



# NOTICE OF INTENT TO OBTAIN CUSTODY



**VESSEL *Charisma* with Washington Registration #WN4368KD**

The Washington State Parks and Recreation Commission declared the vessel *Charisma*, displaying Washington State Registration WN4368KD, an emergency because it meets the criteria for temporary possession described under RCW 79.100.040(3). Washington State Parks and Recreation will take temporary possession of the vessel as soon as possible and have it removed from the Bowman Bay beach, Skagit County, in order to prevent it from sinking, breaking up, blocking navigation, or posing a threat to human health and safety or the environment.

Washington State Parks and Recreation Commission intends to take formal and full custody of the vessel on **08/03/2024 (Custody Date)**. After taking custody, Washington State Parks and Recreation Commission may use or dispose of it without further notice. The owner is responsible for all related costs.

**In order to keep the vessel, the owner must take the following actions before the Custody Date:**

- Pay Washington State Parks and Recreation Commission back for costs incurred to date, **and**
- Move the vessel to an anchorage area, moorage facility, or storage location that authorizes the vessel.

If the owner wants to reclaim the vessel after Washington State Parks and Recreation Commission has custody, or wants to challenge Washington State Parks and Recreation Commission’s decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy on Washington State Parks and Recreation Commission. 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>Washington State Parks and Recreation Commission</b>  <b>Mailing address:</b> P.O. Box 42650 Olympia, WA 98504-2650 <b>Phone:</b> (360) 902-8844
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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 of 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 may submit the appeal immediately, but the PCHB must receive it no later than **09/02/2024**. **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 Washington State Parks in responding to the vessel.** These costs may include all administrative costs incurred by Washington State Parks, 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.

Washington State Parks also may pursue any other remedies available under law. Washington State Parks and Recreation commission is acting 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> or by contacting Washington State Parks and Recreation Commission. For more information, contact Nathan Anderson at Deception Pass State Park at 360-675-3767 or [Nathan.Anderson@parks.wa.gov](mailto:Nathan.Anderson@parks.wa.gov)