NOTICE OF INTENT TO OBTAIN CUSTODY

VESSEL Free Spirit with Washington Registration WN4826RE

The Port of Seattle (POS) declared the vessel Free Spirit, with Washington Registration WN4826RE, as derelict or abandoned. The vessel is Shilshole Bay Marina– 7001 Seaview Ave NW Seattle, WA 98117.

Port of Seattle, acting as an authorized public entity with the authority granted in RCW 79.100, intends to take custody of the vessel on **March 30th, 2026 (Custody Date).** After taking custody of the vessel, Port of Seattle may use or dispose of it without further notice to the owner.

In order to keep the vessel, before the Custody Date, 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 Port of Seattle has custody, or wants to challenge Port of Seattle's decision to take custody, an appeal must be filed with the Pollution Control Hearings Board (PCHB) electronically through the Case Management System (CMS), except as identified in WAC 371-08-361 (3)(e). If a party does not have the technological capacity to file electronically through the CMS, a party may file by personal delivery, commercial delivery, fax, electronic mail, or first-class, registered, or certified mail and serve a copy on Port of Seattle. Addresses are in the boxes below:

Pollution Control Hearings Board **Physical address:** 1500 Jefferson Street S.E. Olympia, WA 98501 **Mailing address:** PO Box 40903 Olympia, WA 98504-0903 **Phone:** 360-664-9160	**Port of Seattle** **Attn: Maritime Environment and Sustainability Compliance Team** PO Box 1209 Seattle, WA 98121

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 telephone number and email address.
- Identification of the agency whose decision is being appealed.
- Proof of service.
- 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 https://eluho.wa.gov/boards/pollution-control-hearings-board/file-appeal 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 **April 30th, 2026 (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 Port of Seattle in responding to the vessel.** These costs may include all administrative costs incurred by Port of Seattle removal and disposal costs, and costs associated with environmental damages directly or indirectly caused by the vessel. If there is a lawsuit, the successful party may receive reasonable attorneys' fees and costs. Port of Seattle also may pursue any other remedies available under law. For example, Port of Seattle 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 Port of Seattle at 206-787-3344