

**Board of Directors
Chelan Douglas Regional Port Authority
Meeting Minutes
One Campbell Parkway
East Wenatchee, WA 98802
February 25th, 2020
9:00 am**

Present:

Directors

JC Baldwin, Director
Donn Etherington, Director
Rory Turner, Director

Jim Huffman, Director
Alan Loeb sack, Director
Mark Spurgeon, Director

Staff

Jim Kuntz, Chief Executive Officer
Monica Lough, Director of Finance & Admin.
Ron Criddlebaugh, Director of Economic Development
Craig Larsen, Business Development Manager
Tricia Degnan, CTC Manager
Sarah Deenik, Communications Coordinator
Bobbie Chatriand, Administrative Assistant

Trent Moyers, Director of Airports
Ron Russ, Airport Operations Mgr
Quentin Batjer, Legal Counsel
Jennifer Sands, Legal Counsel

Guests:

Alyce Brown, Entiat Chamber
Renee Swearingen, Entiat Chamber
Ron Nielsen, SBDC

The Chelan Douglas Regional Port Authority (CDRPA) Meeting was called to order at 9:02 am. Introductions were made.

Conflict of Interest – None.

CDRPA CONSENT AGENDA:

The Consent Agenda consisting of minutes of the Chelan Douglas Regional Port Authority (CDRPA) meeting of February 11th, 2020; January 2020 Commission Calendar; and Check Register Pages #2020-01-#2020-03 was presented and the following action was taken:

Motion No.

Moved by:

Seconded by:

02-09-20 CDRPA

JC Baldwin

Mark Spurgeon

To approve the Chelan Douglas Regional Port Authority (CDRPA) Consent Agenda consisting of minutes of February 11th, 2020 meeting; January 2020 Commission Calendar; and Check Register Pages #2020-01-#2020-03, as presented.

Motion passed 6-0.

CDRPA ACTION ITEMS:

CDRPA Resolution No. 2020-04 – CDRPA Resolution No. 2020-04 concerning Pangborn Memorial Airport Rules & Regulations was presented. Moyers provided information on the changes made to the document with the assistance of Jennifer Sands from Ogden Murphy Wallace. Discussion ensued and the following action was taken:

Motion No.	02-13-20 CDRPA
Moved by:	Mark Spurgeon
Seconded by:	JC Baldwin
	To adopt CDRPA Resolution No. 2020-04 approving Pangborn Memorial Airport Rules & Regulations.

Motion passed 6-0.

PMA Terminal Capacity Project Proposed Budget Modification – Moyers & Russ reviewed the changes proposed to the budget including carpet replacement & a chair rail. Discussion ensued and no action was taken.

CDRPA Resolution No. 2020-03 – CDRPA Resolution No. 2020-03 Concerning Support of Dams within the Federal Columbia-Snake River System was presented. Discussion ensued and the following action was taken:

Motion No.	02-14-20 CDRPA
Moved by:	JC Baldwin
Seconded by:	Jim Huffman
	To adopt CDRPA Resolution No. 2020-03 in support of dams within the Federal Columbia-Snake River System.

Motion passed 6-0.

Authorization to Commence Lawsuit in District Court – Chelan Valley Marine – Kuntz provided information on the status of non-payment from Chelan Valley Marine. Discussion ensued and the following action was taken:

Motion No.	02-15-20 CDRPA
Moved by:	Mark Spurgeon
Seconded by:	Jim Huffman
	To authorize the Chief Executive Officer to commence lawsuit in District Court.

Motion passed 6-0.

PANGBORN MEMORIAL AIRPORT GOVERNING BOARD ACTION ITEMS:

PMA Resolution No. 2020-01 – PMA Resolution No. 2020-01 concerning Pangborn Memorial Airport Rules & Regulations was presented. The following action was taken:

Motion No.	02-16-20 PMA
Moved by:	Alan Loeb sack
Seconded by:	Mark Spurgeon
	To adopt PMA Resolution No. 2020-01 approving Pangborn Memorial Airport Rules & Regulations.

Motion passed 6-0.

CDRPA INFORMATIONAL ITEMS:

Property “Deep Dive” Cashmere Mill District – Kuntz & Lough provided detailed information on the property including:

- Land Purchase History
- Cost of Site Clean-up
- Financials – History of Expenses & Revenues
- Funding Sources
- Sale of Property to Louws Truss
- Outstanding Debt Service
- Building Construction & Tenant Improvement Costs
- Building Leases

STAFF REPORTS & UPDATES:

Larsen provided information and updates including:

- Cashmere Mill District prospect including potential tenant improvements and current tenant expansion update.

Cridlebaugh provided information and updates including:

- Recently attended the Pacific Northwest Aerospace conference; secured a couple of leads at the conference.
- Attended the World Agriculture Expo where Port presence was well-received.

Moyers provided information and updates including:

- Recently attended the Pacific Northwest Aerospace conference.
- Update on Aviation Day.
- Potential Café Tenant update.

Lough provided information and updates including:

- Washington County Insurance Fund – Employee Assistance Program overview.
- Washington County Insurance Fund’s Online Portal “Simon.” Lough can resend the login to anyone who needs it if the login has expired.

Kuntz provided information and updates including:

- Update on the City of Rock Island.

Public Comment – None.

Items from Board of Directors – None

The Chelan Douglas Regional Port Authority meeting was adjourned at 12:42 pm.

Signed and dated this 10th day of March, 2020.

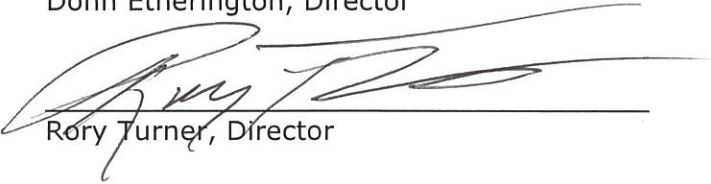
CHELAN DOUGLAS REGIONAL PORT AUTHORITY



JC Baldwin, Director



Donn Etherington, Director



Rory Turner, Director



Jim Huffman, Director



Mark Spurgeon, Director



W. Alan Loeb sack, Director

**CHELAN DOUGLAS REGIONAL PORT AUTHORITY
RESOLUTION NO. 2020-03**

**A RESOLUTION OF THE CHELAN DOUGLAS REGIONAL PORT AUTHORITY IN
SUPPORT OF DAMS WITHIN THE FEDERAL COLUMBIA-SNAKE RIVER
SYSTEM.**

Whereas, the Lower Snake River Dams enable irrigation for over 7 million acres of farmland producing \$8 billion in agricultural income; and

Whereas, the Lower Snake River Dams enabled barging of approximately 9 million tons of cargo in 2014 valued at over \$3 billion; and

Whereas, the Federal Columbia-Snake River System ("FCSRS") is the top wheat export gateway in the U.S. handling over half of the country's exported wheat from 11 U.S. states, is the second most important export system in the U.S. for corn and soybeans, and is the west coast's largest export system for wood products and minerals; and

Whereas, the 465-mile federal waterway provides access to internal markets for Washington state farmers and farmers as far as the Midwest; and

Whereas, over 3.5 million tons of cargo were barged on 244 four-barge tows on the Snake River in 2017, a year when the locks were closed for three months for maintenance. In comparison, it would have taken over 35,140 rail cars or 135,000 semi-trucks to carry this same cargo; and

Whereas, annually the river cruise boat industry brings approximately 30,000 passengers and crew up the Columbia River to the Snake River, providing once-in-a-lifetime personal experiences and creating a positive economic impact to the region; and

Whereas, high-technology firms have located facilities in Chelan and Douglas County and throughout the Pacific Northwest because of the availability of reliable, carbon-free hydropower, creating jobs and boosting local economies; and

Whereas, the federal agencies responsible for the management of the Federal Columbia River Power System (FCRPS) (Bonneville Power Administration (BPA), Army Corps of Engineers, Bureau of Reclamation) operate the dams in compliance with the Biological Opinions (BiOps) approved by the National Oceanic Atmospheric Administration (NOAA) Fisheries in 2008/2010 (as supplemented in 2014), and in 2019; and

Whereas, BPA has spent nearly \$17 billion on infrastructure and fish mitigation projects since 1978 including projects that address hydroelectric operations, habitat, hatcheries and harvest; and

Whereas, those investments, made in accordance with Biological Opinions approved by NOAA Fisheries, have successfully improved fish runs resulting in greater than 96% of young salmon successfully migrating past federal dams; and

Whereas, in 2014, there were more chinook, sockeye, and coho salmon that returned to Bonneville Dam than any year since the dam was built in 1938; and

Whereas, reports from NOAA Fisheries indicate that Columbia/Snake River chinook salmon returns increased in 2018; and

Whereas, while 2017 and 2018 saw significant declines in overall salmon returns, studies by NOAA Fisheries have attributed those declines to ocean conditions that are expected to dissipate by 2020, leading experts to forecast improved overall salmon returns in that; and

Whereas, the 31 federal dams on the Columbia and Snake Rivers provide a reliable source of clean energy for millions of residents of Washington state and the Pacific Northwest; and

Whereas, the Lower Snake River Dams annually produce 1,000 megawatts of carbon free power, enough to serve nearly half a million Northwest businesses, industries and households and represents 2,000 megawatts of firm winter capacity; and

Whereas, the BPA has identified the Lower Snake River Dams as critical components of the FCRPS mission of supporting peak power generation; and

Whereas, the Lower Snake River Dams are some of the least expensive to operate and, with the cost of power generated by the dams ranging from \$10 to \$14 per megawatt-hour, provide some of the greatest value for BPA customers; and

Whereas, removing over 2,000 megawatts of firm winter capacity generated by the Lower Snake River Dams would add to a forecasted Northwest shortfall in energy capacity; and

Whereas, the hydro system is in large part responsible for the clean air, water and lands enjoyed by millions in the Pacific Northwest; and

Whereas, the State of Washington has passed legislation calling for 100% of all retail energy sales to come from carbon free resources by 2045; and

Whereas, the passage of Substitute Senate Bill 5116 included existing hydropower as an eligible resource for utilities seeking compliance with the 100% clean requirement; and

Whereas, the clean and renewable energy generated by the hydro system has made Washington state a national and world leader in responsible environmental stewardship; and

Whereas, the removal of the four Lower Snake River Dams would do irreparable damage to Washington and the Pacific Northwest's role as a leader in clean, carbon free energy production.

Now Therefore, the Board of Directors of the Chelan Douglas Regional Port Authority does hereby resolve as follows:

The Chelan Douglas Regional Port Authority supports the continued operation of the dams within the Federal Columbia-Snake River System due to their importance to

producing carbon-free, renewable, low cost energy, irrigation, flood control, recreation, and low-emission cargo transportation.

Based on studies and BiOps carried out by NOAA Fisheries, the Board of Directors endorses the position that hydroelectric dams and salmon can coexist. The Board opposes the removal of the Lower Snake River Dams.

The foregoing Resolution of the Chelan Douglas Regional Port Authority was duly adopted by its Board of Directors at its meeting of the 25th day of February, 2020.

DATED and SIGNED this 25th day of February, 2020.

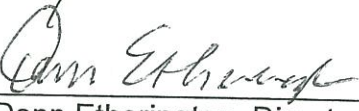
Adopted by the Board of Directors of the Chelan Douglas Regional Port Authority at a regular meeting thereof held this 25th day of February, 2020.



JC Baldwin, Director



Jim Huffman, Director



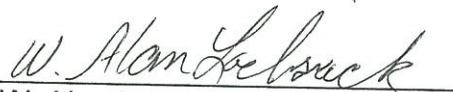
Donn Etherington, Director



Mark Spurgeon, Director



Rory Turner, Director



W. Alan Loebuck, Director

PORT OF CHELAN COUNTY RESOLUTION NO. 2020-04
RESOLUTION TO VOID WARRANTS NO. 22978 & 23016

Whereas Warrant No. 22978 in the amount of \$834.91 payable to NCW Media, Inc. on Register Page No. 4015 was created and signed on December 19, 2019.

Whereas Warrant No. 23016 in the amount of \$382.22 payable to J.C. Baldwin on Register Page No. 4019 was created and signed on December 31, 2019.

Whereas Warrants No. 22978 & No. 23016 were later deemed to be not received by their respective payee.

Now, therefore be in resolved by the Board of Commissioners of the Port of Chelan County, a municipal corporation of the State of Washington, that Warrants No. 22978 & 23016 be declared VOID.

Dated this 25th day of February, 2020.

