



## NOTICE OF INTENT TO OBTAIN CUSTODY

The Port of Everett, acting as an Authorized Public Entity with the authority granted in RCW 79.100, intends to take custody of the vessel described as **SEA DUKE, 1977 28' FIBERFORM TRI-CABIN POWERBOAT, WN-536-BF, HIN# WNZ17646I777** as derelict and abandoned, on **MARCH 24<sup>TH</sup>, 2024** (Custody Date). After taking custody of the vessel, the Port of Everett may use or dispose of it without further notice to the owner.

**Retaining Ownership** - To retain custody and ownership of the vessel, before the Custody Date the owner must:

- Pay all outstanding costs incurred by the Port of Everett in responding the vessel, including but not limited to salvage costs, storage fees, haul out fees, outstanding moorage fees, and administrative fees and
- Get authorization to moor or anchor the vessel in current location, OR
- Remove the vessel from the water or the yard where it is being held, and
- Relocate the vessel to an authorized anchorage area, moorage facility, or storage location.

**Appeal Process** - If the owner wishes to reclaim the vessel after the Port of Everett has obtained custody of it or wants to challenge the Port of Everett's decision to take custody of it, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy on the Port of Everett at the addresses below by **APRIL 23rd, 2024**. The owner waives the right to a hearing if the PCHB does not receive an appeal on or before that date. Contact the PCHB at 360-664-9160 with questions about the appeal process.

Original:  
**Pollution Control Hearings Board**  
PO Box 40903  
Olympia, WA 98504-0903

Copy:  
**Port of Everett, Attn: Vicki Howell**  
**1205 Craftsman Way, Suite 105**  
**Everett, WA 98201**  
[vickih@portofeverett.com](mailto:vickih@portofeverett.com)

The appeal must include the following information:

- A copy of this notice.
- Your name and address (physical and mailing) and, if applicable, the name and address of your representative.
- A daytime phone number.
- A brief statement about why you are appealing, what you did to retain custody of the vessel during the notification period.
- A statement of what you want the Pollution Control Hearings Board to do.
- Your signature or that of your representative certifying that the content of the appeal is true.

The owner is liable for any costs incurred by the Port of Everett in responding to the vessel. Costs may include all administrative costs incurred, removal and disposal costs, and costs associated with environmental damages directly or indirectly caused by the vessel. If there is a lawsuit, the successful party may receive reasonable attorneys' fees and costs.

For more information contact Vicki Howell at 425-388-0671 or [vickih@portofeverett.com](mailto:vickih@portofeverett.com).

END OF NOTICE