



## NOTICE OF INTENT TO OBTAIN CUSTODY

### VESSEL *Bethany II* with Identification # WN7887R

San Juan County declared the vessel *Bethany II*, with identification number **WN 7887R** (Washington Registration # or USCG # or unknown registration), as derelict or abandoned. The vessel is (desc/loc): **27ft Cal Custom Sailboat, white with red trim/stripping. Tied to San Juan County Public Dock in West Sound, Orcas Island. Vessel was first tagged as a Vessel of Concern by San Juan County in Blind Bay, Shaw in March of 2023. Vessel has since moved into West Sound where it drug anchor and was moved to the county dock by a private concerned citizen. Owner has not responded to notices or phone messages.**

San Juan County, acting as an authorized public entity with the authority granted in RCW 79.100, intends to take custody of the vessel on **12/14/24 (Custody Date)**. After taking custody of the vessel, San Juan County 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.
- **Contact the San Juan County Derelict Vessel Program 360-468-1690**

If the owner wants to reclaim the vessel after San Juan County has custody, or wants to challenge San Juan County's decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy on San Juan County. 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>San Juan County</b> 1609 Beaverton Valley Rd PO Box 729 Friday Harbor, WA 98250
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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.

Visit <https://elaho.wa.gov/content/11> 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 **01/14/2024 (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 San Juan County in responding to the vessel.** These costs may include all administrative costs incurred by San Juan County, 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.

San Juan County also may pursue any other remedies available under law. For example, San Juan County 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 San Juan County's Derelict Vessel Program Coordinator at 360-370-0555 or [dvprogram@sanjuanco.com](mailto:dvprogram@sanjuanco.com)