

AGENDA

***Port of Kennewick
Regular Commission Business Meeting
Port of Kennewick Commission Chambers
350 Clover Island Drive, Suite 200, Kennewick, Washington***

Tuesday, February 9, 2016
2:00 p.m.

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. APPROVAL OF THE AGENDA**
- IV. PUBLIC COMMENT** *(Please state your name and address for the public record)*
- V. CONSENT AGENDA**
 - A. Approval of Direct Deposit and ePayments Dated January 2, 2016
 - B. Approval of Warrant Registers Dated February 9, 2016
 - C. Approval of Regular Commission Business Meeting January 26, 2016
- VI. NEW BUSINESS**
 - A. Acceptance of Boat Launch Facility Project by Banlin Construction; Resolution 2016-04 (LARRY)
 - B. WPPA Legislative Committee/Port District Worker Development & Training Programs (HB2618) **SKIP**
- VII. REPORTS, COMMENTS AND DISCUSSION ITEMS**
 - A. Vista Field Update (LARRY)
 - B. Columbia Drive Update (LARRY)
 - C. Department of Ecology Clover Island Marina Report (AMBER)
 - D. Commissioner Meetings (formal and informal meetings with groups or individuals)
 - E. Non-Scheduled Items
- VIII. PUBLIC COMMENT** *(Please state your name and address for the public record)*
- IX. ADJOURNMENT**

Action may be taken on any item on the Agenda.

PLEASE SILENCE CELL PHONES



REGULAR COMMISSION MEETING

PORT OF KENNEWICK

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JANUARY 26, 2016 MINUTES

CALL TO ORDER

Commission President Skip Novakovich called the Regular Commission meeting to order at 2:00 p.m. in the Port of Kennewick Commission Chambers located at 350 Clover Island Drive, Suite 200, Kennewick, Washington 99336.

The following were present:

Board Members: Skip Novakovich, President
Thomas Moak, Vice-President
Don Barnes, Secretary

Staff Members: Tim Arntzen, Chief Executive Officer
Tana Bader Inglima, Deputy CEO
Amber Hanchette, Director of Real Estate and Operations
Nick Kooiker, CFO/Auditor
Larry Peterson, Director of Planning and Development
Lisa Schumacher, Special Projects Coordinator
Bridgette Scott, Executive Assistant
Lucinda Luke, Port Counsel

PLEDGE OF ALLEGIANCE

Commissioner Barnes led the Pledge of Allegiance.

PUBLIC COMMENT

No comments were made.

CONSENT AGENDA

Consent agenda consisted of the following:

- A. *Approval of Direct Deposit and E-Payments Dated January 19, 2016***
Direct Deposit and E-Payments totaling \$53,069.39
- B. *Approval of Warrant Registers Dated January 26, 2016***
Expense Fund Voucher Numbers 37577 through 37630 for a grand total of \$218,431.95
- C. *Approval of Commission Meeting Minutes Dated January 12, 2016***

MOTION: *Commissioner Moak moved for approval of the Consent Agenda, as presented; Commissioner Barnes seconded. With no further discussion, motion carried unanimously. All in favor 3:0.*

NEW BUSINESS

- A. *Bid Award: Vista Field Development Building A (Bruker Remodel): Resolution 2016-03***
Ms. Hanchette reported before the Commission is Resolution 2016-03, a construction contract for rehabilitation of Vista Field Development Building A at 415 North Quay. The Port constructed the Vista Field Development Facility #A in 1990 to provide opportunities for business to start and grow within the Port district. Following over 25 years of continued occupancy, plans were made



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prepared to rehabilitate approximately 23,500 square feet of the building. Invitations to bid were made available in December and published in the Tri-City Herald and plans were made available at Tri-City Construction Council plan centers, regional plan centers, and the Port's website. The bid submittal deadline was 2:00 p.m. January 20, 2016.

Bid documents specified the Port would award the contract to the contractor which best serves the Port's purposes and when combined, Banlin Construction, LLC was the lowest of nine bids received, with a cumulative total of \$522,079.00 for the Base Bid and Alternative Bids #1 (glass front exterior doors) and #2 (fire alarm system), plus applicable taxes.