PORT OF CHELAN COUNTY



J.C. Baldwin, Commissioner



Donn Etherington, Commissioner



Rory Turner, Commissioner

Copy sent to Chelan County Treasurer's office

Date: 2/26/20 By: S. Deenik

**PANGBORN MEMORIAL AIRPORT RESOLUTION NO. 2020-01
CHELAN DOUGLAS REGIONAL PORT AUTHORITY RESOLUTION NO. 2020-04**

**A JOINT RESOLUTION OF THE GOVERNING BOARD FOR THE
PANGBORN MEMORIAL AIRPORT AND THE BOARD OF DIRECTORS
OF THE CHELAN DOUGLAS REGIONAL PORT AUTHORITY TO ADOPT
RULES AND REGULATIONS FOR THE PANGBORN MEMORIAL
AIRPORT**

Whereas the Pangborn Memorial Airport ("PMA") has historically been owned jointly by the Port of Chelan County and the Port of Douglas County (the "Ports"), and managed by the Ports as the PMA Governing Board under the terms of a 2003 Joint Operating Agreement (the "JOA");

Whereas the Governing Board is authorized under the JOA and RCW 14.08 to adopt rules and regulations for the operation and management of PMA;

Whereas the Governing Board desires to continue to promote and maintain a safe aeronautical environment for the users of PMA, and the aircraft, vehicles and personal property located at PMA, and has determined that the users and operations of PMA will be better served by the adoption of revised and updated rules and regulations relating to conduct at PMA, a copy of which is attached as Exhibit "A" (the "Rules and Regulations");

Whereas the Ports formed the Chelan Douglas Regional Port Authority pursuant to an Interlocal Agreement dated June 19, 2019 (the "CDRPA") to assume responsibility for the ownership, operation and management of PMA;

Whereas the transfer of ownership, operation and management of PMA has been submitted to the Federal Aviation Administration for final approval, and upon such approval, the CDRPA will own, operate and manage PMA;

Whereas the Rules and Regulations contemplate the CDRPA's ownership, operation and management of PMA, and the CDRPA has similarly determined that the adoption of the Rules and Regulations will better serve the users of PMA and PMA operations;

Now, Therefore, the Governing Board and the Board of Directors for the CDRPA hereby resolve that the Rules and Regulations, in the form submitted as of this date as Exhibit "A" and incorporated by this reference, are hereby approved and adopted.

This Resolution shall become effective immediately upon its adoption.

[Signatures on following page.]

GOVERNING BOARD FOR PANGBORN MEMORIAL AIRPORT:



J.C. Baldwin, Commissioner



Donn Etherington, Commissioner



Rory Turner, Commissioner


DATED: 02-25-2020



Jim Huffman, Commissioner



Alan Loebsock, Commissioner



Mark M. Spurgeon, Commissioner

DATED: 02-25-2020

CHELAN DOUGLAS REGIONAL PORT AUTHORITY:



J.C. Baldwin, Director



Donn Etherington, Director



Rory Turner, Director

DATED: 02-25-2020



Jim Huffman, Director



Alan Loeb sack, Director



Mark M. Spurgeon, Director

DATED: 02-25-2020



**RULES AND REGULATIONS
PANGBORN MEMORIAL AIRPORT**

Adopted: 02-25-2020

TABLE OF CONTENTS

1. INTRODUCTION	3
1.1. Purpose.....	3
1.2. Authority	3
1.3. Applicability and Conditional Use of Pangborn Memorial Airport	3
1.4. Administration	4
1.5. Enforcement.....	4
1.6. Variance or Waiver for Safeguard of Public or Property	5
1.7. Review	5
2. GENERAL RULES AND REGULATIONS	6
2.1. Abandoned, Derelict, or Lost Property	6
2.2. Access and Use	6
2.3. Animals	6
2.4. Compliance with Laws	6
2.5. Construction Activities	7
2.6. Flying Clubs.....	8
2.7. Licenses, Permits, Certifications and Ratings.....	9
2.8. Lien for Nonpayment of Charges	10
2.9. Residential Uses Prohibited	10
2.10. Smoking and Smokeless Tobacco	10
2.11. Special Events.....	10
2.12. Through-The Fence Activities	11
3. PERSONAL CONDUCT	11
3.1. General Prohibitions	11
3.2. Commercial Photography and Video.....	12
3.3. Alcohol and Controlled Substances	12
3.4. Pedestrian Access.....	12
3.5. Signage/Advertisements	13
3.6. Solicitation	13
3.7. Weapons, Explosives and Incendiaries.....	14
3.8. Speech and Assembly	14
4. AIRCRAFT OPERATIONS	16
4.1. Generally.....	16
4.2. Accidents or Incidents.....	17
4.3. Aircraft Operations and Ground Movement.....	17
4.4. Balloon Operations	18
4.5. Based Aircraft	18
4.6. Deicing.....	18
4.7. Limits on Aeronautical Activities.....	18
4.8. Maintenance.....	19

4.9.	Parking and Storage	19
4.10.	Rotorcraft Operations.....	19
4.11.	Self-Servicing	20
4.12.	Ultralight and Glider Operations	20
4.13.	Unmanned Aerial Vehicle Operations.....	20
4.14.	Weight Limits	20
5.	GROUND VEHICLES AND GROUND TRANSPORTATION.....	21
5.1.	Generally.....	21
5.2.	Parking	21
5.3.	Commercial Vehicles.....	22
5.4.	Conduct.....	24
5.5.	Ground Vehicle Operations in Restricted Areas.....	24
6.	TERMINAL RULES AND REGULATIONS.....	24
6.1.	Reserved.....	24
7.	FUELING	25
7.1.	General.....	25
7.2.	Fuel Flowage Fees	26
7.3.	Training.....	26
7.4.	Fuel Storage Facilities.....	26
7.5.	Inspections	27
7.6.	Commercial Self-Service Fueling.....	27
7.7.	Self-Fueling.....	28
8.	SECURITY AND SAFETY	29
8.1.	Generally.....	29
8.2.	Passenger and Baggage Screening.....	30
8.3.	Restricted Areas	30
8.4.	Tampering	31
9.	ENVIRONMENTAL MANAGEMENT.....	31
9.1.	Fire Prevention.....	31
9.2.	Sanitation and Solid Waste Management	32
9.3.	Hazardous Materials Management	32
9.4.	Spill Prevention and Response.....	33
9.5.	Aircraft Cleaning and Painting	34
10.	RATES AND CHARGES.....	34
10.1.	Generally.....	34
10.2.	Payment of Rents, Fees and Charges	35
10.3.	Adoption and Administration	35
11.	DEFINITIONS	35

**RULES AND REGULATIONS
PANGBORN MEMORIAL AIRPORT**

1. INTRODUCTION

1.1. Purpose

- 1.1.1. The Pangborn Memorial Airport Governing Board hereby promulgates and adopts the following Rules and Regulations to restrict or prevent any activity or action which would interfere with the safe, orderly, and efficient use of the Airport by its passengers, operators, tenants, and users.
- 1.1.2. It is not the intent of these Rules and Regulations to excuse any Entity from performing any obligation it may have under any specific agreement the Entity has with the Board, whether the agreement is in existence on the date of the adopting of these Rules and Regulations or entered into at any time thereafter.
- 1.1.3. The Board recognizes the jurisdiction of the federal government, delegated to the Federal Aviation Administration (“FAA”), concerning the licensing and regulation of pilots, Air Carriers and aircraft; and concerning the navigable airspace. Nothing herein is intended to assert jurisdiction over matters under the exclusive jurisdiction of the federal government, and the provisions hereof shall be interpreted consistent with this purpose.

1.2. Authority

- 1.2.1. These Airport Rules and Regulations (“Rules and Regulations”) are promulgated under the authority of the Revised Code of Washington Section 14.08.120, which grants the power to regulate the use of the Airport. All leases, licenses, permits and other agreements authorizing the use of Airport property and facilities shall be subject to compliance with the Rules and Regulations.
- 1.2.2. The invalidation of any specific rule or regulation shall not affect the validity of the remainder of the Rules and Regulations.

1.3. Applicability and Conditional Use of Pangborn Memorial Airport

- 1.3.1. The privilege of using the Airport or any portion thereof, is specifically conditioned on the assumption of full responsibility and risk by the user thereof. Nothing herein affects any defense or immunity available to the Airport, the Board, the Port of Chelan County and the Port of Douglas County, the Chelan Douglas Regional Port Authority, and each of their commissioners and agents, officers and directors, and the successors to such entities and parties.
- 1.3.2. Any permission granted, directly or indirectly, expressly or by implication, to any person or persons to enter or use the Airport or any portion thereof (including aircraft operations, crew members, and passengers, spectators, sightseers, private and commercial vehicles, officers and employees or lessee and other persons occupying space on the Airport, lessees, sublessees, and permittees, and all other indicated) is conditioned upon compliance with

these Rules and Regulations; and entry upon or into the Airport by a person shall be deemed to constitute an agreement to comply with said Rules and Regulations. Further, all users of the Airport acknowledge that the primary purpose of the Airport is to facilitate and support aviation and aeronautical operations. The possession and use of the Airport, or any part thereof, is expressly conditioned upon there being no conflict between a use and the operations of the Airport. In the event of conflict, as determined by the Airport Director, in his or her sole discretion, the matter shall be resolved in favor of Airport operations. For example, conflicts may arise due to the application of safety and security provisions, and the laws and regulations adopted or administered by the Federal Aviation Administration. Each user hereby acknowledges the primary purpose of the Airport, and waives any and all claims arising from or associated with a conflict between the user's use, and the Airport operations.

- 1.3.3. No person shall discriminate against any person or class of persons in any manner prohibited by applicable Laws, including without limitation, by reason of race, creed, color, national origin, sex, age, or disability, in providing any products or services, in the implementation of these Rules and Regulations, or in the use of any of the Airport's area, buildings, facilities or improvements provided for the public.

1.4. Administration

- 1.4.1. The Airport Director, assisted by staff, has primary responsibility for the interpretation and application of the Rules and Regulations and is authorized to issue citations, directives and interpretive guidance in conformity with the Rules and Regulations. The foregoing is not intended to limit the review process set out in Section 1.7 or the Board's ability to restrict, revoke or otherwise modify the delegation to the Airport Director to interpret and apply these Rules and Regulations.
- 1.4.2. The Transportation Security Administration ("TSA") has primary responsibility for the screening of passengers and property at the Airport, and for approving the Airport Security Program pursuant to 49 C.F.R. Part 1542. The TSA is not responsible for the implementation and enforcement of the Rules and Regulations.

1.5. Enforcement

- 1.5.1. The Airport Director may remove or evict from the Airport any person who knowingly, willfully or recklessly violates any rule or regulation prescribed herein, or applicable Laws (including without limitation, any rule or regulation in effect by the federal government, the State of Washington, Douglas County, or any other governing entity). The Airport Director may also deny use of the Airport and its facilities to any such Entity if it is determined that such denial is in the public interest.
- 1.5.2. Should a fine or penalty be levied against the Airport, the Port of Chelan County, the Port of Douglas County, the Chelan Douglas Regional Port Authority, (or any agent, officer, director or Commissioner thereof), either individually or collectively, as a result of an Entity's use failure to comply with these rules and regulations and applicable Laws, such Entity shall have sole responsibility for the payment of the fine or penalty.

1.6. Variance or Waiver for Safeguard of Public or Property

- 1.6.1. The Airport Director may take such actions (including those that may vary from the provisions of these Rules and Regulations) from time to time when certain circumstances, such as the safety of the public or the protection of Airport property, may require.

1.7. Review

- 1.7.1 Any party aggrieved by a decision hereunder involving the exercise of discretion by the Airport Director may request review of such decision by the Chief Executive Officer (the "Appeal"). An Appeal must be made in writing within fourteen (14) calendar days of the date the Airport Director's decision is communicated to the party, must be personally delivered or mailed via certified mail return receipt requested to the Chief Executive Officer, and set forth a mailing address for the party. The Appeal must set forth in detail:
- a) the decision made by the Airport Director for which review is sought;
 - b) how the Airport Director's decision was erroneous;
 - c) the harm to the party submitting the Appeal; and
 - d) the modification to the decision requested by the party.
- 1.7.2 The Chief Executive Officer shall respond in writing to the Appeal within thirty (30) calendar days of receipt by either: (a) making a written determination with respect to the subject matter of the Appeal, or (b) requesting in writing additional information from the party submitting the Appeal. A party shall provide all requested additional information within fourteen (14) calendar days of the date of the Chief Executive Officer's request. The Chief Executive Officer shall make a written determination with respect to the Appeal within thirty (30) calendar days after receipt of the additional information. In either case, the Chief Executive Officer's written determination shall be final and conclusive.
- 1.7.3 Standard of Review. A decision of the Airport Director shall be modified by the Chief Executive Officer upon a showing by the party that:
- a) the Airport Director failed to follow a procedure set out in the Laws, including these Rules and Regulations;
 - b) the Airport Director's decision was arbitrary, capricious or an abuse of discretion; or
 - c) the Airport Director's decision was outside his or her authority or jurisdiction.
- 1.7.4 A party not complying with the provisions of this Section 1.7 will be deemed to waive his or her rights to appeal and the decision of the Airport Director shall be final and conclusive.
- 1.7.5 The provisions of this Section 1.7 apply solely to review of a decision of the Airport Director made under these Rules and Regulations. Nothing in this Section 1.7 is intended to amend, modify or limit the rights and remedies of the parties to a written lease or other

written agreement regarding the use of the Airport, or limit the application of Douglas County Code Chapter 8.08, or any other Laws governing conduct at the Airport.

