Committee on Resiliency and Waterfronts

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**THE COUNCIL OF THE CITY OF NEW YORK**

##### COMMITTEE REPORT OF THE INFRASTRUCTURE DIVISION

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**COMMITTEE ON RESILIENCY AND WATERFRONTS**

Hon. Ari Kagan*, Chair*

June 13, 2022

**Oversight – Abandoned Boats Along the Waterfront**

**INT. NO. 210:** By Council Members Ariola, Brooks-Powers, Menin, Velázquez, Ossé, Farías, Gennaro, Gutiérrez, Ayala, Holden, Narcisse, Abreu, Riley, Barron, Schulman, Carr, Borelli, Paladino and Vernikov

**TITLE:** A Local Law to amend the New York charter, in relation to creating a marine debris disposal and vessel surrendering office

**ADMINISTRATIVE CODE:** Adds section 20-o to chapter 1

**INT. NO. 461:** By Council Members Ariola and Borelli

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to identifying and removing boats from New York city’s littoral waters

**ADMINISTRATIVE CODE:** Adds chapter 13 to title 22

**INTRODUCTION**

On June 13, 2022, the Committee on Resiliency and Waterfronts, chaired by Council Member Ari Kagan, will hold an oversight hearing on abandoned boats along the New York City (NYC or the City) waterfront. The Committee will also consider Int. No. 210, sponsored by Council Member Joann Ariola, in relation to creating a marine debris disposal and vessel surrendering office, and Int. No. 461, sponsored by Council Members Ariola and Borelli, in relation to identifying and removing boats from New York City’s littoral waters. Representatives from the NYC Sheriff’s Office, NYC Department of Small Business Services (SBS), NYC Department of Parks and Recreation (DPR), the United States Army Corps of Engineers (USACE), advocates, community organizations, as well as other concerned community groups have been invited to testify.

**BACKGROUND**

The harbor of New York and New Jersey has a long history of abandoned vessels in its waterways.[[1]](#footnote-1) Vessels are abandoned by their owners for many reasons, including structural damage caused by storms, collisions and accidental groundings; commercial obsolescence; structural deterioration; and the financial burden on the owner of maintenance and moorage.[[2]](#footnote-2) Abandoned vessels negatively impact the harbor in a number of ways. For example, vessels may become navigational hazards or land-based obstructions; they may become the source of environmental contaminants; they may be structurally unsound and pose a health hazard to those on or near the vessel; they may become an attractive illegal dumpsite; and they may harm the aesthetic quality of the area in which they are located.[[3]](#footnote-3)

In 2008, the Council’s then-Committee on Waterfronts held an oversight hearing titled “Whose Problem is It? Abandoned Boats in the Harbor.”[[4]](#footnote-4) During the 2008 hearing, former Deputy Inspector David Driscoll, Commanding Officer of the Police Department’s (NYPD) Harbor Unit, testified that when the Harbor Unit encounters a derelict boat floating in the Harbor, they will contact the NYC Department of Sanitation (DSNY) to arrange for the boat’s delivery to one of DSNY’s facilities. If the derelict boat is submerged, NYPD’s Harbor Unit will contact USACE to make arrangements for its removal.[[5]](#footnote-5) Additionally, the USACE testified during the 2008 hearing that they regularly patrol the waters of New York Harbor and investigate and respond to calls regarding obstructions or floating hazards and wrecks in the waterway. If the owner or responsible party of the wreck cannot be identified, the USACE may request funding to effectuate its removal, but “this is generally reserved for severe emergency situations involving closure of segments of channels or ports.”[[6]](#footnote-6)

***Federal Vessel Removal Programs***

There are federal laws that are relevant to vessel removal: The Wreck Act of 1899, the Abandoned Barge Act of 1992, and the Federal Water Pollution Control Act (Clean Water Act) of 1948, as amended by the Oil Pollution Act of 1990.[[7]](#footnote-7)