Ms. Hanchette reported the bid came in well under the engineer's estimate of \$834,000.00, therefore, with the Commission's approval the Port is able to complete the base bid and both alternates. Furthermore, RC Construction Management will oversee the rehabilitation project and their contract will be executed upon Commission approval of Resolution 2016-03.

Mr. Moak inquired what the original budget for the rehabilitation project was.

Ms. Hanchette stated the Commission previously approved \$950,000.00, which included the architectural/engineering and construction management fees. The Construction portion was approximately \$834,000.00.

Mr. Novakovich inquired if the tenant has requested additional items due to the surplus of funds.

Ms. Hanchette believes it is a possibility that the tenant may request additional improvements. The tenant's lease ends in 18 months and is very receptive to a lease renewal. Ms. Hanchette reported there are several alternates that were left out of the original bid such as parking lot improvements which may be requested, which would benefit the site long term.

Mr. Moak would like to be mindful of the surplus funds and stated the surplus does not necessarily need to be utilized for additional tenant requests.

Mr. Arntzen asked staff to look at the alternates because he believes the tenants will ask for additional improvements.

Mr. Peterson stated the Port has spent the last several years rehabilitating Port properties which were constructed in the 1980's. Now that the projects are near completion, the accounting department will be able to better budget for future operations and maintenance costs.

PUBLIC COMMENT

No comments were made.

MOTION: Commissioner Moak moved for approval of Resolution 2016-03, authorizing the Port's Executive Director to execute the contract with Banlin Construction, LLC, for the rehabilitation of Vista Field Development Facility #A project including Alternatives #1, and #2, for the sum of \$522,079.00, plus applicable tax; Commissioner Barnes seconded.



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Discussion:

Mr. Barnes stated \$950,000.00 was allocated for the rehabilitation of the VFDF #A and it is prudent to hold to budget and have a contingency fund for uncertainties within the project.

With no further discussion, motion carried unanimously. All in favor 3:0.

REPORTS, COMMENTS AND DISCUSSION ITEMS

A. Vista Field Update

Mr. Peterson reported the Vista Field Transportation Impact Evaluation (TSIE) Analysis has been submitted to the City of Kennewick for review. The City of Kennewick will hold a workshop on February 9, 2016, and he, City staff, and Mr. Robison of Strategic Management will speak on behalf of the Port. Mr. Peterson stated on Thursday, January 28, 2016, Port and City staff and Parametrix will meet to discuss the impacts of the street networks on existing streets at Vista Field. Mr. Peterson believes the Port should not be asked to solve existing traffic issues, but focus on what is palatable and reasonable, what the development should bear, based upon the TSIE. Furthermore, Mr. Peterson met with City staff to discuss the mechanics of adopting the Vista Field Master Plan and a Developer's Agreement.

Mr. Moak inquired if there were any major issues addressed by the City.

Mr. Peterson believes staff and Parametrix should be able to address the City's concerns by the February 23, 2016 City Council meeting.

Mr. Moak asked if staff agrees with the Parametrix TSIE report.

Mr. Peterson stated Port staff, the City Traffic Engineer and Public Works Director, Parametrix, Benton Franklin Council of Governments and Ben Franklin Transit all worked together on the details and believes Parametrix followed the correct course.

Mr. Novakovich thanked Mr. Peterson for his efforts to ensure that Vista Field is developed the way the public envisions. Although it seems that the process is long, the Port is going through the proper steps to make sure the development is successful.

Mr. Barnes echo's Mr. Novakovich's comments and stated his hope is the Port can address any transportation issues and keep moving forward. The evolution of Vista Field over the past two years has moved at a steady pace and it is critical to get the Master Plan in place so the public sees something tangible happening at Vista Field.

Mr. Peterson stated Vista Field is different from any standard development and road structure in the area and it is important to get the essential elements right.

B. Arts Policy

Mr. Arntzen stated he is working on a draft Art Policy, which attempts to outline specific steps when considering art installation or art projects for the Port. Mr. Arntzen stated as this is a draft



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document he asked for the Commission to review and discuss. The draft Art Policy has four sections, which include:

- Section 1: General Provisions;
- Section 2: Artwork in Port Capital Projects;
- Section 3: Artwork Required as Part of Port Land Sales; and
- Section 4: Artwork Selection Process.