2. GENERAL RULES AND REGULATIONS

2.1. Abandoned, Derelict, or Lost Property

- 2.1.1. No person may abandon personal property, ground vehicles, or aircraft on the Airport. Personal property found in public areas of the Airport shall be turned over to Airport Administration.
- 2.1.2. Articles unclaimed by the owner within 30 days may be legally disposed of upon authorization from the Airport Director.

2.2. Access and Use

- 2.2.1. Access to or entry upon the Airport shall be made only at locations designated by the Airport Director.
- 2.2.2. Any person accessing or using the Airport shall be fully and completely responsible for their actions and all actions of any person to whom they provide or facilitate access to or use of the Airport, whether directly or indirectly, express or implied.

2.3. Animals

- 2.3.1. Domestic pets and animals are not permitted on the Airport, unless controlled and restrained by a leash, harness, restraining strap, portable kennel, or other appropriate shipping container. Leashes, harnesses and straps shall not exceed six (6) feet.
- 2.3.2. It shall be the responsibility of the owner or handler to exercise control over the animal at all times. Owners or handlers are responsible for the immediate removal and disposal of animal waste. No person shall permit, either willfully or through failure to exercise due care or control, any animal to urinate or defecate upon the sidewalks or the Airport, or upon the floor or carpet of the Terminal or any other building used in common by the public.
- 2.3.3. No person, except those authorized by the Airport Director, shall hunt, pursue, trap, catch, intentionally injure, or kill any bird or animal on the Airport.
- 2.3.4. Feeding or otherwise encouraging the congregation of birds or animals on the Airport is prohibited.

2.4. Compliance with Laws

- 2.4.1. All persons or entities occupying or using, engaging in an Aeronautical Activity on, or developing Airport land or improvements thereon, shall comply, at the person's or Entity's expense, with all applicable Laws, including, without limitation, those of the federal, state, and local government and any other agency having jurisdiction over the Airport, the businesses operating at the Airport, and the activities occurring at the Airport, including

the United States Department of Transportation, the United States Department of Homeland Security, the TSA, the FAA, the State of Washington, Douglas County, , and these Rules and Regulations; as all may be in effect and amended from time to time.

2.4.2. The following documents (“Supplemental Documents”) contain policies and procedures issued by the Airport Director or his or her designated representative which are in addition to these Rules and Regulations. These documents are incorporated into these Rules and Regulations by reference.

1. Airport Certification Manual
2. Airport Emergency Plan
3. Airport Security Program
4. Airfield Operations Area (AOA) Access Rules and Regulations
5. Aviation Policies
6. Minimum Standards for Commercial Aeronautical Activities;
7. Airport Parking Rules
8. SIDA and Drivers Training Program.

In the event of any discrepancy between these Rules and Regulations and any Supplemental Documents, leases, or agreements, the specific terms of the Supplemental Documents, leases, or agreements will prevail. Distribution, disclosure and availability of security-sensitive information contained in the Airport Security Program and other documents may be restricted to those persons with an operational need-to-know.

2.5. Construction Activities

- 2.5.1. Any construction or alteration taking place on the Airport shall be performed in compliance with applicable federal, state and local laws.
- 2.5.2. No construction requiring a building, earth-moving or similar permit shall take place on the Airport without approved construction plans; proper permits; and written approval by the Airport Director, including designation of a construction start date and construction schedule.
- 2.5.3. Any construction or other commercial or non-commercial activities on the Airport that are determined by the FAA to constitute an obstruction or hazard to air navigation or that would, according to FAA standards, constitute an attractant to wildlife are prohibited without prior written permission of the Airport Director.

2.5.4. Any construction or alteration on the Airport shall be designed so as to conform, as applicable, to the Americans with Disabilities Act (42 U.S.C. § 12101 *et seq.*) and/or the Air Carrier Access Act (49 U.S.C. § 41705) and implementing regulations and guidelines.

2.6. Flying Clubs

2.6.1. Each member of a Flying Club must be a bona fide owner of an equal share of the club's aircraft or an equal stockholder in the Flying Club.

2.6.2. A Flying Club may not derive greater revenues from the use of its aircraft than the amount necessary for the actual operation, Maintenance and replacement of its aircraft.

2.6.3. Each Flying Club shall file and keep current with the Board the following:

- a. A current list of members, along with the investment (ownership) share held by each member.
- b. Copies of club aircraft registration, or alternate evidence that club aircraft ownership is vested in the name of the Flying Club or all of its members.
- c. A copy of the prior year's tax return, or alternate evidence of the nonprofit or not-for-profit status of the Flying Club.
- d. Copies of bylaws, articles of incorporation, operating rules, membership Agreements, and the location and address of club's registered office.
- e. A roster of officers and directors, including addresses and phone numbers.

2.6.4. Flying Club aircraft shall not be operated by other than members and shall not be used by anyone for commercial operations, including flight instruction for compensation, except as consistent with subsection 2.6.7.3 below or as otherwise authorized under the FAA Airport Compliance Manual (FAA Order 5190.6B) as amended if amended.

2.6.5. A Flying Club operating at the Airport shall have the right to Self-Fuel aircraft belonging to the Flying Club in accordance with Section 7.7 of these Rules and Regulations.

2.6.6. A Flying Club operating at the Airport shall have the right to self-service Flying Club aircraft in accordance with Section 4.11 of these Rules and Regulations. Any qualified mechanic who is a registered member and part owner of the aircraft owned and operated by a Flying Club may perform Maintenance work on aircraft owned by the club. The Flying Club may not become obligated to pay for such Maintenance work except that such mechanics may be compensated by credit against payment of dues or flight time.

2.6.7. A Flying Club operating at the Airport shall not be required to meet the Airport Minimum Standards, provided each of the following conditions is met:

- 2.6.7.1. The Flying Club does not lease or sell any goods or services whatsoever to any person or firm other than a member of such club at the Airport, except that the Flying Club may sell or exchange its capital equipment.
- 2.6.7.2. The Flying Club specifically does not offer or conduct retail Fuel sales, charter, air taxi or aircraft rental operations.
- 2.6.7.3. The Flying Club does not permit its aircraft to be used for flight instruction for any person, including members of the club when such person pays or becomes obligated to pay for such instruction, except when instruction is given by a lessee based on the Airport who provides flight training and the person receiving the training is a member of the Flying Club. Flight instructors who are also club members may not receive payment for instruction except that they may be compensated by credit against payment of dues or flight time.

2.6.8. Insurance

- 2.6.8.1. Insurance shall be provided and paid for by the Flying Club in the amounts and with such additional insureds as specified in the most current insurance requirements determined by the Airport Director.
- 2.6.8.2. A certificate of insurance will be furnished to the Airport, and ten days advance written notice of any change to the policy shall be given to the Airport Director.

2.7. Licenses, Permits, Certifications and Ratings

- 2.7.1. Aircraft operators shall obtain and comply with all necessary licenses, permits, certifications, or ratings required for the conduct of operator's activities at the Airport as required by the Airport Director or any duly authorized agency prior to engaging in any activity at the Airport. Upon request, operators shall provide copies of such licenses, permits, certifications, or ratings to the Airport Director within 5 business days.
- 2.7.2. Commercial activity of any kind requires the express written permission of the Airport Director through a specifically authorized contract, lease, sublease, operating agreement, license, permit, or written temporary permission and the payment of any required fees.
- 2.7.3. A commercial activity permit may not be assigned or transferred and shall be limited solely to the approved activity.
- 2.7.4. To receive a permit, the applicant must demonstrate proof of adequate insurance.
- 2.7.5. The Airport Director may revoke a permit to do business on the Airport upon evidence that the permittee has violated any provision of the Rules and Regulations, ordinances governing the Airport, or applicable Laws.

2.8. Lien for Nonpayment of Charges

- 2.8.1. To enforce the payment of any overdue charges, including but not limited to rent payments, charge for repairs, improvements, storage, or care of any personal property on the Airport (collectively the “charges”), by the Board or its agents in connection with the operation of the Airport, the Board shall have a lien on such personal property, including aircraft, which shall be enforceable as provided herein.
- 2.8.2. To enforce the payment of any such charge, the Airport Director may retain possession of such personal property until all amounts owed have been paid in full. The Airport Director may secure any personal property, including aircraft, by the use of chains, ropes, locks and any other reasonable means so that the personal property or aircraft cannot be removed from the Airport following nonpayment of charges owed (the “impounded property”).
- 2.8.3. The Airport Director shall have full authority to sell impounded property and apply the proceeds to the unpaid charges. With regard to aircraft, the Airport Director shall provide notice, and have all the remedies regarding the impounded aircraft, as set forth in RCW 14.08.122, the provisions of which are incorporated into these rules and regulations by this reference. Specifically, the Airport Director shall have the ability to publicly sell the impounded aircraft and apply the proceeds to the unpaid charges.

2.9. Residential Uses Prohibited

- 2.9.1. No building or facility on the Airport shall be used for residential use. The foregoing prohibition shall not apply to resident ARFF quarters, flight crew quarters, pilot resting facilities, and similar facilities designed and used for temporary occupancy, and further shall not apply to any parcels on the Airport used for residential purposes at the time of adoption of the Rules and Regulations and approved for such use by the FAA.

2.10. Smoking and Smokeless Tobacco

- 2.10.1. There shall be no smoking, use of smokeless tobacco, cigars, pipes, electronic cigarettes or any product that produces smoke, odors or vapors of any type at the Airport except in designated areas and no such activity shall occur on the passenger loading area, the tie-down and parking areas, and runways and taxiways at the Airport.
- 2.10.2. No person shall spit or expectorate, as a result of any form of smokeless tobacco such as snuff or chewing tobacco, into or upon any trash receptacles, planters, water or drinking fountains, sinks, floors, sidewalks, roads, parking lots or other areas inside or adjacent to the Terminal.

2.11. Special Events

- 2.11.1. Special events require written coordination, regulation, and authorization of the Airport Director prior to the public disclosure or advertisement of the event. The authorization shall be in the form of a letter of authorization from the Airport Director to the special event sponsor in which the sponsor is recognized as involved in the planning process for a specific type of event. Certain activities shall require an executed lease, operating

agreement, license or permit with the Board. Additional permits from federal, state or local agencies may also be required.

2.12. Through-The Fence Activities

2.12.1. "Through the Fence" activities are prohibited at the Airport. No access to the public landing area by aircraft or for other aeronautical activities from land adjacent to, but not part of, the Airport is permitted.

3. PERSONAL CONDUCT

3.1. General Prohibitions

- 3.1.1. No person shall obstruct, impair or interfere with the safe, orderly and efficient use of the Airport by any other person, vehicle or aircraft.
- 3.1.2. No person shall commit any disorderly, obscene, or indecent act on the Airport.
- 3.1.3. No person shall destroy (or cause to be destroyed), injure, damage, deface, or disturb, in any way, property of any nature located on the Airport. Any person causing such damage shall reimburse to the Board the full amount of repair and replacement of property necessary to repair the damage.
- 3.1.4. No Entity shall use, keep, or permit to be used or kept, any foul or noxious gas or substance at the Airport, or permit the Airport to be occupied or used in an objectionable or offensive manner, as determined by the Airport Director, whether by reason of noise, odors, or vibrations, or interfere in any way with other occupants or those conducting business at the Airport.
- 3.1.5. No person shall make, possess, use, offer for sale, pass, or deliver any forged or impermissibly altered pass, permit, identification card, sign, or other authorization purporting to be issued by or on behalf of the Board or the Airport Director.
- 3.1.6. No person shall engage in, conduct, aid in, or abet any form of gambling on the Airport.
- 3.1.7. No person shall operate a sound amplification system on the Airport without the written permission of the Airport Director. The foregoing restriction does not apply to the use of the public announcement system in the Terminal or the use of individual gate announcement systems by airlines to facilitate the boarding of passengers on commercial service aircraft, subject to amplification limits established by the Airport Director.
- 3.1.8. No person shall throw, deposit, place or leave any rubbish of any nature on or within the Airport, except in designated receptacles.
- 3.1.9. No person shall use or otherwise conduct him or herself upon any portion of the Airport in any manner contrary to the posted or otherwise visually-indicated directions applicable to that area.

