

**AGENDA**  
**THE PORT DISTRICT OF SOUTH WHIDBEY ISLAND**  
**REGULAR MEETING**

LOCATION: SWPRD Meeting Room, 5475 Maxwelton Rd, Langley WA  
DATE: November 9, 2010

7:00 PM – 7:30 PM      WORKSHOP

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7:30 PM – REGULAR MEETING CALL TO ORDER

1. Pledge of Allegiance

BUSINESS MEETING

1. Consent Agenda:
  - A. Minutes on file: Minutes from the Regular Meeting of October 12 and the Public Hearing for the Preliminary Budget for 2011 of October 12, 2010.
  - B. Vouchers: Voucher #4552 through #4591 (as signed today) in the amount of \$67,751.60.
2. Port Operations Manager: Commission Approval of Employment Agreement
3. Port Finance Manager: Commission Review & Direction on Applications

PUBLIC COMMENT – Including Items not on Agenda: Please limit comments to 5 minutes.

- 1.

FINANCIAL ACTION ISSUES - Staff Report, Public Comment, Commissioners' Discussion

1. September 2010 Financial Report (distributed earlier)
2. Final Action for 2011 Budget
  - A. Approval of 2011 Final Budget
  - B. Ordinance/Resolution No. 10-08 to Establish 2011 Levy

PROJECT ACTION ISSUES - Staff Report, Public Comment, Commissioners' Discussion

1. Possession Beach Waterfront Park – No issues scheduled for this meeting  
*NOTE:* Public Hearing for Surplussing Uplands Parcel scheduled for Wed. Nov. 17 at 7:00 pm, at St. Peter's Lutheran Church in Clinton

2. South Whidbey Harbor
  - A. Expansion Project:
    1. *Design & Permit Status Update* (with Joe Callaghan/GeoEngineers):
      - SEPA and Substantial Shoreline Dev. c/o Langley: MDNS issued 10/27/10, SSD next
      - JARPA process at Corps of Engineers: Joint Public 30-day Notice issued 11/5/10
    2. *Property Issues*
      - Coordination with Adjacent Properties and Tribes
    3. *Funding Issues*
      - BIG Application: Status update
      - Port Security Grant: Status update
  - B. Harbor Operations
    1. *ICFD#3 Cooperation*: Equipment condition good, Memo of Understanding underway
    2. *Pump-out Barge Survey and Repair Project*: Notice To Proceed issued, Barge picked up 11/2
3. Port Operations
  - A. Maintenance & Operational Wrap-up: Status update and Next Steps with Joe Callaghan/Geo
  - B. Overnight Parking: Resolution No. 10-09 prepared for Commission direction, Implement in early '11
4. Commercial Kitchen at Fairgrounds, incl USDA Rural Business Enterprise Grant (RBEG)
  - A. Schedule and Status Update
5. New Project Opportunities
  - A. Sustainable Economic Development and IPZ Issues (Tapert)
    1. *Potential Langley-area 'Green' Business Park and "Impact Washington" possibilities*
  - B. Ferry/Commuter Issues (Gordon)
  - C. Mukilteo Parking Issues (Gordon)
    1. *Parking Garage Concept*

#### ACTIVITIES/INVOLVEMENT REPORTS

1. Economic Development Council (EDC): Jerome
2. Council of Governments (COG): Gordon
3. Skagit-Island Regional Transportation Policy Organization (RTPO): Gordon
4. Marine Resources Committee (MRC): Tapert
5. Washington Public Ports Association (WPPA): Jerome
  - A. Annual Meeting in Tacoma Nov. 17-19
  - B. Continuing Legal Educ. (Social Media, Public Records) on Nov. 16 (Dane)
6. Holmes Harbor Shellfish Protection District: Tapert

#### OLD BUSINESS

- 1.

#### NEW BUSINESS

- 1.

