

City of Oak Harbor Marina

NOTICE OF INTENT TO OBTAIN CUSTODY

VESSEL *B Grand* with Washington Registration #WN2238LJ, and HIN #WAZ1857A1970

The City of Oak Harbor Marina declared the vessel *B Grand*, with Washington Registration # WN2238LJ, and HIN #WAZ1857A1970 as derelict or abandoned. The vessel is a white 1970 WMC sailboat in slip D-41 in the Oak Harbor Marina.

The City of Oak Marina, acting as an authorized public entity with the authority granted in RCW 79.100, intends to take custody of the vessel on **February 16, 2024**. After taking custody of the vessel, the City of Oak Harbor Marina 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:

- 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 The City of Oak Harbor Marina has custody, or wants to challenge The City of Oak Harbor Marina decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy on The City of Oak Harbor Marina 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	The City of Oak Harbor Marina 865 S.E. Barrington Dr Oak Harbor, WA 98277
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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://eluhg.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 **March 16, 2024**. **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 City of Oak Harbor Marina in responding to the vessel.**

These costs may include all administrative costs incurred by The City of Oak Harbor Marina, removal and disposal costs, and costs associated with environmental damages directly or indirectly caused by the vessel. If there is a lawsuit, the successful party may receive reasonable attorneys' fees and costs.

The City of Oak Harbor Marina also may pursue any other remedies available under law. For example, The City of Oak Harbor Marina 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 Chris Sublet at The City of Oak Harbor Marina at 360.279.4576 or csublet@oakharbor.org.