



NOTICE OF INTENT TO OBTAIN CUSTODY

VESSEL *Restless Wind* with USCG #583230

The Washington State Parks and Recreation Commission (WSPRC) declared the vessel *Restless Wind*, with USCG #583230, as abandoned. The vessel is moored on the Illahee State Park dock.

(WSPRC), acting as an authorized public entity with the authority granted in RCW 79.100, intends to take custody of the vessel on **11/24/2023 (Custody Date)**. After taking custody of the vessel, (WSPRC) 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. **or**
- Remove the vessel from the water.

If the owner wants to reclaim the vessel after (WSPRC) has custody, or wants to challenge (WSPRC) decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy on (WSPRC). 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	Washington State Parks and Recreation Commission 1111 Israel Rd Olympia, WA 98501
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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 <https://eluh0.wa.gov/> 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 **12/24/2023 (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 (WSPRC) in responding to the vessel.**

These costs may include all administrative costs incurred by (WSPRC), 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.

(WSPRC) also may pursue any other remedies available under law. For example, (WSPRC) 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 Stephen Tarr at Blake Island State Park at 360-280-3350 or Stephen.tarr@parks.wa.gov.