#### ADJOURNMENT

**PORT DISTRICT OF SOUTH WHIDBEY ISLAND**

Minutes of the Regular Meeting

November 9, 2010

Freeland, Washington

**Commissioners Present:** Geoff Tapert (Freeland) and Curt Gordon (Clinton)

**Absent:** Chris Jerome (Langley)

**Others Present:**

**Port Staff:** Ed Field (Port Manager), Dane Anderson (Port Finance Manager) and Molly MacLeod-Roberts (Port Clerk); **Others:** Joe Callaghan (GeoEngineers), Don McArthur (South Whidbey Yacht Club), **Clinton Residents:** Marcia Monma, Clyde Monma, Mike Seymour, Bruce Buls, Eric Wiechmann; and **Greenbank Resident:** Bob Boehm

**MEETING CALL TO ORDER:** The Regular Meeting of the Port District of South Whidbey Island's Board of Commissioners was convened on Tuesday, November 9, 2010, at the South Whidbey Parks & Recreation District Meeting Room at 5475 Maxwellton Rd., Langley, WA. Commissioner Tapert, President, called the Regular Meeting to order at 7:30 p.m., followed by the Pledge of Allegiance.

**BUSINESS MEETING:**

**1. Consent Agenda:**

**A. Minutes:** Minutes from the Regular Meeting of October 12 and the Public Hearing for the Preliminary Budget for 2011 of October 12, 2010. (Approval of the Minutes requires the signature of at least two of the Commissioners present at the meeting.) Tapert noted that since he was not at the October 12 Regular Meeting and Public Hearing, and Commissioner Jerome was not present at tonight's meeting, approval of the Minutes would have to be postponed.

**B. Vouchers:** Vouchers audited and certified by the Auditing Officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing which has been made available to the Board, and have been presented to the Board for review. The vouchers so listed and presented are summarized on the attached Voucher Listing (**EXHIBIT A**).

**ACTION:** A Motion was made by Commissioner Gordon and seconded by Tapert to accept and authorize Vouchers #4552 through #4591 for a total amount of \$67,751.60. The Motion passed unanimously.

**2. Port Operations Manager – Commission Approval of Employment Agreement (EXHIBIT B):**

Gordon said he had not provided his comments on the draft Agreement to Port Manager Ed Field until just prior to this meeting. He requested that Field revise the text to be more specific about the term of employment. The Commission agreed to move approval of the Employment Agreement to a brief Special Meeting to be held following the Public Hearing scheduled for November 17. Approval of the Minutes from the October 12 Regular Meeting and Public Hearing would be included on the November 17 Special Meeting agenda as well.

**3. Port Finance Manager – Commission Review & Direction on Applications:** Field reported four applications for the position were received, including Dane Anderson’s application. Copies of all applications were previously provided to the Commission for review. Jerome’s written response was as follows: *“Impressed with the resumes of all applications and the persons who have applied for the Finance Manager position. However, I think Dane’s qualifications, job performance and intimate knowledge of and involvement with the various ongoing Port projects make him ideally suited for the job, and although the alternate applicants have good CVs and experience, in my view, neither brings exceptional experience or qualifications that would make a material difference and justify changing course. I will therefore be in favor of directly hiring Dane Anderson for the Finance Manager position; however, if the other Commissioners vote to hold another process I would be happy to participate.”*

Gordon expressed surprise at how few applicants there were for the position. Tapert said his position has been that the only position the Commission hires is that of the Port Manager (now the Port Operations Manager), so he would defer any other appointment of position to Field. Other than that, he agreed with Jerome. Gordon said the Finance Manager will directly report to the Commission and therefore should be directly hired by the Commissioners, not the Port Operations Manager.

**ACTION: A Motion was made by Gordon and seconded by Tapert to directly hire Dane Anderson as the Port Finance Manager. The Motion passed unanimously.**

**PUBLIC COMMENT – Including Items not on Agenda:**

**Mike Seymour** introduced himself as President of Friends of The Dorothy Cleveland Trail (FOTDCT). He said, *“We’re just here to make it official that we are looking at plans to take the uplands part of the Possession property off your hands. We are talking with the Whidbey-Camano Land Trust (WCLT) and hopefully we will get Parks involved. So hopefully we’ll get the three of us at the table and start talking about what we can do together.”* Seymour noted that FOTDCT is also on Facebook, and they do have some support to keep the Trail as a park-like setting.