Mr. Arntzen stated the next art installment for the Port is the Latino Mural on the Columbia Drive Winery buildings and he would like to see a policy in place prior to work getting underway on the mural.

Mr. Novakovich inquired if Barbara Carter has seen the draft Art Policy.

Ms. Bader Inglima stated that Ms. Carter has not seen the policy.

Mr. Novakovich asked if Davin Diaz, chairman of the Latino Heritage Mural Committee would be updating the Commission on the progress of the mural.

Mr. Arntzen stated there have been several meetings with staff and the Committee. Staff needed to determine what would be required from the contractor bidding the construction contract for the Winery Buildings, without slowing down the bid process.

Ms. Bader Inglima stated Ms. Carter has been working as Port Liaison with the Committee and the Mid-Columbia Arts Council and has placed a Call to Art, which is available on the Port website. The Call to Art provides information on the project and specific requirements. The request for qualifications will be reviewed by the Committee and up to four artists will be invited to bring forth a more detailed proposal.

Mr. Arntzen stated Section 4 of the draft Art Policy stresses a partnership with the local Arts Commission within the jurisdiction to assist with "Call to Arts." Furthermore, Section 4 provides built in safeguards for the Port when selecting art pieces and will require samples from the artists.

Mr. Moak stated ultimately the decision to accept or reject a piece of art falls with the Commission. Mr. Moak believes Section 2 and 3 are the most important part of the policy.

Mr. Novakovich asked when Mr. Arntzen would like Commission comments on the draft Art Policy.

Mr. Arntzen stated he would like Commission comments back within the next month and he is welcome to public comments as well.

C. TRIDEC Dues

Mr. Arntzen stated the annual contract with Tri-City Development Council (TRIDEC) has expired. The contract is renewed on an annual basis and has increased over time, from \$15,000.00 to \$30,000.00. TRIDEC utilizes a standard contract for every entity and generally focuses on big



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business/industrial. Over the past few years the Port has divested of industrial property and its main mission has been on redevelopment. Mr. Arntzen believes it is important to contribute to TRIDEC, however, he would like to see the Port reduce their annual dues and allocate the remaining funds for recruitment opportunities for Vista Field and asked the Commission for direction.

Mr. Novakovich inquired what the dues have been over the past ten years.

Mr. Kooiker stated the dues have been \$30,000.00 for 2014-2015 and at one time, \$35,000.00.

Mr. Arntzen stated a number of years ago dues were \$15,000.00 and have increased substantially over time.

Mr. Novakovich inquired if the dues paid have resulted in any direct benefit to the Port on economic development projects.

Mr. Arntzen believes TRIDEC is important for the region, however, they seem to focus on the Hanford and North Richland region.

Mr. Peterson stated most of TRIDEC's efforts focus on property with large acreage and rail service. The Port has smaller lots that are near residential zones. TRIDEC has been successful in generating economic development for the Tri-Cities economy and stated TRIDEC brought Amazon to our specific jurisdiction.

Mr. Novakovich inquired if the Commission were to reduce TRIDEC dues, how the remaining funds would be used for recruitment opportunities.

Mr. Arntzen stated the Port could create a fund and look for additional sources of funding, which would be used to recruit developers for Vista Field. Mr. Arntzen believes it is important to visit Denver Colorado and San Francisco to look at specific developer properties and see what has been accomplished in those areas. The Port has not done much in the way of recruiting and with Vista Field on the verge of implementation, it is important to begin the process. He would like to allocate \$25,000.00 to TRIDEC dues and the remaining \$5,000.00 for a recruiting fund.

Mr. Barnes stated he represents the Port on the TRIDEC Board and understands the objectives of TRIDEC; however, the Port has made a substantial course change by closing Vista Field and deciding to redevelop the property. Mr. Barnes believes it is important to be responsive to our citizens and what they envision for Vista Field and stated it is reasonable to ask TRIDEC for latitude regarding dues. Mr. Barnes is in favor working with TRIDEC and redirecting Port resources to help recruit for Vista Field, which will benefit the entire region.

Mr. Moak stated TRIDEC has done lot for our community, just recently, they helped bring Auto Zone to the City of Pasco. TRIDEC has changed their focus to industrial recruitment which Mr. Moak supports; however, he does not believe the Port should pay the same dues as other entities.