The Wreck Act of 1899 authorizes the United States (U.S.) Army to remove vessels that are wrecked and sunk in a navigable channel.[[8]](#footnote-8) Vessel removal under the Act is handled by the USACE. The USACE coordinates its wreck removal program with the U.S. Coast Guard (Coast Guard) through an interagency agreement, consulting with the Coast Guard to determine whether a vessel poses a hazard to navigation.[[9]](#footnote-9) Factors considered by the USACE and the Coast Guard include: “(1) location of the obstruction in relation to the navigable channel and other navigational traffic patterns; (2) navigational difficulty in the vicinity of the obstruction; (3) clearance or depth of water over the obstruction, fluctuation of water level, and other hydraulic characteristics in the vicinity; (4) type and density of commercial and recreational vessel traffic, or other marine activity, in the vicinity of the obstruction; (5) physical characteristics of the obstruction, including cargo, if any; (6) possible movement of the obstruction; (7) location of the obstruction in relation to existing aids to navigation; (8) prevailing and historical weather conditions; (9) length of time the obstruction has been in existence; (10) history of vessel accidents involving the obstruction.”[[10]](#footnote-10) Consequentially, not all abandoned vessels located in a navigable channel will be removed.

The Abandoned Barge Act of 1992 is administered by the Coast Guard on behalf of the Secretary of Homeland Security.[[11]](#footnote-11) Under this Act, a barge[[12]](#footnote-12) is considered abandoned if it is greater than 100 gross tons and is left unattended for longer than forty-five days.[[13]](#footnote-13) A barge will not be considered abandoned if it is located at a federally- or State-approved mooring area; if it is left on private property with permission of the owner; or if the owner notifies the Coast Guard that the barge is not abandoned and provides its location.[[14]](#footnote-14) Such a notification provides the Coast Guard with the name of a responsible party who may be liable under Federal, State and local laws, or who may be civilly liable to third parties.[[15]](#footnote-15) However, unless the removal of the barge is an emergency, and it cannot be removed under the Wreck Act or the Clean Water Act, the Coast Guard will not undertake removal unless it can be done at no cost to the Coast Guard.[[16]](#footnote-16) Where the cost of removal exceeds the scrap value of the barge, as is likely to be the case for most long-abandoned barges, the barge will not be removed under the authority of this Act.

The Clean Water Act directs the President to prepare and publish a National Contingency Plan for the removal of oil and other hazardous substances into or upon the navigable waters of the United States.[[17]](#footnote-17) The Act further mandates that each Coast Guard district form a District Response Group, and prepare and submit to the President an Area Contingency Plan for the response to a discharge of oil. The Federal On-Scene Coordinator for the New York/New Jersey Area has the authority to order the removal of a vessel that is discharging oil or other hazardous substances into the Harbor, or is a substantial threat to discharge oil or other hazardous substances into the Harbor.[[18]](#footnote-18) If an abandoned vessel, however is not discharging oil or other hazardous substance, or is not a substantial threat to discharge oil or other hazardous substance, then the vessel will not be removed under this Act.

***State and Local Boat Removal***

Neither New York State (NYS or State) nor the City has an official vessel removal program, but there are a number of laws that the State and City utilize to effectuate the removal of abandoned vessels.[[19]](#footnote-19) In NYS, abandoned or derelict vessels, which the State deems to be “wrecks,”[[20]](#footnote-20) are governed by Article 10 of the NYS Navigation Law.[[21]](#footnote-21) Under Article 10, the county sheriff has the authority to take possession of wrecked property in the name of the State.[[22]](#footnote-22) The provisions under Article 10 also address notification requirements, salvage claims, and disposal, but they are primarily directed at the property that is found within wrecks and not the wrecks (or vessels) themselves.[[23]](#footnote-23)

New York State statutes do not outline a designation process for declaring a vessel as abandoned or derelict. If the vessel is considered a wreck by the State pursuant to NYS Navigation Law § 130, then it can be taken into possession under the State’s authority.[[24]](#footnote-24) It is the responsibility of the sheriff of every county, in which any wrecked property is found, to take all necessary measures for saving and securing the property when no owner or other person entitled to possession of the property appears, and to take possession in the name of the people of the State.[[25]](#footnote-25) Additionally, it is unlawful for any person to take, or knowingly come into possession of, property from a stranded, wrecked vessel, or other property that has been cast onto land from the sea or found in a bay or creek.[[26]](#footnote-26) If such property is not turned over to the state official with jurisdiction within 48 hours, they will be guilty of a misdemeanor, which can result in a fine between $250 and $500 and/or imprisonment for up to 30 days for the first offense.[[27]](#footnote-27)

