



DEPARTMENTAL GENERAL ORDER

J-03.1: TOWING PROCEDURES – ABANDONED/SALVAGED RECREATIONAL WATERBORNE VESSELS

SUBMERGED NAVIGATIONAL HAZARD ABATEMENT PLAN (SNHAP)

Effective Date: 21 Sep 22

Coordinator: Special Operations Section

Policy and Procedure for the removal of abandoned recreational vessels through the Division of Boating and Waterways Surrendered and Abandoned Vessel Exchange (SAVE) / Grant Program.

COMMAND INTENT

Through a grant program provided by the Division of Boating and Waterways, the Oakland Police Department, upon identifying derelict recreational vessels with no identifiable owner, will remove and dispose of the vessels in accordance with those provisions set forth in the Harbors & Navigation Codes and Alameda County Codes regarding wrecked and salvaged vessels.

A. Definitions and Authorities

A – 1.

1.1. Dilapidated/Abandoned Recreational Vessel: A vessel that may be seaworthy and mobile but is dilapidated and abandoned on Oakland waters for more than 30 days. The vessel must be unoccupied. Complete definition at Harbors and Navigation section 522. Removal procedures are in B-1 below.

1.2. Marine Debris: A vessel or part of a vessel that is unseaworthy and cannot be used for transportation. Complete definition at Harbors and Navigation Code section 550(b). Removal procedures are in B-2 below.

A – 2. Authority to Remove:

The authority to remove and dispose of abandoned vessels is covered under:

1. Harbors & Navigation Code sections 522, 523, 525, and 526 allow for the removal of vessels that are seaworthy but dilapidated and have been abandoned on the waters of the State for more than 30 days. The vessel must have a value of less than \$300. Removal procedures are in B-1 below.
2. Harbors & Navigation Code section 551 allows for the removal and disposal of marine debris under the procedures in B-2 below.

B. Reported or Located Abandoned Recreational Vessel:

B – 1. If the vessel is seaworthy but dilapidated and appears to be abandoned per A-1.1:

1. If the vessel is adrift, OPD must moor it at a safe moorage.
2. If the vessel is moored at a location that presents a hazard, interferes with traffic, or threatens wetlands or water quality, and can be towed, OPD will tow it and moor it at a safe moorage.
3. If the vessel is not adrift and does not present a hazard, it can be left on site. OPD should post a notice on the vessel stating that the vessel appears to be abandoned. If the owner posts a notice of the owner's address on the vessel 10 days before the deadline and provides the notice to the City, then OPD shall provide a second notice giving the owner 15 days to remove the vessel. If the vessel is not removed in the first 30-day period or after the 15-day second notice, OPD may remove the vessel to storage.
4. Once the vessel is in storage, contact the City Attorney's Office regarding disposal or sale.

B – 2. If the vessel is not seaworthy and is thus marine debris per A-1.2:

1. If the vessel presents a hazard, either adrift or moored, OPD will remove it to storage. If the vessel cannot be towed, OPD may immediately destroy and/or dispose of it. If the vessel has a hull number or the owner is otherwise identifiable, OPD will send notice to the owner at the owner's address of record with DMV, by certified or first-class mail.
2. If the vessel is not adrift and not a hazard, OPD will attach a notice to the vessel, giving OPD's address and phone number and stating that the vessel will be removed if not claimed or removed within 10 days. If the vessel has a hull number or the owner is otherwise identifiable, OPD will additionally send a notice to the owner at the owner's address of record with the DMV, by certified or first-class mail.
3. After 10 days from mailing or posting a notice (whichever is later), if the owner does not claim the vessel and pays OPD's towing and storage costs, OPD may destroy the vessel.

B – 3. Content of Mailed and Posted Notices:

1. Agency name, phone number, address

2. Date
3. Harbor & Navigation Codes which authorize the removal of the abandoned vessel (see section A-2 above for which code section to list)
4. The date on, or after, which the vessel will be removed (30 days/15 days for seaworthy vessel first and second notice; 10 days for marine debris)
5. If available, the vessel registration number
6. The name and badge number of the officer who affixed the form

B – 4. Documentation

The following information shall be documented in a crime report completed by the Marine Patrol Officer or designee:

1. Location of the vessel.
2. Condition of the vessel, including whether seaworthy or not.
3. Whether the vessel is a navigational hazard or danger to wetlands/water quality.
4. List whether there is or is not a registration or hull identification number (HIN), and the results of the Department of Motor Vehicles (DMV) file check.
 - a) No discernible registration or HIN
 - b) No record on file
 - c) Registered or legal owner
5. List if the removal of the vessel is possibly eligible for grant funding through the Division of Boating and Waterways Surrendered and Abandoned Vessel Exchange (SAVE) grant program.
6. Photograph and include on photo location by landmarks or location by GPS.
7. Place the documented report into the “Surrendered and Abandoned Vessel Exchange (SAVE)” file which will be maintained at the Marine Patrol Office.