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Mr. Moak supports Mr. Arntzen's recommendation to pay \$25,000.00 for TRIDEC dues and redirect \$5,000.00 for Vista Field recruiting.

Mr. Novakovich agrees with Commission comments and is supportive of Mr. Arntzen's recommendation.

Mr. Barnes concurs and stated once the Port's Master Plan is adopted, the focus will become more intense. Mr. Barnes suggested the Port continue to request dues reductions from TRIDEC and redirect resources to Vista Field. Mr. Barnes stated it is important to be a team player, but it is imperative to focus on the redevelopment of Vista Field.

Mr. Arntzen appreciates the Commission discussion and stated he will reach out to Mr. Adrian regarding the TRIDEC dues. Furthermore, work is beginning on the 2016-2017 budget and stated the Port's paradigm has shifted to Vista Field and other Port projects may be postponed due to financial and staffing resources.

D. Clover Island Boat Launch Update

Mr. Peterson reported that Big D's Construction is wrapping up construction on the Clover Island Boat Launch in water work, which is ahead of schedule.

E. Columbia Drive Update

Mr. Peterson stated the Wine Village Phase I bids are due on February 11, 2016 at 10:00 a.m. Mr. Peterson shared a drawing of the buildings where the Latino Mural panels will be placed. The mural is approximately 8' x 36' on the south building and 8' x 48' on the north building.

F. Strategic Retreat

Mr. Arntzen stated previously the Commission asked staff to look at holding a workshop and a strategic retreat. The Port held a two workshops in 2015, which focused on Vista Field and the Comprehensive Scheme. Mr. Arntzen inquired if the Commission would like to consider a strategic retreat that would provide the opportunity to discuss policy items and other issues. Mr. Arntzen envisioned the retreat would be within the Port jurisdiction and open to the public and media outlets, with an opportunity for public comment throughout. Mr. Arntzen inquired if the Commission is interested in holding a retreat in 2016.

Mr. Novakovich stated a strategic retreat would be a good opportunity to prioritize Port projects and look at the best allocation of Port resources. Furthermore, he welcomes the public and is interested in their input.

Mr. Moak believes the Port needs a retreat, especially since staff is looking at the 2016-2017 Budget. Mr. Moak stated it will give the Board the opportunity to discuss important decisions that need to be vetted as we move forward with Vista Field.

Mr. Barnes stated the Board meets every two weeks to discuss general business and believes a strategic retreat will afford the Commission the opportunity to review projects at a higher level.



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Mr. Barnes suggested bringing in an expert for better insight to help the Port allocate resources to projects in an effective manner.

Mr. Novakovich would like Mr. Arntzen to create a draft agenda for the strategic retreat, for Commission review and input.

Mr. Arntzen believes the strategic retreat needs to be different from a workshop or regular meeting and stated a retreat will set the Commission up for the additional work on the 2016-2017 Work Plan and Budget. Mr. Arntzen suggested Jim Darling from Maul Foster Alongi as a potential guest speaker, who previously helped the Port with strategic planning.

Mr. Moak stated a facilitator for the retreat would be beneficial to help the Commission and staff work together to solve strategic issues and take advantage of opportunities. Mr. Moak would like staff to look at calendars and determine a site and when the most beneficial time would be as we work through budget and existing projects.

Mr. Novakovich reiterated the Commission's desire for an informal strategic retreat which involves staff and is open to the public. Mr. Novakovich asked the Commission to send Mr. Arntzen a few potential ideas that they would like to see discussed at the retreat.

G. Commissioner Meetings (formal and informal meetings with groups or individuals)

Commissioners reported on their respective committee meetings.

H. Non Scheduled Items

1. Mr. Novakovich was asked to be interviewed by ABHL, who is working on updating the City of West Richland Comprehensive Plan.
2. Mr. Arntzen stated staff has started discussing the 2016-2017 Budget and as the Port's vision becomes narrowed and focused, the Port remains in good financial condition for the next decade. Following Commission Policy, the Port will take on fewer projects, which are more meaningful and allow for additional financing and staff time.

Mr. Kooiker stated the Port is financially stable and efficient stewards of public funds, however, as we move forward, it is important to look at a five to ten year budget to get a better idea of what the Port is able to accomplish. For the 2015-2016 Work Plan and Budget, the Port has a \$10,000,000.00 Capital Projects Budget, which ultimately produces operating expenses. Mr. Kooiker stated the Port does not want to be in position where operating expenses are more than revenues and believes it is time to look at projects that will generate additional revenue for the Port.

