



NOTICE OF INTENT TO OBTAIN CUSTODY

VESSEL: TugBoat Valiant with Registration # Unknown

The Kitsap County Sheriff's Office (KCSO) has declared the vessel: **43' Tugboat with white, blue, yellow wheelhouse anchored North of Brownsville Marina** with Registration # Unknown, as derelict or abandoned.

Kitsap County Sheriff's Office, acting as an authorized public entity with the authority granted in RCW 79.100 intends to take custody of the vessel on 12/23/2023 (**Custody Date**). After taking custody, Kitsap County Sheriff's Office 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:

- Get authorization to moor or anchor the vessel in its current location, **or**
- 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 KCSO has custody, or wants to challenge KCSO's decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy on Kitsap County Sheriff's Office. Addresses are in the boxes below:

Pollution Control Hearings Board (send one original and one copy) Physical address: 1111 Israel Road Tumwater, WA 98501 Mailing address: PO Box 40903 Olympia, WA 98504-0903 Phone: 360-664-9160	Kitsap County Sheriff's Office 614 Division Street MS-37 Port Orchard, WA 98366
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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*** 01/23/2024 (**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 KCSO in responding to the vessel.** These costs may include all administrative costs incurred by KCSO, 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 is may receive reasonable attorneys' fees and costs.-

KCSO also may pursue any other remedies available under law. For example, KCSO may take temporary possession of the vessel under the circumstances described in the Revised Code of Washington (RCW) 79.100.040(3).

KCSO 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 KCSO. For more information regarding this action, contact KCSO's Derelict Vessel Removal Program, Deputy Trout #55 / 360-337-7101 or BTTrout@Kistap.gov.