



**P. O. BOX 310, SILVERDALE, WA 98383**  
**(360) 698-4918 ♦ fax (360) 698-2402**  
**portofsilverdale@wavecable.com**

## **NOTICE OF INTENT TO OBTAIN CUSTODY**

### **VESSEL with Washington Registration WN4964NU**

The Port of Silverdale (PORT) has declared the vessel WN4964NU a 2006, 28' HMMD sailing vessel an emergency because it meets the criteria for temporary possession described under RCW 79.100.040(3). Port of Silverdale took temporary possession of the vessel and had it removed from under the Port of Silverdale pier. Kitsap County, in order to prevent it from sinking, breaking up, blocking navigation, or posing a threat to human health and safety or the environment.

PORT intends to take formal and full custody of the vessel on **January 6<sup>th</sup> 2025**. After taking custody, PORT may use or dispose of it without further notice. The owner is responsible for all related costs.

#### **In order to keep the vessel, before the Custody Date, the owner must:**

- Pay the Port of Silverdale back for costs incurred, **and**
- Move the vessel to an authorized anchorage area, moorage facility, or storage location that authorizes the vessel.

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

<b>Pollution Control Hearings Board</b> (send one original and one copy) <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>Port of Silverdale</b> <b>Physical address:</b> 3550 NW Byron Street Silverdale, WA 98383 <b>Mailing address:</b> P. O. Box 310 Silverdale, WA 98383 <b>Phone:</b> (360) 698-4918
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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/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 **February 7<sup>th</sup> 2025**. **(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 the PORT in responding to the vessel.** These costs may include all administrative costs incurred by the Port of Silverdale, 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 PORT also may pursue any other remedies available under law. The PORT 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>.

**For more information, contact the Port of Silverdale at (360) 698-4918 or portofsilverdale@wavecable.com.**