3. Mr. Arntzen stated at the January 12, 2016 meeting, it was brought to staff's attention that there were inconsistencies in the Commission Policy and Procedures Manual. Mr. Arntzen reported that Mr. Moak reread the policy and narrowed down the inconsistencies. Mr. Arntzen thanked Mr. Moak for the notes which will save staff time.



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4. Mr. Peterson reported that the undergrounding of utilities on Columbia Drive is an example of true partnership. The utility project is estimated to cost \$123,000.00 of which Benton PUD will pay approximately \$48,000 and Frontier Communications is picking up 100% of their portion, which is estimated to cost \$8,400.00. Mr. Peterson has reached out to Charter Communications to see if they are willing to partner with the Port as well.

PUBLIC COMMENTS

Boyce Burdick, 414 Snyder Street, Richland. Mr. Burdick, President of the Mid-Columbia Symphony Board reported Mid-Columbia Mastersingers and Mid-Columbia Symphony are excited to be joining together to host "Bacchanalia XVI", a fundraiser with online and live auctions and an extraordinary evening of fun and entertainment on February 13, 2016.

No further comments were made.

COMMISSIONER COMMENTS

No comments were made.

ADJOURNMENT

With no further business to bring before the Board; the meeting was adjourned at 3:41 p.m.

APPROVED:

PORT of KENNEWICK

BOARD of COMMISSIONERS

Skip Novakovich, President

Thomas Moak, Vice President

Don Barnes, Secretary



AGENDA REPORT

TO: Port Commission

FROM: Larry Peterson, Director of Planning & Development

MEETING DATE: February 9, 2016

AGENDA ITEM: Resolution 2016-04; Accepting the Clover Island Boat Launch Facility

I. REFERENCE(S):
Resolution #2016-04

II. FISCAL IMPACT:
No immediate impact.

III. DISCUSSION:
Banlin Construction LLC has completed the construction work for the Clover Island Boat Launch Facility. The project included construction of bathroom facilities, paved trailer parking areas, a handicap parking space, landscaping, artwork and lighting improvements to the existing Clover Island Boat Launch facility.

It is appropriate for the Port to accept the construction as substantially complete so that we may issue a public notice and start the clock on potential lien filings by subcontractors and ultimately move toward final acceptance of the entire project.

IV. ACTION REQUESTED OF COMMISSION:
Motion: I move approval of Resolution 2016-04 accepting the Clover Island Boat Launch Facility project completed by Banlin Construction LLC and authorize the Chief Executive Officer to finalize the financial terms of the contract.

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Resolution No. 2016-04

***A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE PORT OF KENNEWICK ACCEPTING THE
CLOVER ISLAND BOAT LAUNCH FACILITY PROJECT***

WHEREAS, Banlin Construction, LLC provided notification that the improvements to the Clover Island Boat Ramp Launch Facility project has been substantially completed in accordance with the plans and specifications; and

WHEREAS, JF Engineering, PLLC and the Port of Kennewick staff have inspected the work and certified that it has been completed in accordance with the plans and specifications.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Port of Kennewick hereby accepts the work of Banlin Construction, LLC as being substantially completed in accordance with the contract documents.

BE IT FURTHER RESOLVED that upon completion of all required documentation for the project, the Chief Executive Officer is authorized to proceed with the necessary requirements to finalize the project account.

ADOPTED by the Board of Commissioners of Port of Kennewick on the 9th day of February 2016.

***PORT OF KENNEWICK
BOARD OF COMMISSIONERS***

By: _____
SKIP NOVAKOVICH, *President*

By: _____
THOMAS MOAK, *Vice President*

By: _____
DON BARNES, *Secretary*



MEMORANDUM

TO: Executive Directors and Legislative Committee
FROM: Eric Johnson
DATE: February 2, 2016
SUBJECT: HB 2618: Port District Worker Development & Training Programs

The legislature is currently considering a measure that relates to port district powers to engage in job training and educational programs. RCW 53.08.245 (1) currently gives all ports broad authority to engage in economic development programs, and also to contract with nonprofit corporations in the furtherance of economic development.

