



## NOTICE OF INTENT TO OBTAIN CUSTODY

**VESSEL with Washington Registration # WN1152NH, HID# 800,**

The *City of Des Moines* declared the above vessel, with Washington Registration # **WN1152NH**, as abandoned effective **February 14, 2024**. The vessel is a **1968 Auxiliary Sail TBDC** boat located at the *City of Des Moines Marina*.

*City of Des Moines*, acting as an authorized public entity with the authority granted in RCW 79.100, intends to take custody of the vessel on **May 20, 2024 (Custody Date)**. After taking custody of the vessel, *City of Des Moines* may use or dispose of it without further notice to the owner.

**In order to keep the vessel, before the Custody Date, all outstanding and accruing fees must be paid and the owner must:**

- Get authorization to moor or anchor the vessel in its current location, **or**
- Move it to an anchorage area, moorage facility, or storage location that authorizes the vessel.
- Remove the vessel from the water.

If the owner wants to reclaim the vessel after *City of Des Moines* has custody, or wants to challenge *City of Des Moines'* decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy on *City of Des Moines*. Addresses are in the boxes below:

<b>Pollution Control Hearings Board (send one original and one copy)</b> <b>Physical address:</b> 1111 Israel Road, Ste. 301 Tumwater, WA 98501 <b>Mailing address:</b> PO Box 40903 Olympia, WA 98504-0903 <b>Phone:</b> 360-664-9160	<b>City of Des Moines Marina</b> 22307 Dock AVE S. Des Moines, WA 98198
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**The appeal must include the following information:**

- A copy of this notice or a copy of the notification letter to the owner.
- Your name and address (mailing and legal, if different) and, if applicable, the name and address of your representative.
- A daytime phone number.
- A brief statement why you are appealing.
- A statement of what you want the Pollution Control Hearings Board to do.
- Your signature or that of your representative. This signature certifies that the content of the appeal is true.

See <http://www.eluho.wa.gov/Global/Reader?title=PCHB%20Appeal%20Process&path=Procedure> Appeal PCHB or call the PCHB at the number above with appeal questions.

**The owner may submit the appeal immediately, but the PCHB must receive it no later than 06/20/2024 (Appeal Date). The owner waives the right to a hearing if the PCHB does not receive an appeal on or before the Appeal Date. The owner is then liable for any costs incurred by *City of Des Moines* in responding to the vessel.**

These costs may include all administrative costs incurred by *City of Des Moines*, removal and disposal costs, and costs associated with environmental damages directly or indirectly caused by the vessel. If there is a law suit, the successful party may receive reasonable attorneys' fees and costs.

*City of Des Moines* also may pursue any other remedies available under law. For example, *City of Des Moines* may take temporary possession of the vessel under the circumstances described in the Revised Code of Washington (RCW) 79.100.040(3). You can find a copy of this law online at <http://apps.leg.wa.gov/RCW/default.aspx?cite=79.100> .

For more information, contact Katy at City of Des Moines at **206-824-5700** or [marinainfo@desmoineswa.gov](mailto:marinainfo@desmoineswa.gov).