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 #WN4040JR, HID# SERF21720279

The *City of Des Moines* declared the above vessel, with Washington Registration #WN4040JR, as abandoned effective 10/01/2020. The vessel is a 1979 SeaRay 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 **11/15/2020 (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, 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

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 **12/15/2020 (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**.