Subsection (2) of that section of the law goes further and clarifies that these economic development programs may include job training and placement, pre-apprenticeship training, and educational programs associated with port tenants, customers and local economic development related to port activities that are sponsored by a port and operated by a nonprofit entity *if those programs were in place on June 10, 2010*. The Port of Seattle asked for this authority in 2010 in order to clarify their authority to contract with nonprofits for these activities.

At the time of the original legislation, the Port of Seattle already had a program with a nonprofit. Other ports did not want the authority to engage in these programs; and did not want to create expectations from nonprofit organizations. Therefore, the date in the original legislation limited the ability of ports other than Seattle to engage in this activity and limited the programs to those already in existence.

Today, the Port of Seattle is interested in contracting with new organizations for additional economic development programs. It would like the original date eliminated so that it can pursue these relationships. At least one other port is interested in having the ability to contract for these programs, and therefore would like the date eliminated. We have also heard from ports that are strongly opposed and do not want this authority expanded to include all ports.

We will be discussing this bill at the Legislative Committee meeting on February 12th. The legislation, in the form of House Bill 2618 has received its initial hearing, and will begin to move through the legislative process this week. Because this issue was not discussed during the development of our adopted legislative program, and our membership appears to be split, WPPA has not taken any position. Amendments to the bill are possible, however, and I believe that WPPA needs to be closely involved in those discussions going forward.

If you have questions or an opinion on this matter, please contact either me or Ginger this week by email or at 360-943-0760. If you want to participate in this discussion I encourage you to attend our Legislative Committee meeting February 12th in Olympia.

I have also attached a copy of the bill.

Thank you very much, and as always call if you have any questions.

HOUSE BILL 2618

State of Washington

64th Legislature

2016 Regular Session

By Representatives Tarleton, Zeiger, Appleton, Haler, and Santos

Read first time 01/18/16. Referred to Committee on Higher Education.

1 AN ACT Relating to port district worker development and training
2 programs; and amending RCW 53.08.245.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 53.08.245 and 2010 c 195 s 1 are each amended to
5 read as follows:

6 (1) It shall be in the public purpose for all port districts to
7 engage in economic development programs. In addition, port districts
8 may contract with nonprofit corporations in furtherance of this and
9 other acts relating to economic development.

10 (2)(a) Economic development programs may include those programs
11 for job training and placement, preapprenticeship training or
12 educational programs associated with port tenants, customers, and
13 local economic development related to port activities that are
14 sponsored by a port((~~r~~)) and operated by a nonprofit entity ((~~and are~~
15 ~~in existence on June 10, 2010~~)).

16 (b) As a contract condition, a sponsoring port must require any
17 nonprofit entity that operates programs such as those described in
18 (a) of this subsection to submit annually quantitative information on
19 program outcomes including: The number of workers trained, recruited,
20 and placed in jobs; the types of jobs and range of compensation; the
21 number and types of businesses that are served; and any other

1 tangible benefits realized by the port, the workers, businesses, and
2 the public.

--- END ---

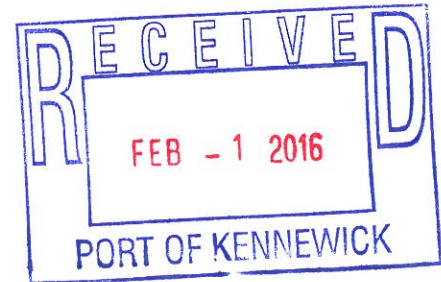


STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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January 26, 2016

Amber Hanchette
Clover Island Marina
Port of Kennewick
350 Clover Island Drive
Kennewick, Wa, 99336



Subject: Class 4 Facility – Clover Island Marina (Port of Kennewick)

Dear Ms. Hanchette:

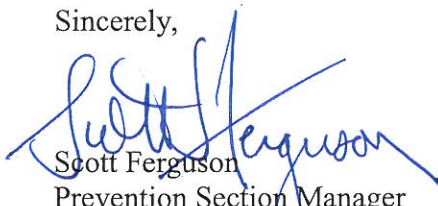
On January 8, 2016, Ken Esplin conducted an inspection at the Clover Island Marina facility located at the Port of Kennewick. Enclosed is a copy of the Inspection Checklist containing the results of the inspection.

