

PORT OF PORT TOWNSEND

NOTICE OF INTENT TO OBTAIN CUSTODY

VESSEL *JOHN N COBB* with Unknown Registration, Hull ID purportedly R552

The Port of Port Townsend (Port) declared the vessel *John N Cobb*, with unknown registration, as derelict, abandoned, or both. The vessel is an approximate 93 foot ex-NOAA research vessel tied to the Port of Port Townsend linear pier.

The Port, acting as an authorized public entity with the authority granted in RCW 79.100, intends to take custody of the vessel on **June 13, 2016 (Custody Date)**. After taking custody of the vessel, the Port 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.

If the owner wants to reclaim the vessel after The Port has custody, or wants to challenge the Port's decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy on the Port. 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	Entity Name Port of Port Townsend 2701 Jefferson Street Port Townsend, WA 98368
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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 WAC Ch. 371-08,

http://www.eluho.wa.gov/Global/Reader?title=PCHB%20Appeal%20Process&path=Procedure_FAQ_PCHB

and 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 July 13, 2015 (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 Entity in responding to the vessel. The Owner must comply with particular and certain deadlines and other formal guidelines set forth in Washington State law and Rules. If the Owner does not understand the appeal process, then the Owner should seek legal counsel immediately. Port staff cannot provide you any legal advice.

The owner may be liable for any costs incurred by the Port in responding to the vessel. These costs may include all administrative costs incurred by the Port, 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. The Port also may pursue any other remedies available under law.

For more information, contact Eric Toews at the Port at 360-385-0656 if you would like to discuss your situation at the Port.