



STATE OF WASHINGTON WASHINGTON STATE PARKS AND RECREATION COMMISSION

NOTICE OF INTENT TO OBTAIN CUSTODY

VESSEL WN8034W

The Washington State Parks and Recreation Commission declared the vessel *WN8034* an emergency because it meets the criteria for temporary possession described under RCW 79.100.040(3). Washington State Parks and Recreation Commission took temporary possession of the vessel and had it removed from the moorage bay at Joemma Beach State Park, Lake Bay, Pierce County, Washington, 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 **July, 17th, 2024 (date of custody)**. 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:

- Move it to an anchorage area, moorage facility, or storage location that authorizes the vessel.
- Remove the vessel from the park.
- Contact Ranger Farley at 253-884-1944 or Michael.Farley@parks.wa.gov

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 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:

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	Washington State Parks and Recreation Commission 1111 Israel Road SW Olympia, WA 98504-2650
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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 **August 16th, 2024 (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 Washington State Parks and Recreation Commission in responding to the vessel.** These costs may include all administrative costs incurred by Washington State Parks and Recreation Commission, removal and disposal costs, and costs associated with environmental damages directly or indirectly caused by the vessel. If there is a lawsuit, the successful party may receive reasonable attorneys' fees and costs.

Washington State Parks and Recreation Commission also may pursue any other remedies available under law. Washington State Parks and Recreation Commission 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>, or by contacting Washington State Parks and Recreation Commission.

For more information regarding this action, contact Ranger Farley at (253) 884-1944 or Michael.Farley@parks.wa.gov