At this time, we have found the oil transfer procedures at this facility to be well-organized and executed. The operation of your facility demonstrates a strong commitment to the protection of the marine environment.

Your efforts to promote safe oil transfers have not gone unnoticed. We appreciate the cooperation of your facility's personnel as well as your continued commitment to safe oil transfer procedures and environmental protection. We applaud your efforts and encourage you to continue this course.

Should you have questions concerning the evaluation, Ken Esplin, Facility Engineer, is your primary contact. He can be reached at (360) 690-4462, or by e-mail at Kenneth.Esplin@ecy.wa.gov. You may also contact me at (360) 407-7465, or by e-mail at Scott.Ferguson@ecy.wa.gov.

Sincerely,


Scott Ferguson
Prevention Section Manager
Spill Prevention, Preparedness, and Response Program

Enclosure: ECY 070-313, Marinas and Small Fueling Facilities – Class 4 Inspection Checklist

cc: Jason Reichert, Class 4 Lead
HQ Spills Central Files, Prevention Section, Facility





Spill Prevention, Preparedness, and Response Program

WASHINGTON STATE
Department of Ecology
Spill Prevention, Preparedness, and Response Program
Prevention Section
P.O. Box 47600, Olympia, WA 98504-7600
Office Phone: (360) 407-7455, Fax: (360) 407-7288 or toll free 1-800-664-9184

Marinas and Small Fueling Facilities Class 4 Inspection Checklist

Facility Name: Clower Island Marina Facility Phone Number: (509) 586-1186
Location: 350 Clower Island dr Kennewick Facility Email: _____
Inspector(s): Ken Esplin Date/ Time of Inspection: _____

OIL TRANSFER EQUIPMENT

- ☒ Hoses and piping free of defects which would permit the discharge of oil.
- ☒ All oil transfer equipment (pumps, valves, hoses, piping, etc.) tested annually by required method.

RESPONSE AND RECOVERY EQUIPMENT

- ☒ Minimum 200' of sufficient and appropriate boom in standby position.
- ☒ Spill sorbents, containers suitable for holding recovered oil, non-sparking scoops/shovels and buckets to cleanup 25 gallon spill (50 count standard 18" square sorbents capacity is about 33-38 gals per bundle) available.
- ☒ Personal protective gear necessary to safely respond to spill (clothing or splash protection, gloves, glasses) available.

OIL TRANSFER TRAINING

- N/A Records of Oil Transfer Training kept at facility and available to Ecology inspectors.
- N/A Training includes: Dangers and safe practices of oil transfers, safe and effective use of response equipment, and spill notification procedures.

NOTIFICATION INFORMATION

- ☒ Employees know notification procedures and have ready access to notification phone numbers.
- ☒ Notification procedures posted at the fuel dock for customers to see. Notification phone numbers include State, USCG, Spill Response Contractor, and Facility's 24-hour response contacts.
- ☒ Semi-annual report submitted to Ecology in January/ July.

COMMENTS / RECOMMENDATIONS

Consultant tests the line @ sopsi Annually

- ☒ Facility in **compliance** with State Oil Transfer Regulations
- ☐ Facility in **violation** of State Oil Transfer Regulations as identified, corrective measures required

Signature of Marina Manager/Operator: [Signature]

Signature of Inspector: [Signature]

Date: 1/8/2016

* Check Mark "✓" = compliance, "X" = violation, "N/A" = Not Applicable

ECY 070-313

SEPTEMBER 2011

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WASHINGTON ADMINISTRATIVE CODE (WAC) REQUIREMENTS

WAC 173-180-025 Definitions.

(11) "Class 4 facility" means a structure that

- (a) Is a marina, boatyard, marine fuelling outlet, and other fuelling installations that transfer to a non-recreational vessel with a capacity to hold less than ten thousand five hundred gallons of oil whether the vessel's oil capacity is used for fuel, lubrication oil, bilge waste, or slops or other waste oil;
- (b) Does not transfer oil in bulk to or from a tank vessel or pipeline; and
- (c) Does not include any: Railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state; underground storage tank regulated by ecology or a local government under chapter 90.76 RCW; or a motor vehicle motor fuel outlet; or a facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330.