**Clyde Monma**, Vice President of FOTDCT, read aloud the letter prepared by the group, with 4 attachments (**EXHIBIT C**). The letter described FOTDCT as *“..a South Whidbey community group organized to protect, maintain and advocate for the Dorothy Cleveland trail for community and educational uses.”* The letter claimed to serve 2 purposes: 1) to point out several very important factual misstatements made by Port Commissioners to back up their proposal to surplus upland park lands, and 2) to propose concrete steps for moving in a better direction.

The letter claimed there were flaws with the proposal and listed them as follows: 1) the Port does not budget or spend any funds on the uplands park, 2) RCO doesn’t encumber any of the property west of Franklin & Possession Roads, 3) the boundary line adjustment FOTDCT proposes is a simpler and less costly approach to survey, surplus and sell the uplands park, 4) the Port doesn’t need to own the bottom half to protect its water supplies because any agreement to acquire the uplands would include a permanent easement for the Port water infrastructure, 5) splitting the property as the Board suggests still leaves the Port responsible for the business of an upland park and 6) FOTDCT does not believe the Port’s decision is in the best interest of the public they serve. There has been consistent, long-standing and significant public opposition to the various proposals made by the Port related to the Trail.

FOTDCT proposed the following: The property should be split as depicted in Attachment B and Parcel 1 should be surplus. Formal discussions should begin with the Port, South Whidbey Parks & Recreation District (SWPRD) and WCLT for acquiring the rights to Parcel 1 to form the Dorothy Cleveland Park. The FOTDCT would provide volunteer support and help raise funds for the Park, and work toward

finding a permanent steward to take over the park (such as SWPRD or WCLT). The letter ended with a request that the Port "...put all plans related to the uplands parks on hold until the items in this letter are fully resolved."

**Bruce Buls** said he would probably not be able to attend the public hearing regarding the surplus of the property. He noted that this all started with AT&T's proposal to put a cell tower on the property, but he guessed that was sort of out of the picture now. He asked if AT&T has expressed interest in buying the property and Tapert responded, "Not that we're aware of." Buls asked if his understanding was correct – that the Port's intention is to offer the property for sale without protecting the Trail. Tapert replied, "I think everything is on the table." Gordon agreed. Buls said, "*So it could be sold to AT&T presumably, or a private developer, or someone else who would not preserve it as a Park.*" Gordon said, "Yes." Buls said, "*I don't get it. I don't get how the Port bought the land at one time with public money, built the Trail with public money (which is now a beautiful park and much beloved), and you're getting ready to trash it – for what? Is it a burden? Do you need the money that bad; that you would trash a park? To me, parks a kind of sacrosanct thing. You don't just take this thing and say what the hell we'll sell it to the highest bidder and they can do any damn thing they want with it. I don't get it. As a public steward of public property, why would you think of doing that? It just blows my mind. You said if we want to keep it as a park, buy it. Well, we've already paid for it. We, the public, have paid for the park once – why do we have to pay for it twice? It's sort of like ransom: Do you want to save the park? Give us the money or we'll destroy it. That's the message I'm getting from you guys. It just dumbfounds me that that's where we've ended up with this situation. Were your predecessors as Port Commissioners so wrong when they bought the property and decided to build the Trail on the side of the hill that connects with the beach? That you now have to correct this error? That they were somehow wrong? And they named it after Dorothy Cleveland, one of the most beloved Commissioners and volunteers on South Whidbey? And you guys are just throwing up your hands and saying 'Well, screw them. We'll just trash it, and if AT&T or someone wants to come in or someone wants to build a McMansion, we don't care.' Frankly, I'm astonished that we've come to the point where that's a possibility. Now if we have to raise money to preserve it as a park, obviously we'll do that because we believe in the park, but I just don't think it's appropriate. I don't think it's fair that to preserve it as a park, the public has to buy it twice.*"

Tapert encouraged Buls and others to attend the public hearing on November 17<sup>th</sup> to discuss the matter further. There was no other public comment.

