

# PORT OF OLYMPIA

## NOTICE OF INTENT TO OBTAIN CUSTODY

### VESSEL with WA Registration: WN5593LA

The Port of Olympia declared an approx. 30' Irwin Yacht & Marine Corp Sailboat named "Cascade", with registration WN5593LA and HIN number XYM283301274, as derelict or abandoned – it was towed to the Swantown Marina Guest Dock. The vessel is an approx. 30' Cascade Sailboat with a white hull and a green stripe.

Port of Olympia, acting as an authorized public entity with the authority granted in RCW 79.100, intends to take custody of the vessel on **11/15/2023**. After taking custody of the vessel, the Port of Olympia 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 Port of Olympia has custody or wants to challenge Port of Olympia's decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy to the Port of Olympia. Addresses are in the boxes below:

<b>Pollution Control Hearings Board</b> (send one original and one copy) <b>Physical address:</b> 1111 Israel Road, Ste. 301 Tumwater, WA 98501 <b>Mailing address:</b> PO Box 40903 Olympia, WA 98504-0903 <b>Phone:</b> 360-664-9160	<b>Port of Olympia</b> 1022 Marine Dr. NE Olympia, WA 98501-6964
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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 of 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](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 12/15/2023. 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 Port of Olympia in responding to the vessel.**

These costs may include all administrative costs incurred by the Port of Olympia, 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 Port of Olympia also may pursue any other remedies available under law. For example, the Port of Olympia 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 the Marina Office at the Port of Olympia  
phone 360-528-8049 or email [marina@portolympia.com](mailto:marina@portolympia.com).**