



The following agreements (Hold Harmless Agreement and Boatyard Best Management Practices Agreement) are made and

entered into this _____ day of _____ 20_____

By and between _____

(Name)

of _____

(Address)

Do you live-aboard vessel or plan to? Yes _____ or No _____

If yes, sign up for live-aboard status, and get the current rate.

HOLD HARMLESS AGREEMENT

WHEREAS it has become increasingly common for Ports throughout the Puget Sound area to require proof of both liability and property damage insurance from boat owners who desire to store and moor boats and use Port facilities to do so; and

WHEREAS the Port of Port Townsend wishes to provide storage and moorage to all boat owners whether insured or not insured to better serve the boating public. In order to allow insured and uninsured owners to use the Port facilities without increased costs for storage or moorage which would be necessary if the Port assumed liability for damage beyond its control including, but not limited to damage caused by: fire, theft, or windstorm,

NOW THEREFORE for and in consideration of the mutual benefits, contained herein the parties agree as follows:

1. The Port agrees to use all reasonable and accepted practices in storing or mooring owner's vessel including normal acceptable blocking techniques.
2. Owner agrees to indemnify and hold the Port harmless from any damages including costs and legal fees from any causes whatsoever resulting from the storage or moorage of his or her vessel by the Port.
3. This agreement is intended to protect the Port from any loss from any cause whatsoever, unless due to negligence of the Port.

PORT OF PORT TOWNSEND BOATYARD BEST MANAGEMENT PRACTICES AGREEMENT

BMP-1 Before commencing any work, boatyard occupants are required to read the following Best Management Practices (BMPs) and to sign off on them. **It is the responsibility of the below signing party to ensure that all work conducted in the Boat Haven prevents any pollutant release to water, air or soil.**

BMP-2 When stripping, sanding, scraping, painting, coating and/or varnishing any portion of the vessel, all particles, oils, grits, dusts, flakes, chips, drips, sediments, debris and other solids shall be collected and managed to prevent release into the environment. Drop cloths, tarps, drapes, shrouding or other protective devices are required in order to collect and manage such material and must be adequately secured around the vessel to resist wind from causing a release of collected solids.

BMP-3 Boatyard spaces must be cleaned daily at a minimum and more frequently if necessary to prevent pollutant release into the environment.

BMP-4 Drip pans or other containment devices shall be used during all petroleum product transfer operations. A spill response kit is available in the boatyard. Use oil absorbent pads to contain and clean up spills. Promptly notify the Port of any spills to the ground or on tarps.

BMP-5 Paints, solvents and other chemicals must be stored in a weather-proof secondary container.

BMP-6 Bilges must be free of potential pollutants prior to blocking. Vessel owner or representative must arrange for bilge water removal with Yard Manager.

BMP-7 Washing of vessels is allowed on a case-by-case basis at the sole discretion of the Yard Manager or his or her designee.

BMP-8 No oil, fuel, bilge, sewage, or greywater shall be discharged from the vessel while in the boatyard unless authorized by the Yard Manager. A list of vendors providing pump out services is available in the Yard office.

BMP-9 Independent contractors, vendors and marine trade tenants are responsible for disposing of all boatyard generated waste. Customers must dispose of collected waste solids in the dumpsters provided by the Port.

BMP-10 Boatyard occupants shall coordinate disposal of hazardous and moderate wastes with Port employees who can assist with proper disposal of: absorbent pads, boat bottom sanding and scrapings, oil filters, and the recycling of used oil and bilgewater. For disposal of fuel, antifreeze, transmission fluid, oil-based paints, solvents, varnish, and batteries, contact Jefferson County Public Health at (360)385-9160. **The Moderate Risk Waste facility on site is PERMANENTLY CLOSED.**

BMP-11 All sand-blasting and spray painting must be pre-approved by Yard Manager or Port representative prior to starting work.

BMP-12 Only EPA approved vacuum sanders allowed in boatyard. Check with Port employees on suitability of equipment prior to use. Use of grinders, needle guns or other means of surface preparation is allowed only with prior approval by Yard Manager or Port representative and provided that adequate tenting/encapsulation is used to contain pollutants.

BMP-13 The use of antifouling paint containing Tributyl Tin is prohibited without prior approval by Yard Manager or Port representative. Non-copper bottom paint is encouraged.

BMP-14 Zincs used as sacrificial anodes shall not be disposed of into the water or into the trash. Spent zincs are to be placed in the Port's covered container for recycling. Port employees can assist with proper disposal.

BMP-15 Noise of a loud or harsh quality such as from generators, motor trucks, needle guns, corking, sandblasting, demolition or cutting and grinding of metal is limited to 7 am – 7 pm, Monday through Saturday only and prohibited on national holidays.

Please Note: A \$210.00 fee will be applied to yard bill for any violation of the above BMPs. Second violations will be charged a fee of \$525.00. Third violations will be charged a fee of \$1,050.00 and may result in permanent exclusion from the boatyard or marina.

Vessel Owner or Representative

I have read and understand the above Best Management Practices and shall be responsible for ensuring that all work conducted in the boatyard by me, vessel crew, independent contractor/vendor or marine trade tenant shall be in accord with those practices.

Print: _____

Signature: _____ Date: _____