



**PO Box 1180 • Port Townsend, WA 98368**

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## **NOTICE OF INTENT TO OBTAIN CUSTODY**

### **VESSEL “Dutch’s Legacy” with WA Registration # WN7285NL & Decal 571473**

The Port of Port Townsend declared the vessel *Dutch’s Legacy*, and showing a registration of WN7285NL with decal D571473, an emergency because it meets the criteria for temporary possession described under RCW 79.100.040(3). *Port of Port Townsend* took temporary possession of the vessel and had it removed from the Boat Haven Marina, Jefferson County, in order to prevent it from sinking, breaking up, blocking navigation, or posing a threat to human health and safety or the environment.

The Port of Port Townsend intends to take formal and full custody of the vessel on **November 21<sup>st</sup>, 2023**. After taking custody, the Port of Port Townsend may use or dispose of it without further notice. The owner is responsible for all related costs.

**In order to keep the vessel, the owner must take the following actions before the Custody Date:**

- Pay the Port of Port Townsend back for costs incurred to date, **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 Port Townsend has custody, or wants to challenge the Port of Port Townsend’s decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy on Port of Port Townsend. 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 Tumwater, WA 98501 <b>Mailing address:</b> PO Box 40903 Olympia, WA 98504-0903 <b>Phone:</b> 360-664-9160	<b>Port of Port Townsend</b> 2701 Jefferson St P.O. Box 1180 Port Townsend, WA 98368-0980
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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/Board/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 **December 21<sup>st</sup>, 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 Port Townsend in responding to the vessel.** These costs may include all administrative costs incurred by the **Port of Port Townsend**, 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.

Port of Port Townsend also may pursue any other remedies available under law. Port of Port Townsend 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>, or by contacting Port of Port Townsend. **For more information**

**regarding this action, contact Port of Port Townsend's Derelict Vessel Removal Program at (360) 316-6087 or [kristian@portofpt.com](mailto:kristian@portofpt.com).**