- 3.1.10. No person may wash clothes, shower, bathe or change clothes or remain undressed in or at any sink, washroom or restroom that is not designated as a showering or bathing facility. No person shall spit, urinate or defecate on any part of the Airport other than in a urinal or toilet intended for that purpose.
- 3.1.11. Overnight camping, sleeping or lodging on the Airport is prohibited. Use of any facility on the Airport for sleeping or other purposes in lieu of a residence, hotel, motel, or other accommodation is prohibited unless authorized by the Airport Director.

3.2. Commercial Photography and Video

- 3.2.1. No person shall take still photographs, make audio recordings, or record video at the Airport for commercial purposes without written permission from and in the manner authorized by the Airport, except that members of the television and print news media may cover the news in authorized areas of the Airport.
- 3.2.2. No person shall take still photographs or record video of access control readers, security measures or security doors within or leading into or out of a restricted area.
- 3.2.3. No person shall take still photographs, make audio recordings, or record video of TSA officers or law enforcement officers in such manner as to interfere with the officer's official duties or that may compromise current or future Airport security or law enforcement functions, as determined by the Airport Director.

3.3. Alcohol and Controlled Substances

- 3.3.1. Alcoholic beverages may only be consumed in designated areas, in accordance with applicable legal requirements, and licenses.
- 3.3.2. The Board and the Airport Director reserve the right to exclude or expel any person who, in the judgement of a law enforcement officer, is intoxicated or under the influence of alcoholic beverages or drugs
- 3.3.3. No person shall consume, transfer, display, sell or grow marijuana products and/or marijuana accessories on the Airport.

3.4. Pedestrian Access

- 3.4.1. No person may travel on the Airport other than on roads, sidewalks or other marked rights-of-way provided for such purpose.
- 3.4.2. No person shall prevent or restrict any other person's passage to, from and within the Airport, except for authorized conduct of federal, state and local law enforcement officers, TSA officers, and Board employees.
- 3.4.3. No person shall loiter on the Airport or in any building on the Airport for a period of time longer than reasonably necessary to transact such business as the person may have on the Airport, except that nothing will be deemed to prohibit any person from remaining in the

Terminal in the event of a delayed departure or for the purpose of meeting arriving or departing passengers. No person shall be permitted to remain overnight in the Terminal, except as authorized by the Airport Director.

- 3.4.4. Access to the Security Identification Display Area (“SIDA”), Sterile Area and Airport Operations Area (“AOA”) must conform to the requirements of Section 8 of these Rules and Regulations. Any person who, without authority, enters the SIDA, Sterile Area or AOA shall, in addition to other penalties, be considered to be trespassing.
- 3.4.5. Pedestrians are permitted in the Aircraft Movement Area and Safety Areas only if necessary for Airport operations and only if authorized by the Airport Director or escorted by an authorized person.
- 3.4.6. Pedestrians in the Aircraft Movement Area or Safety Areas must possess an operable two-way radio capable of transmitting and receiving on the Common Traffic Advisory Frequency (CTAF) and comply with the operating procedures in the EAT Airport Security and Vehicle Operator Training Manual and other information provided by the Airport Director or his/her designee.
- 3.4.7. Any Person working in the SIDA must wear high visibility clothing, including a safety vest with reflective striping or other American National Standards Institute Class II high visibility garment, throughout the period working in the SIDA.

3.5. Signage/Advertisements

- 3.5.1. The Airport Director may post signs, including electronic signs, and authorize aural announcements on the Airport to put users thereof on notice of matters contained herein and of emergency orders promulgated hereunder.
- 3.5.2. All persons shall observe and obey posted signs governing activities on the Airport and the direction of law enforcement officers, TSA officers, and Airport employees assigned to the Airport.
- 3.5.3. No person shall post or distribute printed or written matter or pictures in the Terminal without the prior written permission of the Airport Director.
- 3.5.4. No person shall install a sign on or within the Terminal or on the exterior of a building or facility on the Airport without prior written approval of the Airport Director.

3.6. Solicitation

- 3.6.1. No person shall solicit for the immediate receipt of funds on the Airport except as permitted under Section 3.9.

3.7. Weapons, Explosives and Incendiaries

- 3.7.1. Possession and use of any weapons, explosive or incendiaries on the Airport shall be in compliance with all applicable local, state and federal regulatory measures, including those of the TSA regarding the transport of weapons on aircraft.
- 3.7.2. No person other than a duly authorized federal, state or local law enforcement officer, a federal air marshal, airport personnel and USDA-APHIS personnel engaged in wildlife hazard management activities or a pilot participating in the Federal Flight Deck Officer program or successor program shall possess a firearm, rifle, spring or air gun in the Sterile Area or SIDA.
- 3.7.3. No airline passenger, except an authorized local, state or federal law enforcement officer, shall enter the passenger screening area with a weapon or other item prohibited by the TSA. Duly authorized law enforcement officers may detain any person violating this provision for questioning, confiscate the weapon or prohibited item, allow the person to voluntarily withdraw from screening, or allow the person to check or ship the weapon or prohibited item. These actions may be in addition to any civil penalties imposed by TSA for the same conduct.
- 3.7.4. No person other than persons noted in subsection 3.7.2 above shall fire or discharge any firearm, rifle, spring or air gun of any description or shoot any tipped arrows on the Airport or onto the Airport. The foregoing restrictions on discharging firearms do not apply to individuals engaged in wildlife management authorized by a wildlife hazard management plan or explicitly by the Airport Director.
- 3.7.5. No person shall discharge any laser on the Airport or onto the Airport directed at a law enforcement officer, TSA officer, or aircraft. The intent of this prohibition is to supplement the requirements of federal law, 18 U.S.C. § 39A, and FAA regulation, and to provide a mechanism for the Board to penalize the improper discharge of lasers. This provision shall be interpreted consistent with this intent.
- 3.7.6. No person shall possess on the Airport any explosive device or weapon, or any hoax device. The foregoing restriction on explosives does not apply to individuals engaged in wildlife management authorized by a wildlife hazard management plan or explicitly by the Airport Director and further does not apply to explosive devices used in airport construction or manufacturing, maintaining or operating aircraft. For purposes of the Rules and Regulations, a hoax device shall include any object that would cause a person to reasonably believe that the object is or contains a destructive, incendiary or explosive device.
- 3.7.7. The requirements of this subsection are subject to the adoption of more restrictive requirements as may be imposed in a TSA-approved Airport Security Program, in which event the more restrictive requirements shall apply.

3.8. Speech and Assembly.

- 3.8.1. Any person or organization desiring to engage in non-commercial speech on Airport premises, which speech would be protected under the First Amendment to the United States

Constitution, shall be protected in such speech, provided that it will not result in interference with: the constitutional rights of others or the harassment of others, the security, operations and functioning of the Airport (including the rights of concessionaires and tenants at the Airport) and provided further such speech is conducted pursuant to the procedures as set forth herein.

- 3.8.2. Any person or organization desiring to distribute literature, seek contributions or otherwise communicate with members of the public at the Airport, in the exercise of their First Amendment rights, shall first obtain a written permit from the Airport Director. For purposes of obtaining such permit there shall be submitted to the Executive Director a written request on an application form setting forth the following:
 1. The full name, mailing address (other than a post office box number) and telephone number of the person or organization sponsoring, promoting or conducting the proposed activities;
 2. The full name, mailing address (other than a post office box number) and telephone number of the individual person or persons who will have supervision of and responsibility for the proposed activities;
 3. A description of the proposed activities indicating the type of communication to be involved, including whether solicitations of donations will be conducted;
 4. The dates and hours on and during which the activities are proposed to be carried out, and the expected duration of the proposed activities;
 5. The number of persons to be engaged in said activities at the Airport at any given time;
 6. A certification that the proposed communications are not obscene, defamatory, or otherwise prohibited by law;
 7. If donations are to be solicited, a statement signed by the applicant that the applicant represents and will be soliciting donations for the sole benefit of the following, and that the funds will be used for a non-commercial charitable organization as follows:
 - a. a religion or religious group;
 - b. a political organization; or
 - c. other non-profit group, social justice group or organization.
- 3.8.3. Any organization or person desiring to obtain a permit for any activities referred to herein shall sign an indemnification and hold harmless agreement, indemnifying the Airport, each Port District, and their commissioners, officers, agents, and employees against any claim that might be made against any of the foregoing by reason of activities conducted by the permittee or its agents at the Airport. This agreement must be included with the application.

- 3.8.4. The permit granting or amending such request shall be issued with reasonable promptness following receipt of the application by the Airport Director, or the applicant shall be furnished with a written statement indicating why the issuance of the permit will be delayed or why a permit will be denied. In no event shall the granting or denial of the permit exceed fifteen (15) business days from the date the completed application and all relevant information is received by the Airport Director.
- 3.8.5. Permits will be granted on a “first come, first served” basis. Permits are not transferable.
- 3.8.6. If one individual or entity has a demonstrated need for only a part of the area described in the permit, others may be granted the right to the use of unused space. Under no circumstances will the permit area include: any secured area, area behind or within 30 feet of a screening checkpoint, restroom facilities or storage areas (or within 10 feet thereof), driveways or parking areas, any area under a lease or concession agreement, within 10 feet of any person loading or unloading luggage, at any ticket or baggage check in counter or baggage claim area unless expressly designated.
- 3.8.7. When there are requests for space at the same time by more persons or organizations than the available areas will reasonably accommodate, the Airport Director shall maintain a waiting list and upon availability, notify the next individual or organization of its turn to utilize the area provided their permit remains valid.

4. AIRCRAFT OPERATIONS

4.1. Generally

- 4.1.1. The operation of aircraft on the Airport shall be conducted by licensed pilots in conformity with applicable FAA regulations at Title 14 of the Code of Federal Regulations, including without limitation Part 91, Part 121 and Part 135; TSA regulations; and the Rules and Regulations.
- 4.1.2. All aircraft operating at the Airport shall display on board the aircraft a valid airworthiness certificate as required and issued by the FAA or appropriate foreign government, and further shall display on the exterior of the aircraft a valid registration number issued by the FAA or appropriate foreign government. All persons operating aircraft on the Airport shall possess an appropriate certificate or license issued by the FAA or appropriate foreign government. Upon request of the FAA, National Transportation Security Board (“NTSB”), federal, state or local law enforcement officers, or TSA, the aircraft operator shall produce an operator’s license, an airman certificate, a medical certificate and photo identification.
- 4.1.3. No person may operate aircraft at the Airport in a reckless or negligent manner; in disregard of the rights and safety of others; without due caution and circumspection; or at a speed or in a manner which endangers, or is likely to endanger, persons or property. No person shall operate aircraft constructed, equipped or loaded in such a manner as to endanger, or to be likely to endanger, persons or property.
- 4.1.4. The Airport Director shall prohibit aircraft operations upon determining that continued operations would be unsafe in the conditions present at the time, including without

limitation aircraft Incidents and Accidents and certain airfield surface conditions. The Airport Director may, with FAA approval, limit or prohibit aircraft operations at the Airport in connection with a special event. The Airport Director shall issue a NOTAM, to close a portion of or the entire Airport or to terminate or restrict aircraft activity on the Airport.

4.2. Accidents or Incidents

- 4.2.1. The operator of any aircraft involved in an Accident on the Airport, regardless of whether it results in personal injury or property damage, must immediately notify Airport Administration, and make a prompt and complete report concerning the same, in addition to any and all other notifications and reports required to be made to other federal, state and local authorities.
- 4.2.2. An aircraft involved in an Accident on the Airport shall not be removed from the scene of the Accident until authorized by the Airport Director who shall receive removal authorization from the FAA Regional Operations Center or NTSB, when applicable, and/or the Federal Bureau of Investigation if criminal activity is implicated, except as may be necessary for exigent safety reasons.
- 4.2.3. Once authorization for removal has been issued, the aircraft owner, pilot or authorized insurance company shall make arrangements to have the aircraft moved immediately. If removal is not completed within a reasonable amount of time, the Airport Director may have the aircraft removed at the owner's sole risk and expense.
- 4.2.4. The operator of any aircraft that is involved in an incident or is otherwise disabled within the Movement Area must immediately notify Airport Administration.

