

# PORT OF OLYMPIA

## NOTICE OF INTENT TO OBTAIN CUSTODY

### VESSEL *with* UNKNOWN Registration

The Port of Olympia ~~declared the vessel an approx. 30' white sailboat with unknown registration~~ ~~declared the vessel~~ ~~Vessel Name or description, and registration # and/or USCG document #~~, an emergency because it meets the criteria for temporary possession described under RCW 79.100.040(3). ~~{ORG} Port of Olympia~~ took temporary possession of the vessel and had it removed from ~~specific location of vessel~~ ~~the South-end of the Port of Olympia marine terminal~~, ~~Name of County~~ ~~Thurston~~ County, in order to prevent it ~~from from sinking, breaking up, blocking navigation, or posing a threat to human health and to safety or~~ the environment.

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~~{ORG} Port of Olympia~~ intends to take formal and full custody of the vessel on ~~11/05/2024~~ ~~insert custody date [in bold]~~ ~~(Custody Date) November 5, 2024~~. After taking custody, ~~{ORG} Port of Olympia~~ 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:**

- ~~Get authorization to moor, store, 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.~~
- ~~Pay {ORG} back for costs incurred to date, and~~
- ~~Move the vessel to an anchorage area, moorage facility, or storage location that authorizes the vessel.~~

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If the owner wants to reclaim the vessel after ~~{ORG} Port of Olympia~~ has custody, ~~or~~ wants to challenge ~~{ORG} Port of Olympia's~~ decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy ~~on {ORG} to the Port of Olympia~~. Addresses are in the boxes below:

<p><b>Pollution Control Hearings Board</b> (send one original and one copy)</p> <p><b>Physical address:</b> 1111 Israel Road Tumwater, WA 98501</p> <p><b>Mailing address:</b> PO Box 40903 Olympia, WA 98504-0903</p> <p><b>Phone:</b> 360-664-9160</p>	<p><del>{Port of Olympia</del> <del>1022 Marine Dr. NE</del> <del>Olympia, WA 98501-6964</del> <del>{ORG}</del> <del>{ORG address}</del></p>
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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~~ no later than ~~{12/05/2024~~ ~~Date [in bold]~~ ~~30 days from Custody Date [using notice date rules]~~ ~~(Appeal Date) December 5, 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 {ORG} Port of Olympia in responding to the vessel.** These costs may include all administrative costs incurred by ~~Port of Olympia~~ ~~{ORG}~~, removal and disposal costs, and costs associated with environmental damages directly or indirectly caused by the vessel. If there is a ~~law suit~~ ~~lawsuit~~, the successful party may receive reasonable attorneys' fees and costs.

The Port of Olympia also may pursue any other remedies available under law. For example, the Port of Olympia 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 the Marina Office at the Port of Olympia phone 360-528-8049 or email [marina@portolympia.com](mailto:marina@portolympia.com). [ORG] also may pursue any other remedies available under law. [ORG] 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 [ORG]. For more information regarding this action, contact [ORG]'s Derelict Vessel Removal Program at (360) XXX-XXXX or [XXXX@XXXX](mailto:XXXX@XXXX).

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