#### **FINANCIAL ACTION ISSUES:**

**1. September 2010 Financial Report:** The Commission acknowledged receipt of the September 2010 Financial Statement, which had been mailed to them previously (**EXHIBIT D**).

#### **2. Final Action for 2011 Budget:**

**A. Approval of 2011 Final Budget (EXHIBIT E):** It was noted that the Commission had reviewed the Preliminary Budget twice and a Public Hearing was held on October 12, 2010. Port Finance Manager Dane Anderson asked if the Commission had any questions, and Gordon and Tapert both indicated that the budget was acceptable.

**ACTION:** A Motion was made by Gordon and seconded by Tapert to approve and adopt the 2011 Final Budget as presented. The Motion passed unanimously, and Tapert provided his signature as President.

**B. Ordinance/Resolution No. 10-08 to Establish 2011 Levy (EXHIBIT F):** Anderson presented Resolution No. 10-08 for Commission approval and adoption along with the Levy Certification which he signed as Auditing Officer.

**ACTION: A Motion was made by Gordon and seconded by Tapert to approve and adopt Ordinance/Resolution No. 10-08, providing authorization for the levy to be collected in the 2011 tax year.**

Tapert asked if Jerome had submitted any written comments regarding the budget, and Field reported that Jerome reviewed the budget and approved it.

**The Motion passed unanimously and was signed by the Commission.**

**PROJECT ACTION ISSUES:**

**1. Possession Beach Waterfront Park:** No issues scheduled for this meeting. NOTE: Public Hearing for Surplussing Uplands Parcel scheduled for Wednesday, November 17, 2010 at 7:00 p.m. at St. Peter's Lutheran Church in Clinton, WA.

**2. South Whidbey Harbor:**

**A. Expansion Project:**

1. Design & Permit Status Update (with Joe Callaghan of GeoEngineers):
  - SEPA (State Environmental Policy Act) and SSD (Substantial Shoreline Development Application) c/o City of Langley: MDNS (Mitigated Determination of Non-Significance) issued 10/27/10, SSD next:
  - JARPA (Joint Aquatic Resources Permit Application) process at Corps (Army Corps of Engineers) Joint Public 30-day Notice issued 11/5/10:

Field referred the Commission to their copies of the "South Whidbey Harbor Expansion Project: Permit Summary & Status Grid" (**EXHIBIT G**). Noting that the MDNS and Joint Public Notice for the Corps and Washington DOE had both been issued, and we are also in the middle of the review of the Biological Evaluation (BE), Callaghan said, "Actually, we've made significant progress since the October 12<sup>th</sup> meeting with the Corps." The Corps has designated a new project manager (Jim Green), who has extensive experience. Green has already conducted an initial review of the BE and provided some comments. GeoEngineers is currently working on an addendum to get back to the Corps to address some of the issues, which are relatively minor. Callaghan said there are some other issues related to pile driving, and they hope to address those through engineering and geotechnical means. Now that the 30-day Notice is out, once the Port has issued the BE addendum to the Corps, that will go to the US Fish & Wildlife and National Marine Fisheries Services and we'll start the Endangered Species Act consultation. Once that process is finalized, the Corps will issue a Section 10 permit. Along with that Section 10 permit comes the Washington State Dept. of Ecology (DOE) Coastal Zone Management Consistency Determination. Once the Corps permit is issued, it will be valid for 2 years, and may be extended upon request to 5 years.