4.3. Aircraft Operations and Ground Movement

- 4.3.1. Operating an aircraft in a careless, negligent, or reckless manner; in disregard of the rights and safety of others; without due caution and care; or at a speed or in a manner which endangers or is likely to endanger persons or property of any kind, is prohibited.
- 4.3.2. Aircraft operators shall obey all pavement markings, signage, and lighted signals.
- 4.3.3. Taxiing aircraft shall yield the right-of-way to any emergency vehicle.
- 4.3.4. Positioning, starting, or taxiing of aircraft shall be done in a safe manner and so as not to cause jet blast and prop wash that may result in injury to persons or damage to property.
- 4.3.5. Aircraft should be adequately secured before the engines on the aircraft are started.
- 4.3.6. Aircraft shall not be started or taxied within any structure on the Airport, except as may be required in aircraft manufacturing.
- 4.3.7. Passengers and cargo shall be enplaned/deplaned only in areas designated by sign or by Exhibit to these rules and regulations.

4.3.8. Run-up of jet, turboprop or piston engines shall be performed only in the areas designated by sign or by Exhibit to these rules and regulations.

4.4. Balloon Operations

4.4.1. [Reserved]

4.5. Based Aircraft

4.5.1. Based Aircraft must be registered with the Airport Director as required by RCW 47.68.250. Registration information shall include aircraft make, model, registration number and maximum gross landing weight; contact information for the owner; and insurance documentation.

4.5.2. The Board reserves the right to require different levels of insurance coverage based on an Entity's individual risks or exposure, as determined by the Airport.

4.5.3. Based Aircraft must have a tie-down or hangar agreement with the Airport, an FBO or a SASO.

4.6. Deicing

4.6.1. Aircraft deicing (the removal of snow and/or ice with chemical substances) shall only be accomplished in full compliance with the Airport Stormwater Pollution Prevention Plan ("SWPPP") or Airport Stormwater Management Plan, as appropriate, and at location(s) specified and permitted by the Airport Director.

4.7. Limits on Aeronautical Activities

4.7.1. The following types of aircraft and other aerial devices may not be operated to, from or at the Airport without the Airport's prior written authorization:

- a. Ultralight aircraft.
- b. Model aircraft and unmanned aerial vehicles or systems.
- c. Kites, tethered or non-tethered balloons, rockets and similar aerial devices.

4.7.2. Use of any portion of the Airport as a designated drop zone for parachute jumping or skydiving shall be prohibited without the prior written approval of the Airport Director and further shall require a lease or permit authorizing use of the designated portion of the Airport for a drop zone.

4.7.3. The Board or the Airport Director may seek review by the FAA upon receipt of an application to conduct one of the foregoing aeronautical activities or any other Aeronautical Activity not being conducted at the Airport at the time of application. If the Board or the Airport Director grants approval to conduct an Aeronautical Activity, the approval shall be in the form of a directive authorizing the applicant and other similarly-

situated entities the right to conduct the Aeronautical Activity and prescribing specific conditions on use of the Airport for the Aeronautical Activity. The authorized Aeronautical Activity shall be conducted in conformity with such directive, all applicable requirements contained in FAA regulations, and any other conditions as may be imposed.

4.8. Maintenance

4.8.1. With the exception of preventative maintenance, maintenance and repair of General Aviation aircraft shall be permitted only in designated areas within an FBO's or SASO's leased premises. Preventative Maintenance may be performed on aircraft located on tie-downs and in hangars. Preventive maintenance shall have the meaning set forth in 14 C.F.R. Part 43 as amended from time to time. As of the date of this document, the definition provides that, "preventive maintenance" is limited to the following work, provided it does not involve complex assembly operations:(1) Removal, installation, and repair of landing gear tires.(2) Replacing elastic shock absorber cords on landing gear.(3) Servicing landing gear shock struts by adding oil, air, or both.(4) Servicing landing gear wheel bearings, such as cleaning and greasing.(5) Replacing defective safety wiring or cotter keys.(6) Lubrication not requiring disassembly other than removal of nonstructural items such as cover plates, cowlings, and fairings.

4.8.2. Minor Maintenance of Air Carrier aircraft (as defined by 14 C.F.R. Part 43) may be performed at the gate positions in the Terminal area. For all other work, the aircraft must be moved to an area designated for such purpose.

4.9. Parking and Storage

4.9.1. Aircraft shall be parked only in those areas designated for such purpose by the Airport, shall not block taxi lanes or obstruct access to hangars or parked aircraft, and shall not be left unattended at any fueling facility.

4.9.2. Aircraft operators shall ensure that aircraft are properly secured when parked, using appropriate methods such as tie-down ropes or chain and/or chocking.

4.9.3. A parking fee as established by the Board will be charged for overnight parking of transient aircraft.

4.9.4. No aircraft shall be left unattended on the Airport unless it is in a hangar or adequately locked and secured.

4.9.5. Non-airworthy aircraft shall not be permitted within the tie-down or Ramp areas, except in connection with aircraft manufacturing, repair or refurbishment.

4.9.6. Abandoned Aircraft are prohibited on the Airport. The Airport Director may remove Abandoned Aircraft at the sole risk and expense of the aircraft owner.

4.10. Rotorcraft Operations

4.10.1. [Reserved]

4.11. Self-Servicing

- 4.11.1. All persons have the right to service an aircraft that the person owns or aircraft that the person has under their exclusive use and operational control pursuant to a long-term lease or similar agreement manifesting that the aircraft is within the person's care, custody and control. The right to self-service includes the right to tie down, adjust, repair, refuel, clean, and otherwise service an aircraft
- 4.11.2. Each person self-servicing an aircraft shall have the requisite training and/or certification as may be required by the Rules and Regulations and FAA regulations. Licensed pilots are permitted to perform preventive Maintenance on the Airport in accordance with 14 C.F.R. Part 43.
- 4.11.3. Self-Fueling is subject to the requirements of subsection 7.7 hereof.
- 4.11.4. Aircraft managers, co-ops or hangar associations are not recognized to be the owner or lessee of an aircraft, and each such Entity therefore is not permitted to self-service. Flying Clubs and companies engaged in fractional aircraft ownership operations pursuant to 14 C.F.R. Part 91 that are the owner or lessee of an aircraft are permitted to self-service, in accordance with federal law. Aircraft manufacturers are permitted to self-service aircraft prior to delivery and while the aircraft is under the manufacturer's care, custody and control. Airlines are permitted to self-service aircraft that may be owned or leased by an Air Carrier with a separate legal identity from the airline and providing scheduled passenger service at the Airport in accordance with a contract or agreement with the airline. Contractors to the United States Forest Service are permitted to service aircraft engaged in wild-land firefighting.
- 4.11.5. Self-servicing shall be performed only by the aircraft owner, operator or lessee or employees of the owner, operator or lessee. The Airport Director may require proof of employment, such as a copy of the employee's W-2 Statement.
- 4.11.6. No person shall be required to self-service. Airport users may purchase products and services from the Board or a duly authorized commercial aeronautical service provider.

4.12. Ultralight and Glider Operations

4.12.1. [Reserved]

4.13. Unmanned Aerial Vehicle Operations

4.13.1. [Reserved]

4.14. Weight Limits

- 4.14.1. No aircraft having a maximum gross takeoff weight, as certified by the aircraft manufacturer and including passengers, cargo, Fuel, and equipment, in excess of the weight-bearing capacity of the airfield pavements, as identified in the Airport/Facility

Directory, shall land, take off, or taxi at the Airport without prior permission of the Airport Director:

- 4.14.2. Any person constructing pavements on the Airport intended to accommodate aircraft shall build and maintain the pavements to support aircraft at the weights identified in the Airport/Facility Directory or such other pavement strength as may be approved by the Airport Director.

5. GROUND VEHICLES AND GROUND TRANSPORTATION

5.1. Generally

- 5.1.1. All ground vehicle drivers on the Airport shall comply fully with applicable state, Board and local motor vehicle Laws, the Rules and Regulations, and instructions issued by the Airport Director, staff or law enforcement officers.
- 5.1.2. No person shall operate a vehicle on the Airport in a reckless or careless manner or in a manner that would endanger his or her person or property; would endanger the normal operation of aircraft; or would endanger safety of another's person or property.
- 5.1.3. No person shall operate any motor vehicle on the Airport faster than the prescribed speed limit.

5.2. Parking

- 5.2.1. No person shall park or leave standing any vehicle, whether occupied or not, on the Airport except within areas specifically designated by the Airport for parking or loading.
- 5.2.2. The Airport Director shall cause signs to be placed and maintained that designate all general and reserved loading zones, reserved parking areas and public parking areas, including, but not limited to, those designated for exclusive use of car rental agencies and companies operating at or from the Airport. No parking areas shall be designated in areas on and along drives and roadways or in such other areas on Airport property as deemed necessary by the Airport Director for the safe, efficient and convenient operation of the Airport. All Airport tenant employees must park in their assigned areas.
- 5.2.3. The Airport Director may remove or cause to be removed any Abandoned Vehicle; any vehicle that is illegally parked or disabled; any vehicle that impedes Airport operations or the orderly flow of traffic; or any vehicle that creates a potential security threat. Any vehicle parked in areas of the public parking lot assigned for exclusive use of car rental agencies or companies may be removed or caused to be removed by order of the Airport Director.
- 5.2.4. The owner or operator of any such vehicle removed under this section shall be liable for payment of towing and storage and other applicable charges and charges for removal and storage of the vehicle shall be a lien upon the automobile. Any such vehicle shall be released to the owner or operator thereof only upon proper identification of the person making claim and payment of towing and storage and other applicable charges. Neither

the Board nor any of its agents shall be liable for damage to any vehicle resulting from the act of removal.

5.3. Commercial Vehicles

- 5.3.1. Any party operating a Commercial Vehicle at the Airport must have authorization for such activity under terms of a lease, contract or permit with the Airport. Such operations are limited as set forth in these Rules and Regulations and any applicable agreement between the operator of a Commercial Vehicle and the Airport, which are both subject to change from time to time.
- 5.3.2. The permit application for Commercial Vehicle operations shall be submitted on a form supplied by the Airport. The applicant will pay an application fee, and a permit fee for each Commercial Vehicle, based on a fee schedule established by the Board from time to time. The application shall contain, at a minimum, identity and contact for the applicant, a certification and evidence of insurance, registration of the Commercial Vehicle and applicable operating licenses required by Law to undertake the Commercial Vehicle operation, together with such other eligibility requirements as may be established by the Board from time to time. Provided that a Commercial Vehicle operator has complied with these Rules and Regulations, and applicable Laws, the permit shall renew automatically upon payment of the annual fee.
- 5.3.3. If a permit is issued to the applicant, the applicant shall prominently display a decal sticker, hang tag, card or other identifying mark issued by the Board or the Airport Director within the Commercial Vehicle evidencing that the Commercial Vehicle is authorized to operate at the Airport.
- 5.3.4. The Airport Director reserves the right to designate dedicated waiting, pick up and drop off areas for Commercial Vehicles. In general, however, all vehicles (including Courtesy Vehicles) shall abide by the rule that the front curb of the Terminal is reserved for the temporary:
 - a. loading and unloading private vehicles operated by the general public for passengers at the Terminal;
 - b. unloading Small Commercial Vehicles for passenger drop off at the Terminal;
 - c. loading Commercial Vehicles, but only in the designated area at the south end near the baggage claim area of the Airport; and
 - d. loading and unloading charter/tour buses and shuttles, but only in the designated area at the south end near the baggage claim area of the Terminal.
- 5.3.5. Large Commercial Vehicles are prohibited from loading persons along the front curb of the Terminal, unless otherwise exempted as follows:

- a. During periods of inclement weather (heavy rain, snow, or sleet), Commercial Vehicles may load and unload passengers under the awning located along the front curb of the Terminal.
 - b. Commercial Vehicles may load and unload passengers with disabilities along the front curb of the Terminal.
- 5.3.6. No Commercial Vehicle shall wait, block, park within, load or unload persons or luggage, or otherwise interfere with the operation of the Commercial Vehicle through-lane unless temporarily stopped to give way to pedestrians or vehicles.
- 5.3.7. All vehicles within designated Commercial Vehicle waiting areas must be attended at all times. No exceptions will be permitted. Unattended vehicles will be ticketed and/or towed.
- 5.3.8. The Airport Director may publish and update from time to time, a *Vehicle Use Diagram*, which depicts the specific loading, unloading, waiting areas and designated through-lanes assigned to Commercial Vehicles based on the type of transportation service provided (*i.e.*, shuttle, Courtesy Vehicles, TNCs, taxi-cab, and tour/charter buses). This diagram shall be available upon request.
- 5.3.9. The Airport Director reserves the right to direct Commercial Vehicles to other specific loading, unloading and waiting areas on a case by case basis to avoid congestion, ensure proper traffic flow and reasons of Airport security.
- 5.3.10. Upon entry onto the Airport without a passenger or after discharging a passenger at the Airport, each Commercial Vehicle shall proceed at once by the most direct route to the proper waiting area, or stand, or immediately leave the Airport. No Commercial Vehicle operator and associate vehicle may loiter on the curb. This includes waiting for delayed passengers.
- 5.3.11. All Commercial Vehicle Drivers are to have on their person a valid driver's license with all the appropriate endorsements for the operation/type of vehicle being operated. A copy of current insurance and registration is to be in the vehicle at all times. This insurance must meet all state and local requirements.
- 5.3.12. Commercial Vehicle Drivers shall maintain appropriate attire and conduct while on the Airport property, consistent with any other standards imposed on a party operating a business at the Airport. Commercial Vehicle Drivers shall not congregate with other Drivers or loiter in any parts of the Terminal, sidewalks or parking lots and shall smoke in designated areas only. Littering is prohibited.
- 5.3.13. No Commercial Vehicle operator may refuse or neglect to transport to any location any passenger requesting service on the basis of race, sex, national origin, religion, age, disability, short haul, or location of destination, so long as the person(s) are orderly and willing and able to pay the prescribed fare.

