WASHINGTON STATE DEPARTMENT OF
NATURAL RESOURCES

NOTICE OF INTENT TO OBTAIN CUSTODY

Vessel *Wind Dancer* with Washington Registration #WN 2757 MA

The Washington State Department of Natural Resources (DNR) has declared the vessel *Wind Dancer* with Washington Registration #WN 2757 MA, as derelict and abandoned.

DNR intends to take custody of the vessel on **April 25, 2026 (Custody Date)**. After taking custody, DNR 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 one of the following actions before the Custody Date:

- Move it to an anchorage area, moorage facility that authorizes the vessel, **or**
- Remove the vessel from the water.

If the owner wants to reclaim the vessel after DNR has custody, or wants to challenge DNR'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 DNR. 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	**Washington State** **Department of Natural Resources** **Aquatic Resources Division** 1111 Washington Street SE PO Box 47027 Olympia WA 98504-7027

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 **May 25, 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 DNR in responding to the vessel.** These costs may include all administrative costs incurred by DNR, removal and disposal costs, and costs associated with environmental damage directly or indirectly caused by the vessel. If there is a lawsuit, the successful party may receive reasonable attorneys' fees and costs. DNR also may pursue any other remedies available under law. For example, DNR may take temporary possession of the vessel under the circumstances described in the Revised Code of Washington (RCW) 79.100.040(3). DNR 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 DNR. **For more information regarding this action, contact DNR's Derelict Vessel Removal Program at (360) 902-2628 or DVRP@dnr.wa.gov.**