Callaghan explained, "Now that the SEPA determination has been finalized and the appeal process has started, that decision has been forwarded to the Washington State Dept. of Fish & Wildlife (WDFW) and now the Hydraulic Project Approval (HPA) process can start. There is a 45-day window for HPA approval. In addition, now that the City of Langley has finalized the SEPA decision, the SSD permit process can move forward. Field said the City should start writing that up this week after the SEPA comments are in. Once the City has issued the SSD Permit and the Conditional Use Permit, they go into the DOE. DOE will then have 21 days to comment on it and issue either concurrence or an appeal. The last remaining piece is the review of the application and comments by the Department of Natural Resources (DNR). Callaghan reported that we are still waiting for DNR's review of the application itself, although DNR has substantially completed the Aquatic Use Authorization and Lease Amendments.

Regarding DNR, Anderson explained that when the Port asked for a Port Management Agreement (PMA) and asked them to cancel the existing lease for the same area, the Port gave them the whole JARPA package to outline the entire project scope. Everything submitted to the Corps in August 2009 also went to DNR. DNR reviewed all of that and said, "Okay, you can have a PMA and you can have a lease, and we're all set up with the Terms & Conditions of this lease so when you need to expand it, all we'll have to do is put a new exhibit on the lease showing the old area and the new area." Anderson said, "DNR gave us all that. They gave us a 30-year lease instead of a 10-year lease and they gave us the PMA." Field pointed out that the drawing of the future project (full build-out) was Attachment B to the current Aquatic Land Lease. Since Don Olmsted at DNR has told him that everything is fine and there's nothing to worry about, Anderson asked Callaghan, "How does that differ from what you are expecting?" Callaghan explained that DNR typically gets involved at the local level – they will review and give comments on the SSD permit, which is why the Port gave them the JARPA package up front. That way, while DNR is working on the PMA or the Use Adjustment they also have the chance to make sure the JARPA project is concurrent with the proposed PMA. He noted that DNR will typically give comments regarding their issues of the environmental impacts of the project, but we haven't heard any yet. Callaghan said, "If Olmsted is taking the lead and they are not going to review it or issue any other potential concurrence, then the only other way for DNR to be involved would be through the local permit process."

Anderson asked what does the Port need from DNR to prevent them from coming back and saying, "just kidding – you can't do it." Callaghan replied, "A letter from DNR saying they have reviewed the Port's application and believe it to be concurrent with the PMA and have no outstanding issues or comments." Tapert asked if DNR is required to do it during the SEPA comment period, and Callaghan said, "Typically, yes, but they can also comment during the SSD permit process."

Field explained the Port is very concerned about the new Attachment B that DNR sent down after the PMA had been signed, which has 6 pages of operating regulations on grating criteria and all kinds of design criteria that we had never seen before (sent to us after the fact). When Anderson received the attachment 3 weeks ago, he telephoned Olmsted and said it was not included in the first lease and PMA that the Port had signed. Olmsted basically said he had forgotten to include it, so it doesn't matter and the Port doesn't need to worry about it. However, since there might be a window in the SSD permit process, Anderson shares the concern with Callaghan that DNR might come back and try to re-instill those operating regulations that aren't in the PMA or the lease.

Gordon asked, "When we get the permits – are they specific down to every last piling and every anchor and they can't even be moved?" Callaghan explained that they could be adjusted by location as per field conditions. Gordon asked if a new permit would be required if the proposed D Dock were rotated around to a different angle and Phase 1 was dramatically scaled back, and Callahan said that would require a revision to the permit and the Port would also have to inform the Corps, WDFW, and the City of Langley. Permit revisions typically take between 2-6 weeks.

Field noted the other issue is the pile driving method – vibratory vs. impact hammer – and the scope of permitting for the different types of hammers, etc.

## 2. Property Issues:

- Coordination with Adjacent Properties and Tribes: Callaghan reported that the Tribes are typically not engaging at the local level; they are engaging at the federal level. He said the Port will therefore need to watch the responses that come in from the recent public notice, as that is when the Tribes typically engage. The tribe of interest will likely be the Tulalip Tribe, but other tribes such as the Suquamish may also be involved.