5.4. Conduct

- 5.4.1. Vehicles must be in good repair with operational lights and windshield wipers, and free of jagged or rusted dents, material body damage, cracked windows, excessive exhaust and noise. The Airport Director reserves the right to inspect vehicles for compliance with this policy.
- 5.4.2. No person shall clean or make any repairs to motor vehicles anywhere on Airport property other than in designated shop areas, except minor repairs necessary to remove such vehicle(s) from the Airport property.
- 5.4.3. The Airport Director shall have the authority to tow or otherwise move vehicles which are parked by their owners or operators on the Airport property who are in violation of the Rules and Regulations without liability for damage which may result in the course of such towing or moving. This includes towing for any security related reason.
- 5.4.4. The Driver of any vehicle involved in any Accident on Airport property resulting in injury to any person or damage to any vehicle or property shall immediately stop such vehicle at the scene of the Accident and report such to the Airport Director. The operator of such vehicle, within a reasonable time after the occurrence, shall make other reports as may be required by and in accordance with the Rules and Regulations.
- 5.4.5. Vehicle operators shall obey directives given by Airport officials. Such directives may deviate from this policy to accommodate special events, unforeseen circumstances, or other needs. Any of the Rules and regulations affecting this Policy may be immediately altered should Airport Administration receive security guidance from the Transportation Security Administration.

5.5. Ground Vehicle Operations in Restricted Areas

- 5.5.1. No vehicle may be operated in the Aircraft Movement Areas or Safety Areas without express authority of the Airport Director.
- 5.5.2. Persons operating a vehicle in the Aircraft Movement Areas or Safety Areas must possess an operable two-way radio capable of transmitting and receiving on the Common Traffic Advisory Frequency (CTAF) and comply with the operating procedures in the EAT Airport Security and Vehicle Operator Training Manual and other information provided by the Airport Director or his/her designee.

6. TERMINAL RULES AND REGULATIONS

6.1. Reserved

7. FUELING

7.1. General

- 7.1.1. All Fuel Handling and dispensing on the Airport shall be performed in compliance with applicable federal, state and local regulations concerning the storage, handling, and dispensing of aviation Fuel at the Airport.
- 7.1.2. Only the Board shall be permitted to engage in the sale of aviation Fuel and lubricants to the public at large at the Airport.
- 7.1.3. No aircraft shall be fueled or defueled while inside any building, hangar, or enclosed space, unless approved in writing by the Airport Director prior to the fueling operations. If approved, ARFF shall be notified and be on stand-by during fueling or defueling.
- 7.1.4. No aircraft shall be fueled or defueled if an electrical storm is in progress within 5 miles of the Airport. Fueling operations shall not resume until 15 minutes after the last observed lightning.
- 7.1.5. Fueling and defueling operations shall be conducted with adequate fire extinguishers immediately available. All extinguishers shall be inspected and certified, as required by Law, and all Fuelers shall be properly trained on the use of fire extinguishers.
- 7.1.6. Fuelers shall provide pumps for dispensing aviation Fuels from a fixed location or dispensing truck. These pumps shall be equipped with metering devices that meet all safety standards of the aviation fueling industry and the FAA. The metering devices must be inspected, checked, and certified by appropriate state and local agencies.
- 7.1.7. All Fuel dispensing equipment, hoses, funnels or apparatus used in fueling or defueling shall be maintained in good condition and be properly grounded, in accordance with FAA and National Fire Protection Association guidelines, and in compliance with the Federal Water Pollution Control Act.
- 7.1.8. All gasoline powered fueling vehicles, hoses, funnels, and appurtenances used in fueling and defueling operations on the Airport must be equipped with appropriate safety devices to minimize the hazard of fire or explosion.
- 7.1.9. Motor vehicles and other equipment shall be fueled on the Airport only from approved locations and dispensing devices.
- 7.1.10. No Fuel vehicle designed for, or that is employed in, the transportation of Fuel, shall be operated on a taxiway or runway at any time without express prior permission from the Airport Director.
- 7.1.11. Only those fueling vehicles that are actively engaged in fueling aircraft are permitted to park on the Terminal Ramp. The number of fueling vehicles permitted to park in designated areas on the Terminal Ramp shall be determined and assigned by Airport Director.

7.2. Fuel Flowage Fees

- 7.2.1. The Board shall establish a fuel flowage fee to be applied to all aviation fuels delivered to aircraft on Airport property.

7.3. Training

- 7.3.1. All Fuelers and agents handling aviation Fuels at the Airport must be properly trained as required by FAA regulations, currently at 14 C.F.R. § 139.321. Fuelers must provide to the Airport Director a written confirmation once every 12 consecutive calendar months that the training required by FAA regulations, currently at 14 C.F.R. § 139.321(e), has been completed.
- 7.3.2. Line service Fuelers must receive initial on-the-job training and recurrent training every 24 consecutive calendar months. Line service Fuel safety training may be provided by a supervisor who has completed an FAA authorized supervisory Fuel safety training course or an authorized Fuel safety training program. Training for employees may also be completed through the use of an approved line service Fuel safety course.

7.4. Fuel Storage Facilities

- 7.4.1. The storage of aviation Fuel is permitted only in the area(s) of the Airport that are designated by the Airport Director. No other method of Fuel storage shall be permitted at the Airport. The Airport Director reserves the right to designate one or more Airport Fuel Farm locations and require that all Fuel storage facilities installed after such designation are located in the Airport Fuel Farm.
- 7.4.2. All Fuel storage tanks installed or constructed on the Airport shall be above ground level, except as may be approved in writing by the Airport Director upon demonstration that an underground Fuel storage tank is consistent with applicable Laws, and also with National Fire Protection Association guidelines.
- 7.4.3. Construction or alteration of Fuel storage facilities may be undertaken only if approved in writing by the Airport Director and shall meet all safety standards of the aviation fueling industry and the FAA.
- 7.4.4. All Fuel storage facilities and mobile fueling vehicles shall be identified by the type of Fuel and Fuel octane stored when applicable, in addition to any other marking or placards required by applicable Laws and fitted with the nozzle designed and intended for the Fuel stored in and dispensed from the Fuel storage facility or mobile fueling vehicle.
- 7.4.5. A Fueler authorized to receive, store, and dispense aviation Fuels shall have adequate procedures for sampling and testing of Fuels. All tests and test schedules shall be performed in accordance with applicable regulations and industry standards. Fuelers are solely responsible for ensuring the quality of the Fuel.
- 7.4.6. At least fourteen days before beginning use of a new Fuel storage facility, Fueler shall provide to the Airport Director a written copy of a plan addressing proper fueling

procedures, training of personnel, quality assurance and quality control procedures, record keeping, marking and labeling of fueling equipment and the Fuel storage facility, and emergency response procedures. Fueler shall also provide to the Airport Director a Spill Prevention, Control and Countermeasure Plan (“SPCC”) that meets all applicable regulatory requirements for Fuel storage and fueling activities, in the event that the SPCC Plan for the Airport does not cover Fueler’s intended Fuel storage facility and operations. Fueler is responsible for determining whether the Airport’s SPCC Plan covers Fueler’s intended Fuel storage facility and operations. An updated plan and SPCC Plan, if required, must be submitted at least fifteen (15) days prior to any planned change in operation. Fuel may not be stored in or dispensed from any Fuel storage facility unless and until the Airport Director has approved the plan and any SPCC Plan.

- 7.4.7. Fuelers shall be responsible for and oversee the safe transfer of all Fuel from Fuel suppliers to a Fueler’s storage facility, including by ensuring that the fueling vehicle driver remains with the vehicle at all times when Fuel is being transferred.

7.5. Inspections

- 7.5.1. The Airport Director and other appropriate governmental agencies may inspect a Fueler’s Fuel storage facilities, dispensing equipment, and vehicles from time to time to ensure compliance with all safety standards. A record of those inspections shall be retained by Fueler for at least twenty-four months. When discrepancies are noted, Fueler shall immediately take corrective action to remedy the situation. The failure to take corrective action to remedy the situation may result in the termination of any and all privileges to operate at the Airport.

7.6. Commercial Self-Service Fueling

- 7.6.1. The Airport shall be permitted to install and maintain a Fuel storage and dispensing facility for Commercial Self-Service Fueling at a location or locations designated by the Airport.
- 7.6.2. No Entity, other than the Airport, shall provide Commercial Self-Service Fueling without also providing attended commercial fueling at the Airport.
- 7.6.3. Commercial Self-Service Fueling shall be subject to the requirements herein for fueling, including payment of Fuel flowage fees, training, fueling operations, Fuel storage, inspection, Fuel spill response, and further shall be subject to applicable requirements of the Airport Minimum Standards.
- 7.6.4. Commercial Self-Service Fueling shall be subject to the following additional requirements:
 - 7.6.4.1. The facility shall be constructed on concrete rigid pavement or flexible asphalt surface and include above ground double wall tank(s), fueling terminal, metering system, emergency shut-off, lighting and protective enclosures, using pipe bollards or other suitable protection.
 - 7.6.4.2. The facility shall include a control device that prevents unauthorized Fuel dispensing.

- 7.6.4.3. The facility shall be available for use 24 hours a day, seven days a week.
- 7.6.4.4. The responsible Entity shall provide ladders to service aircraft, a properly serviced fire extinguisher, meeting National Fire Protection Association standards; easily recognizable markings to indicate the type of Fuel; and placard instructions on the use of the facility, emergency telephone numbers and emergency procedures.
- 7.6.4.5. The responsible Entity shall inspect the facility daily and have trained personnel during normal hours of operation, as required by the Airport Minimum Standards, available to answer questions, provide other assistance, and respond to Fuel spills from the facility.

7.7. Self-Fueling

- 7.7.1. No person shall engage in Self-Fueling unless and until a Self-Fueling permit authorizing such activity has been obtained from the Airport Director.
- 7.7.2. To obtain a Self-Fueling permit, an applicant must provide evidence of ownership or lease for every aircraft for which Self-Fueling privileges are requested.
- 7.7.3. To obtain a Self-Fueling permit, an applicant must provide evidence that it is a tenant at the Airport pursuant to a lease or sub-lease and, in the event the applicant is a sub-lessee, must further provide evidence that the lessee expressly has authorized the applicant to Self-Fuel on the leasehold.
- 7.7.4. The Self-Fueling Permittee shall procure and deliver to the Airport, with the application for a Self-Fueling permit, a current, original Certificate of Insurance acceptable to the Board showing insurance coverage for the duration of the Self-Fueling permit in an amount established by the Airport, which insurance must be separate from premises and liability insurance and specific to aircraft fueling. All insurance policies shall name the Board as an additional insured, and, shall not be subject to cancellation or change except after thirty days prior written notice of such cancellation or change to the Airport Director by the carrier. In all instances, by submitting the application, the Self-Fueling Permittee agrees to indemnify, defend and hold the Airport, each Port District and its commissioners, agents and employees harmless from any and all claims resulting from the Self-Fueling Permittees operations on the Airport.
- 7.7.5. The term of a Self-Fueling permit shall be no longer than one year and shall be subject to renewal.
- 7.7.6. Permittee may only fuel aircraft identified on the Self-Fueling permit. No other aircraft may be fueled by Permittee.
- 7.7.7. Permittee shall ensure that only persons employed by Permittee are involved in dispensing Fuel and that all employees handling Fuel are trained in accordance with subsection 7.3 above. Permittee shall submit to the Airport Director evidence of training in safety procedures received by each person who will conduct aviation Fuel dispensing operations

and shall provide to the Airport Director documentation verifying all required certifications and required recurrent training before Self-Fueling activities may take place.