SBS, as the successor agency to the former NYC Department of Ports and Trade,[[28]](#footnote-28) has primary jurisdiction over the City’s waterfront.[[29]](#footnote-29) It is illegal to place a vessel that is sinking, or is in danger of sinking, at any wharf in the City.[[30]](#footnote-30) The Commissioner of SBS is authorized to remove any floating or sunken vessel obstructing a wharf, and to sell it if it is unclaimed for thirty days.[[31]](#footnote-31) If SBS is unable to sell the unclaimed vessel, SBS may destroy or dispose of such vessel.[[32]](#footnote-32)

The NYPD Harbor Unit also deals with abandoned vessels. The Harbor Unit patrols 146 square miles of navigable waters and 576 miles of waterfront. The Harbor Unit’s personnel are trained to handle tasks such as performing traditional law enforcement functions, search and rescue operations, as well as counter terrorism functions. The Harbor Unit occasionally deals with abandoned boats, or boats that have broken away from their mooring. In these situations, the Harbor Unit will take custody of the boat and secure it at one of their facilities until they are able to identify and contact the boat’s owner and arrange for pick up.[[33]](#footnote-33) If the owner of the vessel is unable to be contacted, the boat is taken out of the water and placed in the Harbor Unit’s storage facility.[[34]](#footnote-34) The owner is then informed by registered letter that the NYPD is in custody of the boat.[[35]](#footnote-35) If the boat is derelict and has little value, the Harbor Unit makes arrangements with DSNY to have the boat delivered to one of DSNY’s facilities for disposal.[[36]](#footnote-36) Finally, in the event that the Harbor Unit finds a derelict boat that is deemed to be a hazard to navigation, the boat is secured and the USACE is notified so arrangements can be made to remove the boat from the water.[[37]](#footnote-37)

In 2009, the National Association of State Boating Law Administrators drafted ten best management practices (BMPs) for removing recreational vessels from the water. These BMPs include guidance to: (1) make it easier for the boater to understand where they can properly dispose of their vessel in order to avoid having the vessel abandoned; (2) provide incentives for boaters to properly dispose of their vessel and disincentives for improper disposal; (3) encourage states and territories to title boats, which would create a paper trail to better determine ownership of abandoned vessels; (4) ensure states and territories know which agencies handle abandoned boats, under what circumstances such agencies will remove vessels and if permits are needed before work can be performed; (5) define the terms “abandoned boat,” “derelict vessel,” “vessel” and “ownership;” (6) provide notice to owners by certified mail; (7) provide public notice if the owner cannot be identified; (8) provide clear expectations to an applicant for title or registration of an abandoned vessel; (9) streamline the process for an entity to remove and dispose of a vessel; and (10) ensure that states allocate funds dedicated to remove abandoned and derelict boats and provide mechanisms for prioritizing such removals.[[38]](#footnote-38)

**Ongoing Issues and Concerns**

 The majority of abandoned vessels can be found in Jamaica Bay, Coney Island, the Arthur Kill and Kill Van Kull, all of which are considered “infamous boat dumping grounds.”[[39]](#footnote-39) The primary reason that abandoned vessels are not more frequently removed from the waters and shores of the New York Harbor is because removal can cost as much as $7,000 for a pleasure vessel, and more for a large commercial vessel, especially if the vessel is completely submerged.[[40]](#footnote-40) Vessels that are not powered by a motor, including many pleasure vessels, are not required to be registered under New York State law.[[41]](#footnote-41) Additionally, owners of vessels that are registered will often strip an abandoned vessel of all identifying marks. Notwithstanding the lack of legislation directed towards the removal of abandoned vessels, there have been efforts on behalf of federal, State and local agencies, as well as private citizens, to remove abandoned vessels from the New York Harbor. Advocacy groups, such as the American Littoral Society with help from volunteers and partners, have facilitated the removal of hundreds of tons of debris, including abandoned vessels, from Jamaica Bay.[[42]](#footnote-42)