WAC 173-180-205 Oil transfer equipment at Class 1, 2, 3, and 4 facilities.

- (1) All hoses or piping used in an oil transfer operation must meet the following criteria:
 - (a) Hoses or piping must be supported so as to avoid crushing or excessive strain. Flanges, joints, hoses, and piping must be visually checked prior to the transfer for cracks and signs of leakage.
 - (b) All hoses and loading arms are long enough to allow the vessel to move to the limits of its moorings without placing strain on any component of the oil transfer equipment.
 - (c) Each hose must have no unrepaired loose covers, kinks, bulges, soft spots, or any other defect which would permit the discharge of oil or hazardous material through the hose material and no gouges, cuts, or slashes that penetrate the first layer of hose reinforcement ("reinforcement" means the strength members of the hose, consisting of fabric, cord and/or metal).
 - (d) Hoses or piping must not be permitted to chafe on the dock or vessel or be in contact with any source that might affect the integrity of the hoses.
 - (e) Hose ends must be blanked tightly when hoses are moved into position for connection, also immediately after they are disconnected, and residue drained either into the vessel tanks or into suitable shore receptacles before they are moved away from their connections.
- (2) Testing of all oil transfer equipment, including, but not limited to, pumps, valves, piping, manifolds, connections, and hoses, must be done annually, and must be conducted by using one of the following methods:
 - (a) In accordance with manufacturers' recommendations and industrial standards; or
 - (b) Procedures identified in 33 CFR 156.170.

WAC 173-180-210 Requirements for Class 4 facilities

- (1) **Response and recovery equipment:** The owner or operator of each Class 4 facility must ensure that cleanup of at least a twenty-five gallon spill can occur by having all of the following: Response and recovery equipment maintained in a standby condition and available to the receiving vessel:
 - (a) Sufficient and appropriate boom of no less than two hundred feet available in the standby position;
 - (b) Oil spill sorbent materials appropriate for use in water and on land;
 - (c) Non-sparking hand scoops, shovels, and buckets;
 - (d) Containers suitable for holding the recovered oil and oily water; and
 - (e) Protective clothing and other appropriate personal protective gear necessary to safely respond to oil spills.
- (2) **Trained personnel:** The owner or operator of each Class 4 facility must:
 - (a) Provide annual training for employees involved in an oil transfer operation, that at a minimum includes:
 - i. Dangers and safe practices regarding the petroleum products transferred at that location;
 - ii. Safe and effective use and handling of response and recovery equipment; and
 - iii. Spill notification procedures;
 - (a) Train all employees with oil transfer duties within ninety calendar days of the date of hire. No employee may be in charge of an oil transfer operation at the Class 4 facility without proper training;
 - (b) Keep a record of oil transfer training at the facility and make the record available to ecology upon request.
- (3) **Spill notification information:** The owner or operator of each Class 4 facility must provide spill notification information on a wallet-sized card for each employee and posted at the dock for fuelling customers. The notification information must include:
 - (a) Required notifications in RCW 90.56.280;
 - (b) A phone number for a spill response contractor; and
 - (c) If the Class 4 facility is not always staffed, a twenty-four-hour phone number where someone designated by the owner or operator of the facility can be reached to start the spill response. The contact phone number must be posted on the dock or transfer location in a location that is easy to see.
- (4) The owner or operator of each Class 4 facility must ensure all oil transfer equipment is properly inspected and maintained in accordance with WAC 173-180-205.
- (5) Class 4 facilities, also known as marine fuelling outlets, that are transferring less than three thousand gallons of oil in a single transaction, are exempt from advance notice requirements for oil transfer operations as described in RCW 88.46.165.
- (6) **Semi-annual reporting:** Class 4 facilities must report all bulk oil transfers conducted at the facility.
 - (a) The report must include types of oil transferred and total volume of transfers by oil type.
 - (b) The facility must submit the report to ecology by January 15 and July 15 of each year.

The Semi-annual Report Form is available at: http://www.ecy.wa.gov/programs/spills/Class_4_Facilities/Marinas.html

You can submit the report

Online at: www.ecy.wa.gov/biblio/ecy070242.html
By E-mail: oiltransfernotifications@ecy.wa.gov
By U.S. mail: Department of Ecology
Spill Prevention, Preparedness, and Response Program
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