### 3. Funding Issues:

- Boating Infrastructure Grant (BIG) Application – Status Update: Anderson said the BIG applications typically go up to the Feds in January/February, so we can expect decisions and funding availability in April 2011.
- Port Security Grant – Status Update: Anderson said the process continues to plug along, the budget for that was finalized and sent up to FEMA last week so we should be hearing something from them soon.

Tapert asked if the funds for those grants were budgeted in previous budget cycles, or if those grants could be potentially reduced due to economic and political changes. Anderson said the federal appropriations for both of the grants had already taken place and that money has been set aside.

Callaghan previously raised the question regarding whether or not US Fish & Wildlife would require a NEPA (National Environmental Policy Act), and Anderson has been researching the NEPA form. Field asked Callaghan, “How much more process is needed for the NEPA than a SEPA?” For the Port of Bremerton’s BIG grant, Callaghan said they had to write an Environmental Assessment, which is basically a step up from a Categorical Exclusion and a step down from an Environmental Impact Statement. He said the NEPA is a totally different process than the SEPA. Field said, “So even though the questions look similar on the form, the format is different.” Callaghan agreed, and added, “Every federal agency will have its own process; its own NEPA form.”

#### B. Harbor Operations:

- ICFD#3 (Island County Fire District #3) Cooperation: Equipment condition good; Memo of Understanding underway.
- Pump-out Barge Survey and Repair Project: Notice to Proceed issued; barge picked up 11/2/10. Anderson said our experience with the Washington State Parks Department has been very positive so far with the Clean Vessel Program, a grant with a 25% match requirement. We submitted our report for their fiscal year on a Friday and received the 75% reimbursement check the following Wednesday!

### 3. Port Operations:

A. Maintenance & Operational Wrap-up – Status Update and Next Steps with Callaghan of GeoEngineers: Callaghan reviewed GeoEngineer’s letter dated November 5, 2010 (**EXHIBIT H**) regarding the Maintenance and Operational Permit Plan for 4 facilities operated by the Port, with Vicinity Map, Site Photographs & Permit Details as attachments. In addition to presenting a comprehensive maintenance plan and permitting plan, GeoEngineers also provided a description of the existing conditions at the facilities. Callaghan brought their attention to “Table 2: Minimum Permit Application Submittal and Timeline” on page 6, which is a summary of the minimum applications, agencies requiring review, potential timeline and estimated cost to prepare the applications as well as agency review fees. Callaghan noted, “It gets interesting because there are 2 different jurisdictions – 3 of the facilities are within the jurisdiction of Island County (Bush Pt., Possession & Clinton Beach), but South Whidbey Harbor is within the jurisdiction of the City of Langley.” He explained that Island County has its own process, and most of the activities fall within the SSD Permit Exemption, but the County actually has a permit application for an exemption, which Callaghan said was actually unique. The City offers an exemption, but it’s the more typical letter of exemption type of process with application fees, etc.

With the typical HPA, Callaghan noted that the “Feds” are really only concerned with the boat ramp cleaning, but WDFW is concerned with everything over the water or within 200 ft. of the water, as is the City of Langley and Island County. GeoEngineers has done a number of maintenance-type HPAs that are



good for 5 years. The Port would wrap all of its existing facilities maintenance into one HPA permit and provide an annual report on activities at the end of each of the 5 years. Island County is not in favor of a 5-year permit, but that's typically how long an SSD permit lasts (with extensions). Callaghan said, "The point of this is to have an ongoing, established process with the agencies so they know what's coming, what's going on, and it will be easy to update and maintain through every 5 years."

Gordon noted that the letter contained references to biological assessments in various places, and he asked, "Do these dollar figures include the biological assessments?" Callaghan said they did not, because the thought is to provide this to the Corps and let them request that information. Gordon said, "If they do make the request, how much would that cost for each of the facilities?" Callaghan said there would only be one biological assessments for all of the facilities, and the estimated cost was \$6,500-\$8,000. Gordon asked if that amount was in the budget, and Anderson responded, "We could pull it out of the budget; it might come out of the Consulting Services line item."