 New York State does not have a dedicated funding source to pay for the removal and disposal of abandoned boats.[[43]](#footnote-43) Some states, such as Washington, have an established program for revenue collection which includes collecting a $3 annual fee on recreational vessels at registration, and a $1 per linear foot annual fee on commercial vessels at registration.[[44]](#footnote-44) The fees collected in Washington are then housed in a single account which can be accessed to remove commercial or recreational vessels.[[45]](#footnote-45) Oregon collects fees on recreational vessels for titles and registration and deposits $150,000 per biennium into an Abandoned and Derelict Vessel (ADV) fund.[[46]](#footnote-46) These funds may be used for both recreational and commercial vessel removal.[[47]](#footnote-47) California also collects revenues specifically for ADV programs, though it is limited to only recreational vessels.[[48]](#footnote-48) California raises funds primarily through a surcharge on marine fuel,[[49]](#footnote-49) which effectively shifts the tax burden from boat ownership to boat usage.[[50]](#footnote-50) Boaters who use their vessels more will pay more.[[51]](#footnote-51) In addition, states including Texas and Florida make no distinction between commercial and recreational vessels in terms of removal for their ADV programs. Funding for their programs comes from a variety of sources, such as legal fines and penalties, leases, and grants.[[52]](#footnote-52) The revenues go into a fund that can be used for commercial or recreational ADV.[[53]](#footnote-53)

As discussed above, there is also the issue of determining what agency or authority is responsible for removing such vessels. Further, recreational boaters, elected officials and environmental advocates have stated that it is a “nearly impossible task” to determine the exact number of abandoned boats, in part because no single agency is responsible for their removal.[[54]](#footnote-54) After Superstorm Sandy, approximately 115 boats posed immediate public safety hazards and were removed from the City’s waterways.[[55]](#footnote-55) In 2015, DPR reported that there were over 600 abandoned boats in the City’s waters.[[56]](#footnote-56) The American Littoral Society found 133 abandoned boats and wave runners and 132 boat fragments just in the Jamaica Bay area.[[57]](#footnote-57) In 2021, residents complained that several abandoned boats that washed up near the marina in Great Kills Park in 2019, still had not been removed from the water.[[58]](#footnote-58) Residents have also expressed frustrations as to who is in charge of removing the vessels.[[59]](#footnote-59) However, since Great Kills Park is part of the federally-run Gateway National Recreation Area, the National Park Service is responsible for removing these vessels.[[60]](#footnote-60) In February 2021, the first of three abandoned vessels were removed from the Pelham Bay Park shoreline by DPR with support from former Council Member Mark Gjonaj, who allocated $20,000 in City discretionary funds, while DPR contributed $3,000, to have the vessels removed.[[61]](#footnote-61) In the last six years, the DPR has removed approximately 350 vessels from the water throughout the City,[[62]](#footnote-62) and estimates that there are still upward of 500 abandoned vessels along the City’s shorelines.[[63]](#footnote-63)

**Legislation**

Below is a brief summary of the legislation being considered today by this Committee. This summary is intended for informational purposes only and does not substitute for legal counsel. For more detailed information, you should review the full text of the bill, which is attached below.

**Int. No. 210, A Local Law to amend the New York city charter, in relation to creating a marine debris disposal and vessel surrendering office**

Int. No. 210 would require that the mayor create an Office of Marine Debris Disposal and Vessel Surrendering. The office would be responsible for, among other things, coordinating the disposal of, or if appropriate reuse, marine debris left on public beaches, and developing a program to encourage boat owners to dispose of boats through the city rather than abandon them in the water.

This local law would take effect immediately.

**Int. No. 461, A Local Law to amend the administrative code of the city of New York, in relation to identifying and removing boats from New York city’s littoral waters**

Int. No. 461 would require the Department of Small Business Services to create and maintain a log of abandoned boats and their locations in New York City’s littoral waters. This bill would also require the Office of the City Sheriff to remove abandoned boats from New York City’s littoral waters.

This local law would take effect 180 days after it becomes law.

