



NOTICE OF INTENT TO OBTAIN CUSTODY

VESSEL [“*Cathrine Marie*”] with {WA Registration # WN4553 or USCG # or “unknown registration”}

The City of Federal Way declared the vessel *Cathrine Marie*, and WN4553, an emergency because it meets the criteria for temporary possession described under RCW 79.100.040(3). The City of Federal WA took temporary possession of the vessel and had it removed from the beach at 1416 SW 296th Street Federal Way, King County, in order to prevent it from sinking, breaking up, blocking navigation, or posing a threat to human health and safety or the environment.

The City of Federal Way intends to take formal and full custody of the vessel on **(Monday August 12, 2024)**. After taking custody, The City of Federal Way may use or dispose of it without further notice. The owner is responsible for all related costs.

In order to keep the vessel, the owner must take the following actions before the Custody Date:

- Pay the City of Federal Way back for costs incurred to date, **and**
- Move the vessel to an anchorage area, moorage facility, or storage location that authorizes the vessel.

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

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| Pollution Control Hearings Board (send one original and one copy) Physical address: 1111 Israel Road Tumwater, WA 98501 Mailing address: PO Box 40903 Olympia, WA 98504-0903 Phone: 360-664-9160 | City of Federal Way Parks Dept 33325 8 th Avenue South Federal Way WA. 98003-6325 |
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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 of 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/Board/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 **September 11, 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 Federal Way in responding to the vessel.** These costs may include all administrative costs incurred by **City of Federal Way**, 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.

The City of Federal Way also may pursue any other remedies available under law. The City of Federal Way is taking this action under the authority of Chapter 79.100 RCW. You can find a copy of this law online at <http://apps.leg.wa.gov/RCW/default.aspx?cite=79.100>, or by contacting Pollution Control Hearing Board. **For more information regarding this action, contact Department of Natural Resource’s Derelict Vessel Removal Program at (360) 688-0796.**