Tapert asked if Island County has anything like this with the state and federal agencies for maintenance of their boat ramps at Mutiny Bay, Freeland Park, Maxwellton Beach, etc. Callaghan said he would assume they did, and Field said the County told him they did but he has not seen proof. Tapert thought it would be helpful to see what the County has and what they've been through since much of the information would probably be the same. Field said he and Anderson had talked with the County about doing this as a group effort, but the County said they had their permits and the Critical Areas people wouldn't support a group effort. Gordon suggested it might be prudent to get the information from the County's permit applications through a FOIA request (Freedom of Information Request) to the Corp and WDFW, because that information would be helpful with our permit application.

Field recommended that the Port proceed with the Maintenance and Operational Permit Plan as proposed by GeoEngineers. Last summer, the original scope was for \$44,000 plus permit fees. That was pared down to first phase evaluation for \$12,500. Now we are looking at a considerably tightened scope and schedule for wrapping this all up for \$16,500.

Gordon asked if the whole thing was budgeted for 2011. Anderson said there was some money in the budget that is unallocated for consultant fees, and some other funds in the budget that he doesn't think will be spent on acquisitions and projects. He said, "The short answer is no, there isn't a line item for it. The longer version is I think we've got the funds in the budget." Field noted that \$10,000 has been allocated for the Consulting Services line item and another \$10,000 allocated for the Green Business Initiative line item (capital). Gordon said, "This is an \$85,000 deficit budget. If you really believe this blanket permit needs to go forward and that it will have a long-term benefit, that's the only way I'm going to approve it. If not, we should be doing pay-as-you-go." Tapert felt that based on the history of trying to have work done at Possession, etc., it would be better to be pro-active and have all our ducks in a row so we don't have to be reactive and doing permits after the fact. He thought it also would put the Port in a better "permitting light" with the Corps and other agencies when we're doing a big project like the marina. Having a maintenance and operations manual in place that shows how the facility will be maintained puts us in a better light and makes things easier.

Tapert said there might be grants available to help pay for these kinds of things. Anderson said grants for maintenance are pretty tough to find; however, there are grants for planning. At the meeting in Olympia yesterday, he learned that RCO is still moving forward as if the Boating Facilities Grant program will be funded next year. Although staff had doubts it will be funded, the Port must still submit applications as if it will be. Anderson said they would therefore submit two applications – a development grant for the floats at the boat ramp in Langley, and a planning grant for the renovation of the boat ramp at Possession.

**ACTION: A Motion was made by Gordon and seconded by Tapert go forward with the Maintenance and Operational Permit Plan as presented by GeoEngineers. The Motion passed unanimously.**

*B. Overnight Parking – Resolution No. 10-09 (EXHIBIT I):* Prepared for Commission direction; implement in early 2011. Field had made some revisions per discussions with Possession Manager Wayne Nance. No more than 1/3 of the Possession parking area will be used for overnight parking at one time, and the fee for overnight parking will be \$10/night with a 10-night limit.

**ACTION: A Motion was made by Tapert and seconded by Gordon to approve and adopt Resolution 10-09 to revise facility rules and regulations to implement overnight parking for marine access at Possession Beach Waterfront Park. The Motion passed unanimously.**

**4. Commercial Kitchen at Island County Fairgrounds, including USDA RBEG (Rural Business Enterprise Grant):**

*A. Schedule and Status Update:* Anderson reported that the USDA representative said she is checking with her superiors to make sure our funding scheme can work (with the Port as lead agency and the County being the sub-grantee). He doesn't expect any problems, but the wheels of bureaucracy are just turning excruciatingly slowly.