Int. No. 210

By Council Members Ariola, Brooks-Powers, Menin, Velázquez, Ossé, Farías, Gennaro, Gutiérrez, Ayala, Holden, Narcisse, Abreu, Riley, Barron, Schulman, Carr, Borelli, Paladino and Vernikov

A Local Law to amend the New York city charter, in relation to creating a marine debris disposal and vessel surrendering office

Be it enacted by the Council as follows:

Section 1. Chapter 1 of the New York city charter is amended by adding a new section 20-o to read as follows:

20-o. Office of marine debris disposal and vessel surrendering. A. Definitions. As used in this section, the following terms have the following meanings: Abandon. The term “abandon” means the permanent relinquishment of possession or control.

Director. The term “director” means the director of the office of marine debris disposal and vessel surrendering.

Littoral waters. The term “littoral waters” means any waters within or bounding a city to a distance of fifteen hundred feet from the shore.

Marine debris. The term “marine debris” means any garbage, refuse, debris and other materials or substances which are discarded or abandoned in the city’s littoral waters or shores or which have made their way to the city’s littoral waters or shores, but not including boats or similar vessels.

b. The mayor shall establish an office of marine debris disposal and vessel surrendering. Such office may, but need not, be established in the executive office of the mayor and may be established as a separate office, within any other office of the mayor or within any department, the head of which is appointed by the mayor. Such office shall be headed by a director who shall be appointed by the mayor.

c. Powers and duties. The director shall have the power and duty to:

1. Liaise and collaborate with relevant offices in the executive office of the mayor and with agencies including, but not limited to, the department of small business services, the department of finance, the department of sanitation, and the department of parks and recreation, to:

(a) coordinate the removal of marine debris in the city’s littoral waters or shores,

(b) develop a plan to recycle or reuse plastic, wood and metal marine debris, and dispose of nonrecyclable marine debris,

(c) develop recommendations for enforcement against persons who illegally deposit or abandon marine debris, boats or other vessels within the city’s littoral waters or shores, and

(d) develop recommendations for a program through which persons may surrender boats to the city for disposal.

2. Coordinate with and promote organizations and volunteer groups involved in removing marine debris from the city’s beaches and shores.

§ 2. This local law takes effect immediately.

Session 12

XC

LS #8506

4/21/22 10:30pm

Session 11

LS 6915

SS

Int. No. 461

By Council Members Ariola and Borelli

A Local Law to amend the administrative code of the city of New York, in relation to identifying and removing boats from New York city’s littoral waters

Be it enacted by the Council as follows:

Section 1. Title 22 of the administrative code of the city of New York is amended by adding a new chapter 13 to read as follows:

CHAPTER 13

ABANDONED BOAT REMOVAL

§ 22-1301 Definitions.

§ 22-1302 Abandoned Boat Log.

§ 22-1303 Abandoned Boat Removal Protocol.

§ 22-1301 Definitions. As used in this chapter, the following terms have the following meanings:

Abandoned. The term “abandoned” means permanent relinquishment of possession or control.

                     Department. The term “department” means the department of small business services.

                     Littoral waters. The term “littoral waters” means any waters within or bounding a city to a distance of 1,500 feet from the shore.
                     § 22-1302 Abandoned Boat Log. The department, in consultation with any other relevant agency, including, but not limited to, the department of parks and recreation and the department of finance, shall create and maintain a log of abandoned boats and their locations in New York city’s littoral waters. The department shall make the log publicly available online, and shall update the log on a monthly basis.

§ 22-1303 Abandoned Boat Removal Protocol. The department of finance shall develop a protocol for the removal of abandoned boats in New York city’s littoral waters. Such protocol shall require the office of the sheriff of the city of New York:

1. to establish a means of identifying abandoned boats in New York city’s littoral waters, including but not limited to direct inspection by city employees and receipt of reports from the public; and

2. to establish a system whereby personnel of the office of the sheriff of the city of New York shall be deployed to assess and remove abandoned boats from New York city’s littoral waters.

§ 2. This local law takes effect 180 days after it becomes law.

