



NOTICE OF INTENT TO OBTAIN CUSTODY

VESSEL 1965 – 30’ Mercator Reg. No. *WN2520SA*

The Port of Seattle (POS) declared the vessel *1965 30’ Mercator sailboat, with Washington Registration WN2520SA* as derelict or abandoned. The vessel is currently submerged and located adjacent to Terminal 104 in the Duwamish Waterway.

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 **June 18, 2024 (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:

- Pay Entity back for costs incurred, **and**
- Move the vessel to an anchorage area, moorage facility, or storage location that authorizes the vessel.

If the owner wants to reclaim the vessel after The Port of Seattle has custody, or wants to challenge The Port of Seattle’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 Port of Seattle. 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 Attn: Maritime Environment and Sustainability Compliance Team PO Box 1209 Seattle, WA 98121
--	--

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.cho.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 **July 18, 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 Entity 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. The POS 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>.

For more information, contact The Port of Seattle at 206-787-3344