when a vessel is in such poor condition it can no longer be considered a vessel, it can be treated like any other marine debris and disposed of efficiently.

The bill also makes explicitly clear that items inside the vessel are handled under the exact same process as the vessel itself as opposed to being subject to separate requirements. The bill also reduces the minimum waiting time before vessels can be disposed of from 30 days to 2 weeks in all ADV cases and eliminates the redundant pre- and post-seizure notices and web notices that are currently required.

These are just some of the ways that Senate Bill 795 would support the Department's efforts in efficiently implementing Oregon's ADV Program in the way it was envisioned by the Legislature, the Land Board, and the communities involved.

Finally, there is no cost associated with this bill. The initial funding provided for the program is supporting the Department's FY 2025-27 ADV program budget request of \$11.2 million from the ADV Fund. Implementation of this bill will be covered with the resources already requested.

Thank you for the opportunity to provide this testimony.