NOTICE OF INTENT TO OBTAIN CUSTODY

VESSEL *Restless Wind* with Washington Registration # WN1421D

The Port of Seattle (POS) declared the vessel *Restless Wind described as a 1976 Capital Sail boat*, with Washington Registration # WN1421D as derelict or abandoned. The vessel is currently located at 7001 Seaview Ave NW Seattle, WA 98117.

The 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 **July 6, 2018 (Custody Date).** After taking custody of the vessel, the POS 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:

- 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 the POS has custody, or wants to challenge the POS'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 POS. Addresses are in the boxes below:

Pollution Control Hearings Board (send one original and one copy) Physical address: 1111 Israel Road, Ste 301 Tumwater, WA 98501 Mailing address: PO Box 40903 Olympia, WA 98504-0903 Phone: 360-664-9160	Port of Seattle 2711 Alaskan Way PO Box 1209 Seattle, WA 98111-1209

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 www.eho.wa.gov/Documents/Pamphlet_PCHB.pdf 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 **August 6, 2018 (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 the POS in responding to the vessel.**

These costs may include all administrative costs incurred by the POS, 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 POS also may pursue any other remedies available under law. For example, the POS 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 Mike DeSota at the POS at 206-787-3344 or desota.m@portseattle.org.