- 7.7.8. Permittee shall dispense aviation Fuel only in areas designated by the Airport.
- 7.7.9. Permittee shall equip each mobile fueling vehicle with an appropriately sized fire extinguisher.
- 7.7.10. Fueling vehicles shall not be permitted to park inside any structure on the Airport unless approved in writing by the Airport Director and ARFF is notified of the parking arrangement. Additional conditions on the parking of fueling vehicles may be prescribed in the Self-Fueling permit.
- 7.7.11. Each Permittee shall meet with ARFF personnel to discuss fueling fire safety and associated safety procedures before the first time Fuel is dispensed by Permittee.
- 7.7.12. The Airport Director shall have the right to conduct fire safety inspections upon reasonable notice to Permittee any time during the term of a Self-Fueling permit.
- 7.7.13. Permittee may terminate the Self-Fueling permit upon written notice to the Airport Director and the Airport Director may terminate the permit on such terms and conditions as are stated in the permit.
- 7.7.14. Permittee shall agree to assume all liability in connection with Fuel storage, handling and dispensing, and to indemnify, hold harmless and defend the Airport, each Port District, and their commissioners, agents and employees on terms prescribed by the Self-Fueling permit.
- 7.7.15. A Self-Fueling permit is not assignable or transferable. Permittee shall not enter into any agreement to transfer any of Permittee's privileges under the Self-Fueling permit whereby other persons share in the privileges or services authorized by the Self-Fueling permit.

8. SECURITY AND SAFETY

8.1. Generally

- 8.1.1. All persons on the Airport shall comply with the operating procedures in the EAT Airport Security and Vehicle Operator Training Manual and follow security-related Laws and directives, including TSA requirements, while on the Airport.
- 8.1.2. All persons on the Airport shall follow the direction of designated airport security personnel, on-duty federal, state and local law enforcement officers and TSA officers.
- 8.1.3. The Airport Director may issue directives and orders to implement the Airport Security Program. The Airport Security Program is considered sensitive security information in accordance with federal law and regulation, and no person is entitled to demand or obtain a copy from the Airport Director.

8.1.4. No person shall leave baggage or any articles unattended in or in the vicinity of the Terminal. Unattended baggage and articles are subject to search, confiscation and destruction by designated airport security personnel, on-duty federal, state and local law enforcement officers and TSA officers.

8.2. Passenger and Baggage Screening

8.2.1. No person may enter a Sterile Area of the Airport without submitting to the screening of their person and property by the TSA. This prohibition does not apply to entry into the Sterile Area through doors and access points other than the passenger screening area by appropriately-badged persons.

8.2.2. Any person who enters the passenger screening area within the Terminal is subject to search by the TSA, regardless of whether the person declares their intent to withdraw from the screening area.

8.2.3. No person may interfere with the screening of passengers and property by TSA officers.

8.2.4. No passenger shall enter or remain in a Sterile Area having in their possession any items prohibited by the TSA or FAA.

8.3. Restricted Areas

8.3.1. No persons except aircraft operators, passengers or other duly authorized personnel shall be permitted at any time on Airport property beyond the fence line dividing the Terminal from the aircraft loading area or beyond the posted signs reading "No Trespassing" or "Restricted Area" around the Airport perimeter. The Airport Director is authorized to provide proper identification and passes for persons authorized admittance to "No Trespassing" or "Restricted" areas.

8.3.2. All persons who seek access to the SIDA, Sterile Area or AOA must obtain the appropriate badge from the Airport Director or be escorted by appropriate personnel, consistent with the Airport Security Program.

8.3.3. Any person authorized to access the SIDA or Sterile Area must prominently display their badge, above the waist on their outermost garment, at all times. Any person authorized to access the AOA must be able to produce their badge when in the AOA.

8.3.4. It shall be unlawful, and grounds for immediate confiscation, suspension and possible permanent revocation of a badge for any person to:

- a. Be in the SIDA, Sterile Area or AOA without an escort or a badge.
- b. Permit any other person to use their badge.
- c. Wear another person's badge to gain access to or while in these areas.
- d. Alter the badge.

- 8.3.5. If a badge is lost or misplaced, the badge holder must notify the Airport Director immediately and follow all administrative procedures for reissuance of the badge, including a reissuance fee set by the Airport Director.
- 8.3.6. Only persons with unescorted access authority are permitted to escort. Persons who do not have a valid-approved identification badge who wish to enter the SIDA or AOA can only do so while under the escort of a person who has a valid badge for the applicable area.
- 8.3.7. Persons who have gained authorized access to the SIDA, Sterile Area or AOA shall ensure that the access door or gate has completely secured or locked behind them before leaving the immediate vicinity of the door or gate, to ensure that no person gains unauthorized access through such door or gate.
- 8.3.8. Each person shall immediately report malfunctioning or unattended access points to Airport Operations.

8.4. Tampering

- 8.4.1. No person shall willfully tamper, alter, compromise, move or otherwise affect any security device, sign, closed-circuit television camera, security key pad, electromagnetic locking device or other such implement, or perimeter fence gate or gate tracking device.
- 8.4.2. No person may place any object within five (5) feet of the Airport perimeter fence or at any location that would aid in climbing or obscuring visibility of the fence line.
- 8.4.3. No person shall willfully activate any security device or security alarm when no threat to security or emergency condition exists.
- 8.4.4. No person shall block or damage doors, gates or card readers or leave doors or gates open that could permit access to a restricted area by unauthorized persons.

9. ENVIRONMENTAL MANAGEMENT

9.1. Fire Prevention

- 9.1.1. Open flames of any kind – including welding and cutting activities and as necessary for aircraft Maintenance – are prohibited on Airport property without prior approval of the Airport Director; and only in compliance with applicable building and fire codes. An approved fire extinguisher and a person trained in its proper usage shall be present for the duration of any approved activities involving open flames.
- 9.1.2. The use and storage of all flammable and Hazardous Materials shall be in compliance with applicable Laws and ordinances, and the Airport SWPPP or Stormwater Management Plan, as appropriate.
- 9.1.3. All combustible refuse shall be stored only in areas designated by the Airport Director and in no event in an area less than 50 feet from any building or less than 35 feet from any primary electric or telephone trunk.

- 9.1.4. The placement of any Hazardous Materials storage container, locker structure or bin on the Airport shall comply with local fire code requirements and National Fire Protection Association guidelines, and be approved by the Airport Director, as to type, placement, size, and color.
- 9.1.5. All heating equipment and Fuel burning appliances installed on the Airport shall conform to the International Building Code and National Fire Protection Association guidelines and comply with any additional requirements imposed by the Fire Marshal.
- 9.1.6. Hangar floors shall be kept free from accumulation of oil, grease, Flammable Liquids, rags, or other waste materials.
- 9.1.7. All empty oil, paint and varnish cans, bottles or other containers shall be disposed of in an appropriate and timely manner and shall not remain on the floor, wall stringers, or overhead storage areas of the hangars or other buildings.

9.2. Sanitation and Solid Waste Management

- 9.2.1. Any activity that results in littering or causes environmental pollution on the Airport is not permitted and violators are subject to arrest, prosecution and fines.
- 9.2.2. The storage of waste materials and trash at the Airport is prohibited unless placed in receptacles provided for such purposes.
- 9.2.3. All outdoor trash or garbage containers shall be covered. Such containers shall be located only in those areas approved for such use by the Airport Director. All operators using commercial trash receptacles shall be responsible for the cleanliness of the trash collection site.
- 9.2.4. All vehicles used for hauling trash, dirt, or other refuse materials on the Airport shall be constructed so as to prevent their contents from dropping, shifting, leaking or escaping.
- 9.2.5. No person or Entity shall dispose of any fill or building materials or any other discarded or waste materials on the Airport except as approved in writing by the Airport Director.
- 9.2.6. No person may burn refuse at the Airport.

9.3. Hazardous Materials Management

- 9.3.1. All persons on the Airport shall be responsible for compliance with federal, state and local Laws concerning the use, handling, treatment, storage, discharge, disposal or transportation of Hazardous Materials. These Laws include, without limitation, the Resource Conservation and Recovery Act; the Comprehensive Environmental Response, Compensation and Liability Act; the Toxic Substances Control Act; and the Emergency Protection and Community Right-To-Know Act.
- 9.3.2. No person shall use, handle, treat, store, or transport Hazardous Materials on or at the Airport except as reasonably necessary in the ordinary course of the person's authorized

activities on the Airport and only if such Hazardous Materials are properly labeled and contained, and notice of and a copy of the Safety Data Sheet (“SDS”) is provided to the Airport Director for each such Hazardous Material. SDSs for all Hazardous Materials shall be maintained on site so as to be readily available to emergency responders in the event of an emergency and for review by Airport Operations.

- 9.3.3. Approved Hazardous Materials must be stored in suitable containers that are properly secured and protected by secondary containment as necessary.
 - 9.3.4. No person shall use, handle, treat, store, or transport Hazardous Materials at, in or on the Airport at such time or place or in such manner or condition as to create an unreasonable risk of harm to persons, property or the environment.
 - 9.3.5. All persons whose duties and responsibilities involve the handling and storing of Hazardous Materials and materials must have received proper training, as prescribed by the U.S. Occupational Health and Safety Administration.
 - 9.3.6. Used engine oil shall be disposed of only at approved waste oil stations or disposal points.
 - 9.3.7. Aviation Fuels or automotive gasoline shall not be stored at the Airport without the prior written permission of the Airport Director.
 - 9.3.8. All persons on the Airport shall fully comply with the Airport SWPPP and/or Stormwater Management Plan, as appropriate.
- 9.4. Spill Prevention and Response**
- 9.4.1. Operators shall be familiar with and take all action consistent with the Airport or applicable Spill Prevention Control and Countermeasure Plan (“SPCC”).
 - 9.4.2. Any solid or liquid material, which may be spilled at the Airport, shall immediately be cleaned up by the person responsible for such spillage. Responsible persons shall be liable for the cost to remediate the release of any Hazardous Materials on the Airport.
 - 9.4.3. Copies of all reports submitted to any federal, state, or local agency relating to any on-Airport spill shall be provided to the Airport Director at the time submitted to such agency.
 - 9.4.4. If the responsible person fails to promptly undertake remediation activities in response to the release of any Hazardous Materials, the Airport Director may, but is not obligated to, perform such remediation. Any costs incurred by the Airport Director associated with assessment and cleanup of the release will be billed to the responsible person, payable within 30 days.
 - 9.4.5. Hazardous waste generated in connection with the cleanup of a release of Hazardous Materials shall promptly be removed and disposed appropriately. Absorbent material used in connection with the cleanup shall not be left to sit longer than necessary.

- 9.4.6. All Fuelers shall prepare and file an SPCC Plan with the Environmental Protection Agency if the Airport's SPCC Plan does not cover Fueler's fueling operations. Fuelers shall provide to the Airport Director a copy of their approved SPCC Plan or written demonstration that Fueler's fueling operations are covered by the Airport's SPCC Plan.
- 9.4.7. Fuelers shall provide adequate procedures to prevent and limit Fuel spills and shall develop Fuel spill contingency plans including notification and clean-up procedures.
- 9.4.8. Fuelers shall maintain and have readily available an adequate supply of Fuel absorbent materials and other materials to dam, dike or divert a Fuel spill. Fuelers shall have, at a minimum, enough materials to respond to a Fuel spill of up to 55 gallons and to prevent Fuel flowage into storm drains.

9.5. Aircraft Cleaning and Painting

- 9.5.1. Aircraft cleaning shall be performed only in the areas and in the manner prescribed by the Airport Director and in compliance with the Airport SWPPP and/or Stormwater Management Plan, as appropriate.
- 9.5.2. Cleaning practices using combustible materials are prohibited within any building or within 50 feet of any building, aircraft, vehicle, Fuel storage facility, or fueling operation.
- 9.5.3. Aircraft painting shall be performed only in areas and in the manner prescribed by the Airport Director.
- 9.5.4. The provision of aircraft Maintenance, cleaning and painting for commercial purposes further shall be subject to the Airport Minimum Standards.