Session 12

JSA

LS #750

5/17/2022

Session 11

MKD
LS #4535/4536
Int. #1519-2019

1. *See,* <https://nycitylens.com/wp-content/endoftrash/junk-boats/index.html>. [↑](#footnote-ref-1)
2. *See,* https://marinedebris.noaa.gov/sites/default/files/publications-files/2017\_ADV\_Fact\_Sheet.pdf [↑](#footnote-ref-2)
3. *Id.* [↑](#footnote-ref-3)
4. *See* <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=448895&GUID=A89D424D-07A0-4F40-A1F0-76ED94E54AC6&Options=&Search>. [↑](#footnote-ref-4)
5. Testimony of David Driscoll, Deputy Inspector and Commanding Officer, NYPD Harbor Unit, available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=448895&GUID=A89D424D-07A0-4F40-A1F0-76ED94E54AC6&Options=&Search>. [↑](#footnote-ref-5)
6. Testimony of John F. Tavolaro, Deputy Chief, Operations Division, USACE N.Y. District, available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=448895&GUID=A89D424D-07A0-4F40-A1F0-76ED94E54AC6&Options=&Search>. [↑](#footnote-ref-6)
7. *Id.* [↑](#footnote-ref-7)
8. 33 U.S.C. § 409. [↑](#footnote-ref-8)
9. 33 C.F.R 245.10. [↑](#footnote-ref-9)
10. 33 C.F.R 245.20. [↑](#footnote-ref-10)
11. 46 U.S.C 4701 *et seq*. [↑](#footnote-ref-11)
12. A “seagoing barge” means a non-self-propelled vessel of at least 100 gross tons. 46 U.S.C. 2101(42). [↑](#footnote-ref-12)
13. 46 U.S.C 4701(a). [↑](#footnote-ref-13)
14. 46 U.S.C. 4702 [↑](#footnote-ref-14)
15. United States Coast Guard, Commandant Instruction M16465.43, 1996. [↑](#footnote-ref-15)
16. United States Coast Guard, Commandant Instruction M16465.43, 1996 available at: <https://nrt.org/sites/2/files/CIM_16465_43.pdf> [↑](#footnote-ref-16)
17. 33 U.S.C. § 1321(d). [↑](#footnote-ref-17)
18. New York and New Jersey Area Contingency Plan, United States Coast Guard, available at: <https://nepis.epa.gov/Exe/ZyNET.exe/P100PX1R.txt?ZyActionD=ZyDocument&Client=EPA&Index=1991%20Thru%201994&Docs=&Query=&Time=&EndTime=&SearchMethod=1&TocRestrict=n&Toc=&TocEntry=&QField=&QFieldYear=&QFieldMonth=&QFieldDay=&UseQField=&IntQFieldOp=0&ExtQFieldOp=0&XmlQuery=&File=D%3A%5CZYFILES%5CINDEX%20DATA%5C91THRU94%5CTXT%5C00000033%5CP100PX1R.txt&User=ANONYMOUS&Password=anonymous&SortMethod=h%7C-&MaximumDocuments=1&FuzzyDegree=0&ImageQuality=r75g8/r75g8/x150y150g16/i425&Display=hpfr&DefSeekPage=x&SearchBack=ZyActionL&Back=ZyActionS&BackDesc=Results%20page&MaximumPages=1&ZyEntry=8> [↑](#footnote-ref-18)
19. *See,* Abandoned and Derelict Vessel (ADV) Legislative and Administrative Review – 2015, available at: <https://marinedebris.noaa.gov/sites/default/files/ADV-Docs/NEW_YORK_ADV_Legal_Review_2015_NOAA_MDP.pdf> [↑](#footnote-ref-19)
20. “Wrecks” are defined as “any wrecked property, other than an abandoned historic shipwreck.” NYS Navigation Law § 2(34). State law does not define abandoned or derelict vessels. Article 33 of the N.Y.S. Vehicle and Traffic Law defines abandoned vehicles, but such definition does not include vessels. N.Y. Veh. & Traffic Law § 1224. [↑](#footnote-ref-20)
21. *See generally*, N.Y. Navigation Law §§ 130 – 139-C. [↑](#footnote-ref-21)
