



Port of Klickitat

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Good for business. Good for life.

October 14, 2024

NOTICE OF INTENT TO OBTAIN CUSTODY

Jensen Sailboat - Registration OR591SJ

The Klickitat County Port District #1 declared the vessel Jensen Sailboat registration #OR591SJ, an emergency because it meets the criteria for temporary possession described under RCW 79.100.040(3). The Klickitat County Port District #1 took temporary possession of the vessel and had it removed from the Bingen Harbor in Klickitat 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 Klickitat County Port District #1 intends to take formal and full custody of the vessel on **October 29, 2024**. After taking custody, Klickitat County Port District #1 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 Klickitat County Port District #1 for costs incurred to date, and
- Move the vessel out of the Bingen Harbor to an anchorage area, moorage facility, or storage location that authorizes the vessel.

If the owner wants to reclaim the vessel after Klickitat County Port District #1 has custody or wants to challenge Klickitat County Port District #1 decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy to the Klickitat County Port District #1. Addresses are in the boxes below:

Pollution Control Hearings Board (send one original and one copy)	Klickitat County Port District #1
Physical address: 1111 Israel Road Tumwater, WA 98501	154 East Bingen Point Way, Suite A Bingen, WA 98605
Mailing address: PO Box 40903 Olympia, WA 98504-0903	Phone: 509-493-1655
Phone: 360-664-9160	

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 November 28, 2024. **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 Klickitat County Port District #1 in responding to the vessel.** These costs may include all administrative costs incurred by Klickitat County Port District #1, 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.

Klickitat County Port District #1 also may pursue any other remedies available under law. Klickitat County Port District #1 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

Klickitat County Port District #1. For more information regarding this action, contact Department of Natural Resources' Derelict Vessel Removal Program at (360) 902-2628.

Sincerely,

Margie Ziegler
Executive Director

