

## NOTICE OF INTENT TO OBTAIN CUSTODY

**VESSEL SUMMER BREEZE with Washington Registration #WN 9741 RN,**

The City of Tacoma, Department of Public Utilities, Light Division (Tacoma Power) declared the vessel SUMMER BREEZE, with Washington Registration #WN 9741 RN, as derelict or abandoned. The vessel is a 25' CLN CABIN SAILBOAT located in Mayfield Lake, Lewis County near the WDFW hatchery at 0 Fish Hatchery Rd, Mossyrock, WA.

Tacoma Power, acting as an authorized public entity with the authority granted in RCW 79.100, intends to take custody of the vessel on **November 7, 2023 (Custody Date)**. After taking custody of the vessel, Tacoma Power 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:**

- Remove the vessel from the water.

If the owner wants to reclaim the vessel after Tacoma Power has custody, or wants to challenge Tacoma Power's decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy on Tacoma Power. 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>Tacoma Public Utilities</b> Attn. Lindie Schmidt 3628 S. 35 <sup>th</sup> St. Tacoma, WA 98409-3192
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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://eluh.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 **December 7, 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 Tacoma Power in responding to the vessel.**

These costs may include all administrative costs incurred by Tacoma Power, 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.

Tacoma Power also may pursue any other remedies available under law. For example, Tacoma Power 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 Lindie Schmidt at Tacoma Power at 253-732-3904 or [LSchmidt1@cityoftacoma.org](mailto:LSchmidt1@cityoftacoma.org).