



City of Des Moines Marina
22307 DOCK AVENUE SOUTH
DES MOINES, WASHINGTON 98198-4627
(206) 824-5700



NOTICE OF INTENT TO OBTAIN CUSTODY

VESSEL with Washington Registration # WN1540W, HID# CLKD04220974,

The *City of Des Moines* declared the above vessel, with Washington Registration # **WN 1540 W**, as abandoned effective **September 1, 2023**. The vessel is a **1974 San Juan 24 WDV** boat located at the *City of Des Moines Marina*.

City of Des Moines, acting as an authorized public entity with the authority granted in RCW 79.100, intends to take custody of the vessel on **October 25, 2023 (Custody Date)**. After taking custody of the vessel, *City of Des Moines* may use or dispose of it without further notice to the owner.

In order to keep the vessel, before the Custody Date, all outstanding and accruing fees must be paid and 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 *City of Des Moines* has custody, or wants to challenge *City of Des Moines*' decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy on *City of Des Moines*. 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	City of Des Moines Marina 22307 Dock AVE S. Des Moines, WA 98198
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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/Global/Reader?title=PCHB%20Appeal%20Process&path=Procedure_Appeal_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 **November 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 *City of Des Moines* in responding to the vessel.**

These costs may include all administrative costs incurred by *City of Des Moines*, 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.

City of Des Moines also may pursue any other remedies available under law. For example, *City of Des Moines* 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 Katy at City of Des Moines at **206-824-5700** or marinainfo@desmoineswa.gov.