

BENTON COUNTY SHERIFF'S OFFICE

7122 W. OKANOGAN PLACE, BLDG. A
KENNEWICK, WA 99336

(509) 735-6555

www.co.benton.wa.us



SHERIFF TOM CROSKREY

COMMITTED TO OUR COMMUNITY

NOTICE OF INTENT TO OBTAIN CUSTODY

VESSEL *Fiberfab* with Washington Registration #, WN4503Z and HIN #, FBF18338M74JRS

The Benton County Sheriff's Office declared the vessel *Fiberfab*, with Washington Registration # WN4503Z, as derelict or abandoned. The vessel is an 18" Fiberfab runabout, currently located at Ken's Auto Rescue 222 E Bruneau Ave. Kennewick, WA 99336.

Benton County Sheriff's Office, acting as an authorized public entity with the authority granted in RCW 79.100, intends to take custody of the vessel on **October 13, 2023**. After taking custody of the vessel, Benton County Sheriff's Office 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 Benton County Sheriff's Office has custody, or wants to challenge Benton County Sheriff's Office decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy on Benton County Sheriff's Office. 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
Benton County Sheriff's Office 7122 W Okanogan Place, Bldg A Kennewick, WA 33996	

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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://eluhio.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 **November 12, 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 Benton County Sheriff's Office in responding to the vessel.**

These costs may include all administrative costs incurred by Benton County Sheriff's Office, 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.

Benton County Sheriff's Office also may pursue any other remedies available under law. For example, Benton County Sheriff's Office 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 Deputy Brian Ohler at Benton County Sheriff's Office at 509-628-0333 or bohler@co.benton.wa.us.

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