8. Prioritize and log the abandoned recreational vessels on the “Abandoned Vessel Spreadsheet” which will be attached to the SAVE file.
 - a) Navigational and/or safety hazard
 - b) Pollution hazard
 - c) Others
9. If a registration number appears on the vessel, a notice shall be sent via U.S. Mail to the last registered owner’s address.

C. Request for grant funding through the Division of Boating and Waterways Surrendered and Abandoned Vessel Exchange (SAVE) grant program.

C – 1. When a sufficient number of vessels have been identified for removal and documented, the Special Operations Section supervisor should be advised by the Marine Patrol Officers.

1. The lead Marine Patrol Officer will check on the availability of grant funding.
2. If funding is available, the lead Marine Patrol Officer (or designee) should prepare a grant application requesting funds.

D. Contracts

D – 1. Bidding for the contract.

Responsibilities for Marine Unit Staff or designee will be assigned as the Project Manager. The Project Manager will communicate with the Contract Manager (Fiscal Service Member) to ensure purchasing & contract requirements are met. The Project Manager will notify qualified bidders. The Project Manager will prepare a scope of work that will define the standards and the contract will include but is not limited to:

1. A list of targeted vessels.
2. Job requirements:
 - a. Ability to safely remove abandoned vessels.
 - b. Properly dispose of vessels.
3. A date and time that bids must be turned in.

D – 2. The Contract Manager (Fiscal Service Member) will ensure the Project Manager is adhering to the City’s current purchasing and liability process. The Contract Manager will process the prepared documents by the Project Manager and submit the paperwork to the Purchasing Department for approval.

D – 3. After the contract is awarded, the Project Manager will be required to:

1. Set a start date that is agreeable to the Oakland Police Department.
2. Complete the work during the normal workweek unless the Project Manager notifies and arranges a different schedule with the Oakland Police Department.
3. Work with designated Marine Unit Staff or designee who will monitor the removal and disposal of the vessel.

D – 4. Documenting and Notifications of vessel removal

1. An Oakland Police Officer will be on scene during the removal process.
 - a. To monitor and oversee that the vessel is completely removed and disposed of.
 - b. To ensure safety and environmental concerns are observed.
2. Upon the completion of the removal, the Marine Unit Supervisor and Contract Manager will be advised.
3. Complete a supplemental report to the original report (B-4) stating the vessel has had the required notices affixed. Include the information written on the notice. State the vessel has been removed and disposed of, concluding the case.
4. Notify the Department of Motor Vehicles (DMV) the vessel has been removed and destroyed utilizing the DMV form Reg 256.

E. Hazardous Materials

E – 1. Petroleum Discharge

1. If there is an obvious and significant petroleum discharge during the removal of the vessel:

- a) Notify the Marine Patrol Unit Officer or Marine Patrol Unit Supervisor.
- b) The US Coast Guard Sector San Francisco Incident Management Division (IMD) shall be contacted and requested to respond to the scene to mitigate the discharge. USCG Sector SF IMD: (510) 697-9664.

Note the occurrence of the petroleum discharge and any attempt(s) to contact USCG within the report regarding the towed vessel.


E – 2. Hazardous Chemicals or Material

If there is a hazardous chemical, or other material such as waste or asbestos, found during the removal of the vessel:

- a) Notify the Marine Patrol Unit Officer or Marine Patrol Unit Supervisor.
- b) Contact Sacramento County Environmental Management Department (EMD) and the Office of Emergency Services.
- c) Document these actions within the report regarding the towed vessel.

The contractor should have boom and containment equipment available so that the vessel can be isolated to prevent debris from floating away from the cleanup site. In the event that the contractor does not have the proper equipment to address the hazardous chemical/materials, immediately contact the Marine Patrol Unit Officer/Supervisor.

By order of


LeRonne Armstrong
Chief of Police

Date Signed: 21 Sep 22

Appendix A

Oakland Police Department

****NOTICE****

**ANY VESSEL THAT IS DERELICT OR A HAZARD
TO NAVIGATION, WETLANDS, OR WATER
QUALITY IS SUBJECT TO REMOVAL BY THE
OAKLAND POLICE DEPARTMENT AT THE
EXPENSE OF THE OWNER**

DATE: _____

**THIS VESSEL MAY BE REMOVED, AT THE
OWNER'S EXPENSE ON OR AFTER:**

VESSEL REGISTRATION:
