



PO Box 1180 • Port Townsend, WA 98368

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NOTICE OF INTENT TO OBTAIN CUSTODY

UNNAMED VESSEL with WASHINGTON REGISTRATION #WN-5516JD and associated BOATHOUSE with WASHINGTON REGISTRATION #WN-8120SF

The Port of Port Townsend (Port) declared the unnamed vessel with Washington Registration #WN-5516JD, a 37' Owens wooden pleasure boat with twin inboard gas engines, AND the unnamed and associated boat house with Washington Registration #WN-8120SF, a 38' wood framed and aluminum sided boat house without propulsion, to be emergencies because they meet the criteria for temporary possession described under RCW 79.100.040(3). The Port took temporary possession of the vessel and boathouse and had them removed from the Port's Mats Mats Boat Launch facility in unincorporated Jefferson County, Washington, in order to prevent them from sinking, breaking up, blocking navigation, or posing a threat to human health and safety or the environment.

The Port intends to take formal and full custody of the vessel and boathouse on **Friday, September 23, 2016 (Custody Date)**. After taking custody, the Port may use or dispose of the vessel and boathouse without further notice. The owner is responsible for all related costs.

In order to keep the vessel and boathouse, the owner (or authorized agent) must take the following actions before the Custody Date:

- Get authorization to store the vessel and boathouse in their current location at the Port Townsend Boat Haven, **or**
- Reclaim the vessel and boathouse from the Port Townsend Boat Haven (upon payment of all applicable fees and charges related to the Port's towing and storage thereof), and remove them to an anchorage area, moorage facility, or storage location that authorizes the vessel and boathouse.

If the owner (or authorized agent) wants to reclaim the vessel and boathouse after the Port of Port Townsend has custody, or want to challenge the Port's decision to take custody, you 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:

<p>Pollution Control Hearings Board (send one original and one copy) Physical address: 1111 Israel Road, Tumwater, WA 98501 Mailing address: PO Box 40903, Olympia, WA 98504-0903 Phone: 360-664-9160</p>	<p>Port of Port Townsend 2701 Jefferson Street P.O. Box 1180 Port Townsend, WA 98368-0980</p>
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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 authorized agent/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 <http://www.eluho.wa.gov/Board/PCHB> or call the PCHB at the number above with appeal questions.

The owner (or authorized agent) may submit the appeal immediately, but the PCHB must receive it no later than **Monday, October 24, 2016**. **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 and boathouse.**

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 and boathouse. If there is a lawsuit, the successful party may receive reasonable attorneys' fees and costs.

The Port of Port Townsend also may pursue any other remedies available under law. The 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>.

For more information regarding this action, contact the Port of Port Townsend at 360-385-0656 or eric@portofpt.com