10. RATES AND CHARGES

10.1. Generally

- 10.1.1. The Board reserves the right to impose fees, rates and charges for use of the Airport for the following purposes: to compensate for costs to operate, maintain and develop the Airport; to make the Airport as self-sustaining as possible; to compensate for the privilege of conducting commercial activities on and deriving revenue from the Airport; and to derive a reasonable rate of return from the use of Airport facilities.
- 10.1.2. The Board may impose fees, rates and charges, including, but not limited to: landing fees, terminal fees, passenger facility charges, Fuel flowage fees, rent for Airport property and facilities, stormwater and utility fees, parking fees, access fees, concession and privilege fees, and permit and administrative fees. This right to impose shall expressly include the right to pass on any increases in such rates, charges and utility fees directly or indirectly imposed on the Board by a third party.
- 10.1.3. The imposition of any and all such fees, rates and charges shall not affect a person's obligation to pay any taxes as may be assessed by an authorized taxing jurisdiction, including without limitation possessory interest, sales and Fuel taxes.

10.1.4. The Airport Director reserves the right to review or approve the fees charged by persons providing products and services to the public at the Airport, including the right to establish by policy or contract limits on prices charged by Airport terminal concessions. The foregoing reservation does not apply to the fees charged by commercial airlines.

10.2. Payment of Rents, Fees and Charges

10.2.1. All Entities and persons using the Airport shall pay the rents, fees, or other charges specified by the Board for engaging in activities on the Airport.

10.2.2. Any failure to remain current in the payment of any and all rents, fees, charges and other sums due (including increases in rents, fees and charges authorized by the Board after the date of any agreement or approval) shall be grounds for revocation of any agreement or approval, written or otherwise, authorizing the conduct of activities at the Airport. This obligation shall include any increases in rents, fees or charges authorized by the Board.

10.3. Adoption and Administration

10.3.1. The Board may adopt and direct publication of a schedule or schedules of rates and charges. The rates and charges may be adjusted from time to time by the adoption and publication of a new schedule. Neither the adoption nor amendment of the schedule of rates and charges shall require an amendment to the Rules and Regulations.

10.3.2. All persons on the Airport will be liable to pay the then-current rates and charges applicable to their use of, and activities on, the Airport, except in the event that a rate or charge is established by a lease, permit or other agreement, and such lease, permit or other agreement does not permit adjustment of the rates and charges by the means provided herein.

11. DEFINITIONS

As used herein, the following terms shall have the meanings indicated:

Abandoned Aircraft – Any aircraft left unattended and stationary on the airport property in an inoperable condition and under such circumstances that evidence an intention by the owner/operator to voluntarily surrender, relinquish or disclaim the aircraft. The length of time that an aircraft has remained at the Airport without being used or moved is one factor to be used by the Airport Director in determining whether the aircraft has been abandoned. An aircraft that has been at the Airport without use for more than 180 days is presumed to be abandoned.

Abandoned Vehicle – Any vehicle which has remained stationary on the Airport in excess of 72 hours and is in a condition that would render the vehicle inoperable including, but not limited to, expired license plates, missing or flat tire, or broken window.

Accident – A collision between an aircraft or a vehicle, and an aircraft, vehicle, person, stationary object or other object which results in property damage, bodily injury or death; or an entry onto or emerging from a moving aircraft or vehicle by a person which results in bodily injury or death to such person or some other person, or which results in property damage. (See 49 CFR 830.2.)

Aeronautical Activity – Any activity which involves, makes possible, or is required for the operation of aircraft, or which contributes to or is required for the safety of such operations.

Air Carrier – A Commercial Aeronautical Operator holding an operating certificate under Federal Aviation Regulation Part 121.

Aircraft Movement Area – The runways, taxiways, and other areas of the Airport utilized for taxiing, take-off and landing of aircraft exclusive of aircraft loading Ramps and parking areas.

Airport –Pangborn Memorial Airport, including all of the area, buildings, facilities and improvements within the interior boundaries of such Airport as it now exists or as it may be hereafter or extended or enlarged and as depicted on a current Airport Layout Plan approved by the Federal Aviation Administration.

Airport Director – The person hired to administer and direct the operation of the Airport and to enforce and administer the Rules and Regulations and the Minimum Standards, as set forth in the most current Delegation of Authority Resolution in effect from time to time, and such Airport Director’s designee, if any, set out in said Delegation of Authority Resolution..

Airport Fuel Farm – One or more areas of the Airport designated and depicted on the Airport Layout Plan to serve as the consolidated location for all aircraft fuel storage facilities.

Airport Layout Plan –The current, FAA-approved drawing depicting the physical layout of the Airport and identifying the location and configuration of current and proposed runways, taxiways, buildings, roadways, utilities, navigational aids, etc.

Airport Operations Area or “AOA” – The area of the Airport identified in the Airport Security Program that includes the Aircraft Movement Areas, aircraft parking areas, loading Ramps, Safety Areas, and any adjacent areas that are not separated by adequate security systems, measures or procedures. All space on the Airport where the general public and users of the Airport are restricted by fence or posting, or such areas where aircraft are parked or operated, or where operations not open to the general public are conducted; and such term shall include, but is not limited to, the aircraft Ramps, Aprons, taxiways and runways.

Airport Security Program – The written plan concerning security at the Pangborn Memorial Airport, containing the elements required by 49 C.F.R. Part 1542 and approved by the Transportation Security Administration.

Apron or Ramp – Those areas of the Airport within the AOA designated for the loading, unloading, servicing or parking of aircraft.

ARFF – Aircraft Rescue and Fire Fighting.

Based Aircraft – Any aircraft whose operator leases tie-down or hangar space from the Airport or an FBO or SASOs on a month-to-month or longer-term basis.

Board – The Governing Board of the Airport, as contemplated by the Replaced and Restated Joint Operating Agreement (“2003”) between the Port of Chelan County and the Port of Douglas County dated effective January 1, 2004 (the “2003 JOA”), which oversees the governance of the Airport consistent with the 2003 JOA; provided that at such time as the Chelan Regional Port Authority owns, manages and operates the Airport, the Board shall mean the Board of the Chelan Douglas Regional Port Authority.

Chief Executive Officer - The Chief Executive Officer of the Chelan Douglas Regional Port Authority, or such person as is authorized in a current Delegation of Authority Resolution by the Chelan Douglas Regional Port Authority in effect from time to time.

C.F.R. – The United States Code of Federal Regulations.

Commercial Aeronautical Activity – Any commercial operation that is related to the operation of Aircraft as prescribed in the Pangborn Memorial Airport Minimum Standards for Commercial Aeronautical Activities. This does not include any commercial operation not directly related to the operation of Aircraft, *e.g.* restaurant, rental car, or other concessions.

Commercial Aeronautical Operator – An Entity conducting a Commercial Aeronautical Activity at the Airport pursuant to an Agreement with the Airport.

Commercial Non-Aeronautical Activity – Any commercial operation not directly related to the operation of Aircraft, *e.g.* restaurant, rental car, or other concessions.

Commercial Self-Service Fueling – Fueling of an aircraft by the pilot using commercial self-service aircraft fuel pumps installed for that purpose.

Commercial Vehicle – Any motor vehicle engaged in transporting persons to or from the Airport, which transportation is provided in return for a fee or other compensation as part of a for-profit business activity. The term Commercial Vehicle shall include taxicabs, a vehicle operating under a “transportation network company” (“TNC”) such as by way of example and without limitation, Uber, Lyft, or Wingz, or other car for hire services, and non-courtesy shuttle vehicles. However, the term Commercial Vehicle shall not include a hotel, resort, guided tour or other courtesy vehicle for which a separate transportation fee or charge is not collected by the provider of such service from the transported person (a “Courtesy Vehicle”). *See also*, Small Commercial Vehicle and Large Commercial Vehicle.

Courtesy Vehicle - a hotel, resort, guided tour or other courtesy vehicle for which a separate transportation fee or charge is not collected by the provider of such service from the transported person.

Driver – Every person who drives, operates or is in actual physical control of a vehicle.

Entity – Any person, firm, general or limited partnership, corporation, trust, association or similar Entity making application for, leasing or using any land or facility at the Airport.

FAA – The Federal Aviation Administration.

Fixed Base Operator or FBO – Means any Entity that maintains and operates facilities at the Airport for the purpose of providing commercial aeronautical services including by way of example and without limitation the retail sale of aviation fuels, aircraft line services, and/or aircraft airframe and engine repair and Maintenance at the Airport, as authorized by a written agreement with the Airport.

Flammable Liquid – Any liquid which emits a flammable vapor at or below a temperature of 100 degrees Fahrenheit, as determined by flash point from a Tagliabue Open Cup Tester, and shall include, but is not limited to, any other combustible liquids currently used for aircraft fuels.

Flying Club – A nonprofit or not-for-profit Entity organized for the express purpose of providing its members with the noncommercial use of aircraft for their personal use and enjoyment.

Fuel – The substance, either solid, liquid or gaseous, used to operate any engine in aircraft or vehicles.

Fuel Handling – The transporting, delivering, fueling or draining of Fuel or Fuel waste products

Fueler – A person that is permitted to store, handle and dispense Fuel, whether for sale to the public at large or for purposes of Self-Fueling

General Aviation – All phases of aviation other than aircraft manufacturing, military aviation, scheduled, nonscheduled and regulated Air Carrier operations.

Hazardous Material(s) – A substance or material in a quantity or form that may pose an unreasonable risk to health or safety, or property when stored, transported, or used in commerce as defined by the U.S. Department of Transportation.

Incident - an occurrence other than an accident, associated with the operation of an aircraft, which affects or could affect the safety of operations. (See 49 CFR 830.2.)

Large Commercial Vehicle - Any Commercial Vehicle intended to carry more than 6 passengers.

Laws – All Federal, state, Board, local and Board laws, codes, statutes, ordinances, orders, policies, rules and regulations, applicable to activities on the Airport, all as may be in existence, hereafter enacted, and amended from time to time.

Maintenance – Aircraft inspection, overhaul, repair, preservation and replacement of parts, including preventative maintenance, as described in Part 43 of the Federal Aviation Regulations.

Minimum Standards – The Pangborn Memorial Airport Minimum Standards for Commercial Aeronautical Activities, as adopted on December 19, 2017, and as amended if amended, which set forth the minimum requirements that must be met to conduct a Commercial Aeronautical Activity on the Airport.

Notice to Airmen or “NOTAM” – A notice filed with an aviation authority to alert aircraft pilots of potential hazards along a flight route or at a location that could affect the safety of the flight.

NTSB – The National Transportation Safety Board.

Permittee – The owner or exclusive operator of an aircraft authorized to Self-Fuel pursuant to a Self-Fueling permit or Agreement.

Rules and Regulations – These rules and regulations, as promulgated and/or amended from time to time to protect the public health, safety, interest and welfare on Pangborn Memorial Airport, and to augment relevant ordinances and resolutions pertaining to the Airport.

Safety Areas – The runway and taxiways and the surrounding runway safety areas and taxiway safety areas at the Airport.

Security Identification Display Area or SIDA – The portion of the Airport identified in the Airport Security Program and in which security training, criminal history background check, and identification are required. This area is where aircraft operators and foreign Air Carriers that have a security program under 49 C.F.R. Part 1544 or 1546 enplane and deplane passengers and sort and load baggage, and any adjacent areas that are not separated by adequate security measures.

Self-Fueling – The fueling of an aircraft by the owner of the aircraft, or the owner’s employee, using the owner’s vehicles, equipment and resources. Fueling of an aircraft by a pilot at a Commercial Self-Service Fueling station is not considered Self-Fueling.

Small Commercial Vehicle – A Commercial Vehicle intended to carry 6 or fewer persons.

Specialized Aeronautical Service Operator or SASO – An Entity that is authorized to provide one or a combination of Commercial Aeronautical Activities that does not include commercial fueling.

Spill Prevention, Control and Countermeasure Plan (“SPCC Plan”) – A contingency plan defined by the Environmental Protection Agency that covers procedures for spill prevention, control, and countermeasures, points of contact, the chain of command, and individual responsibilities.

Sterile Area – The portion of the Terminal identified in the Airport Security Program that provides passenger access to boarding aircraft and to which access generally is controlled by the Transportation Security Administration or by an aircraft operator or a foreign Air Carrier, through the screening of persons and property. The Sterile Area begins immediately after the passenger screening checkpoints in the Terminal.

Stormwater Pollution Prevention Plan or “SWPP” – A plan that identifies the controls that have been put in place to minimize the impact of storm water discharges on the environment.

Terminal – The commercial passenger terminal at the Airport.

TNC – Transportation Network Company, such as by way of example and without limitation, Uber, Lyft or Wingz.

TSA – The Transportation Security Administration.