22. *See,* Abandoned and Derelict Vessel (ADV) Legislative and Administrative Review – 2015, available at: <https://marinedebris.noaa.gov/sites/default/files/ADV-Docs/NEW_YORK_ADV_Legal_Review_2015_NOAA_MDP.pdf> [↑](#footnote-ref-22)
23. *Id.* [↑](#footnote-ref-23)
24. *Id.* [↑](#footnote-ref-24)
25. *Id.* [↑](#footnote-ref-25)
26. *Id.* N.Y. Nav. Law § 139-a. [↑](#footnote-ref-26)
27. *Id.* [↑](#footnote-ref-27)
28. L.L 61 of 1991; L.L 34 of 2002. [↑](#footnote-ref-28)
29. New York City Charter §1301(d). [↑](#footnote-ref-29)
30. Admin. Code §22-108. [↑](#footnote-ref-30)
31. Admin. Code §§22-109, 22-110. [↑](#footnote-ref-31)
32. Admin. Code §22-111. [↑](#footnote-ref-32)
33. Testimony of Deputy Inspector David T. Driscoll, Harbor Unit, NYPD at a City Council Hearing on December 16, 2008, available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=448895&GUID=A89D424D-07A0-4F40-A1F0-76ED94E54AC6&Options=&Search>. [↑](#footnote-ref-33)
34. *Id.* [↑](#footnote-ref-34)
35. *Id.* [↑](#footnote-ref-35)
36. *Id.* [↑](#footnote-ref-36)
37. *Id.* [↑](#footnote-ref-37)
38. *See,* National Assoc. of State Boating Law Administrators, “Best Management Practices (BMP) for Abandoned Boats,” 2009. [↑](#footnote-ref-38)
39. Kaya Laterman, The N.Y. Times, *His Job? Clearing New York’s Shorelines of Abandoned Boars,* Jan. 3, 2022, available at: <https://www.nytimes.com/2022/01/03/nyregion/abandoned-boats-nyc.html> [↑](#footnote-ref-39)
40. *See*, <https://www.citylandnyc.org/parks-dept-removes-abandoned-boats-from-pelham-bay/> [↑](#footnote-ref-40)
41. New York State Vehicle and Traffic Law §2252(1)(g). [↑](#footnote-ref-41)
42. *See,* American Littoral Society Website, available at: <https://www.littoralsociety.org/marine-debris.html> [↑](#footnote-ref-42)
43. *See,* NOAA Marine Debris Program, State of New York, available at: <https://marinedebris.noaa.gov/sites/default/files/ADV-Docs/NEW_YORK_ADV_Legal_Review_2015_NOAA_MDP.pdf> [↑](#footnote-ref-43)
44. *See,* Pacific States/British Columbia Oil Spill Task Force, Abandoned and Derelict Vessels Workgroup, *The Current State of Abandoned and Derelict Vessels on the West Coast – White Paper*, March 14, 2019, available at: <https://oilspilltaskforce.org/wp-content/uploads/2019/03/ADV-White-Paper-FINAL.pdf> [↑](#footnote-ref-44)
45. *Id.* [↑](#footnote-ref-45)
46. *Id.* [↑](#footnote-ref-46)
47. *Id.* [↑](#footnote-ref-47)
48. *Id.* [↑](#footnote-ref-48)
49. *Id.* [↑](#footnote-ref-49)
50. *Id.* [↑](#footnote-ref-50)
51. *Id.* [↑](#footnote-ref-51)
52. *Id.* [↑](#footnote-ref-52)
53. *Id.* [↑](#footnote-ref-53)
54. Corey Kilgannon, *A Push to Clear Abandoned Boats From New York’s Waters,* The New York Times, November 2, 2015, available at <https://www.nytimes.com/2015/11/03/nyregion/fresh-effort-to-clear-abandoned-boats-littering-new-york-city-waterways.html> [↑](#footnote-ref-54)
55. *Id.* [↑](#footnote-ref-55)
56. Corey Kilgannon, *A Push to Clear Abandoned Boats From New York’s Waters,* The New York Times, November 2, 2015, available at <https://www.nytimes.com/2015/11/03/nyregion/fresh-effort-to-clear-abandoned-boats-littering-new-york-city-waterways.html> [↑](#footnote-ref-56)
57. *Id.* [↑](#footnote-ref-57)
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