

## Authorized Public Entity Name/Logo

### NOTICE OF INTENT TO OBTAIN CUSTODY

VESSEL *vessel name* with Washington Registration #, or USCG #, or HIN #, or Unknown Registration

The Authorized Public Entity (Entity) declared the vessel *Vessel Name*, with Washington Registration # or USCG # or unknown registration, as derelict or abandoned. The vessel is *description / location of vessel*.

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

If the owner wants to reclaim the vessel after Entity has custody, or wants to challenge Entity's decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy on Entity. 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>Entity Name</b> Street Address PO Box City, State Zip+4
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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://elaho.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 **Date (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.**

These costs may include all administrative costs incurred by Entity, 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.

Entity also may pursue any other remedies available under law. For example, Entity 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 *name* at *Entity name* at *phone number* or *e-mail address*.