**5. New Project Opportunities:**

*A. Sustainable Economic Development and IPZ (Innovative Partnership Zone) Issues:* (Tapert) Tapert said he contacted an Ontario, Canada firm named PlasCon, a company that produces a waste energy system. They take trash, heat it up, turn it into fumes, run it through plasma which breaks it down into minute molecules, which then turns into a syngas that runs these generators and has a net energy effect. The only waste is the fumes (CO2 and moisture) and the slag. The company will only build, own and operate their own facilities – they will not sell the technology. The company said they need to have 300 tons of trash per day to make it worthwhile, but their test facility uses just 75 tons per day. According to his research, Tapert said Whidbey Island alone (including Oak Harbor) generates 150 tons per day, so not enough for PlasCon. He then contacted an Idaho company using similar technology, and they said they would need 3,000 tons per day. Tapert thought it was very interesting and something to keep an eye on.

*B. Ferry/Commuter Issues:* (Gordon) Gordon said he is still trying to push for commercial reservations on the Clinton/Mukilteo ferry run with David Mosely of Washington State Ferries and State Representative Norma Smith.

*C. Mukilteo Parking Issues:* (Gordon)

1. Parking Garage Concept: Gordon has been searching for available property to provide Island commuters/visitors with parking in Mukilteo. He found a small property for sale and asked staff to do some light preliminary numbers on a parking garage there. Field referred the Commission to their copy of the email received that morning from Shannon Kinsella at Reid Middleton (EXHIBIT H). For a building that is roughly 100' x 100', there would be about 75 stalls and the rough cost of the garage would be \$2.5 million. Gordon said, "So the garage would have to get a lot bigger before it would be feasible." Anderson provided the very short version of the economic analysis shows that at 98% occupancy, the Port would have to charge \$340 per month per parking space to make it break even. The Commission agreed the concept was a good idea and Gordon should continue to look into it.

**ACTIVITIES /INVOLVEMENT REPORTS:**

**1. Economic Development Council (EDC):** (Jerome) No report.

2. **Council of Governments (COG):** (Gordon) No report.

3. **Skagit-Island Regional Transportation Planning Organization (RTPO):** Gordon said they are working on ranking the top 20 projects for the future 20-year Transportation Improvement Plan (TIP). He was not impressed with the traffic consultants hired by Skagit and Island Counties because they seem to be missing a lot of things, such as not even taking Island Transit into account when they do their future planning of most congested areas. He said he spoke up at the meeting to keep Wharf Street in the TIP.

4. **Marine Resources Committee (MRC):** (Tapert) No report.

5. **Washington Public Ports Association (WPPA):** (Jerome)

*A. Annual Meeting in Tacoma November 17-19:* No one wished to attend.

*B. Continuing Legal Education (Social Media, Public Records) on November 16:* Anderson was scheduled to attend.


6. **Holmes Harbor Shellfish Protection District (HHSPD):** (Tapert) No report.

**OLD BUSINESS:** None.

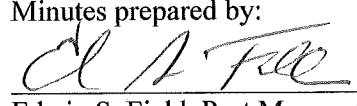
**NEW BUSINESS:** None.

**ADJOURNMENT:** The meeting was adjourned at 9:04 p.m.

Approved:

  
Commissioner Geoff Tapert, Freeland

Minutes prepared by:

  
Edwin S. Field, Port Manager

ABSENT

~~Commissioner Chris Jerome, Langley~~

  
Commissioner Curt Gordon, Clinton

- Exhibit A: Voucher Listing
- Exhibit B: Draft Employment Agreement for Ed Field
- Exhibit C: FOTDCT Letter & Attachments dated 11/9/10
- Exhibit D: September 2010 Financial Statement
- Exhibit E: 2011 Final Budget
- Exhibit F: Ordinance/Resolution No. 10-08 & Levy Certification
- Exhibit G: SWH Expansion Project: Permit Summary & Status Grid, updated 11/5/10
- Exhibit H: GeoEngineers' M & O Permit Plan dated 11/5/10
- Exhibit I: Resolution 10-09
- Exhibit J: 11/9/10 Email from Reid Middleton