

Draft (7) March 8, 2011

PHMPR Development Agreement

THIS AGREEMENT, by and between Pleasant Harbor Marina and Golf Resort LLP (Resort), any future owners and Jefferson County Fire District #4, DBA Brinnon Fire Department (Department) is designed to address impacts associated with development of the Pleasant Harbor Marina and Golf Resort (Resort), now under regulatory review by the County, not addressed by increased revenue from the proposed Resort and subject to supplemental mitigation to assure concurrency in accordance with the ordinance of approval, Ordinance 01-0128-08, paragraph 63(c), which provided a requirement that the SEIS review memoranda of understanding on appropriate mitigation for the following:

To provide needed support for the Brinnon School, **Fire District, Emergency Service (EMS)**, Staff Housing, Police, Public Health, Parks and Recreation and Transit...

November 2007 FEIS 3.5.1.5 Fire Protection and Emergency Service Mitigations

Any preliminary plat for the development of a portion of the resort shall require the following:

1. Ensure the onsite water system will provide for adequate sustainable fire flow.
2. All resort buildings to include internal sprinkler systems with FDC connections. Incorporate Firewise site design standards in the layout of the proposed resort, as appropriate and approved by the local fire authority.
3. All subsurface parking will have to provide fire systems, including air handling, water, and emergency access and egress.
4. Install hydrants, two portable fire pumps with hoses and related fire suppression equipment at the marina and maintenance area as approved by the local fire authority.
5. Develop an "emergency action plan" with the Fire District in conjunction with predevelopment, development, and operation to assure clear lines of responsibility and response in the event of any incident requiring emergency response.
6. Any development of the existing marina complex as part of an MPR shall include improving emergency vehicle access to this portion of the resort.
7. **Through a memorandum of agreement with District #4, provide the equipment necessary to mount rescue and fire fighting operations on any structure over 18 feet from ground level, including but not limited to the Golf Terraces and Conference Center/Spa Building.**
8. Enter into an "action plan" with the local fire authority at District #4 to assure coordinated control of additional services necessary to achieve an adequate level of service to the resort.
9. Provide a back-up electrical power supply to the resort to ensure continued operation of emergency systems and water supply during any outage.
10. Comply with the provisions of a memorandum of agreement with local service providers to address service equipment and personnel needs created by the resort, taking into consideration increased tax revenues from the resort activity.
11. **Enter into a memorandum of understanding with the local fire authority to address the following issues:**
 - "Firewise" design standards
 - "Emergency action plan" for predevelopment and operational service for each phase of development
 - Provide necessary facilities to mount rescue and fire fighting operations in all phases of the resort
 - "Action plan" for coordinated control and additional services

Purpose

This agreement is to cover the current proposed impacts and their mitigations as it applies to the proposed Pleasant Harbor Master Planned Resort (PHMPR) at Black Point in Brinnon, Washington. The impacts in question are those that directly or indirectly affect the provision of fire and EMS services to the PHMPR. This agreement is to also address impacts identified in the 2007 FEIS as well as conditions of the Jefferson County Ordinance 01-0128-08

General Requirements

1. The Departments Responsibility:

- 1.1. To maintain Fire Headquarters at 272 Schoolhouse Road as well as any necessary substations in the locations and at the capacities that the Board of Fire Commissioners of the Department deem appropriate in order to provide adequate fire and EMS coverage to the Brinnon Community. As well as to maintain all licenses and insurances to effect the same.
- 1.2. Provide first due fire and EMS services to include equipment and personnel to over 1000 residential homes, a 2 sq mile commercial area, US National Parks, WA State Parks, private recreation areas as well as the proposed Pleasant Harbor Master Planned Resort (PHMPR). All contained within the 131 sq mile boundaries of the fire district.

2. The Resort's Responsibility

- 2.1. To provide mutually agreeable mitigation measures for all impacts on the fire & EMS services that the Department provides as identified with in the 2007 FEIS and Jefferson County Ordinance 01-0128-08 as a result of the construction and continued operation of the PHMPR at Black Point.
- 2.2. The Resort agrees to comply with all negotiated mitigations at the start of each specified phase of construction. The mitigation will be considered complied with, when the mitigations are actually completed or a signed waiver has been executed by both parties involved. The waiver shall stipulate the reason for not meeting the negotiated mitigation as well as the mutually agreed upon solution.

2.3. General Access

- 2.3.1. All alarmed structures shall have a remote alarm enunciator panel located outside at the main entrance of the structure with a KNOX key box. Actual physical location shall be mutually agreed upon by the Department and the Electrical Engineer.
- 2.3.2. All structures within the PHMPR shall have KNOX box access.

- 2.3.3. Multi occupancy structures will have one centrally located KNOX key box at the buildings alarm enunciator panel.
- 2.3.4. All electric gates shall have KNOX key switches.
- 2.3.5. All manual gates shall have KNOX padlocks.
- 2.3.6. FDC connections shall have KNOX FDC covers.
- 2.3.7. All roadways in the PHMPR shall be clearly marked so as to not allow any parking on the shoulders for any reason. The only exception will be a turnout adjacent to the path to G thru K dock for loading and unloading.

2.4. Aerial Apparatus

- 2.4.1. The Resort shall Lease/obtain and provide to the Department one aerial type apparatus with a ladder reach of not less than 75 feet. The aerial apparatus shall be no more than 10 years old and must be inspected by a representative chosen by the Department and at the Department's expense.
- 2.4.2. The Resort shall provide a bond for the total cost of the aerial apparatus, to include the final lease payment prior to ownership, to ensure the Department will not be obligated under any circumstances for the lease payments of this equipment. The title for the aerial apparatus shall show the Department and the lease company as the legal owners of the apparatus and must also show the Department as the registered owner of same.
- 2.4.3. The aerial apparatus shall comply with the most current edition of the NFPA 1901 "Automotive Fire Apparatus" as to all applicable chapters, NFPA 1911 "Inspection, Maintenance, Testing and Retirement of in Service Automotive Fire Apparatus" as to all applicable chapters and NFPA 1912 "Fire Apparatus Refurbishment" as to all applicable chapters. As to the construction, equipment and function of said apparatus.
- 2.4.4. Said Aerial device shall comply with all Washington State Fire Apparatus Vehicle laws, with regards to weight and size.
- 2.4.5. The aerial apparatus shall be provided to the Department by the Resort no later than the start of vertical construction in phase I.
- 2.4.6. At such time as the Aerial device is ready for delivery the Resort will pay all fees required to secure the lease and delivery of the aerial apparatus after the Department has conducted the final inspection and has accepted delivery.
- 2.4.7. The Department shall be solely financially responsible for all training of Department personnel in the safe operation, maintenance and testing of said aerial apparatus.

- 2.4.8. After the Department has accepted the aerial apparatus and the aerial apparatus has been delivered, the Department shall be solely responsible for all future maintenance, repair and upkeep of said apparatus.

2.5. General Requirements During Construction

- 2.5.1. The Resort shall provide to the Department the sum of \$10,000.00 per quarter commencing 45 days before the anticipated start of construction or demolition in order to offset the cost of providing EMS and fire responses during the construction time period. This amount will continue until the increase in Property Value Assessment is reflected in the Resort's tax payments and the Resort has paid their property taxes for the year of the increase.
- 2.5.2. During construction of the Maritime Center off Black Point Road and the Reunion House and Harbor View House, the Resort will provide reasonable access to the Department to conduct training and familiarization with the actual construction type of the buildings. This access is not to interfere with the construction of the structures and may be conducted after normal working hours. This is to include photographs by the Department at each phase of construction as well as a complete set of as built drawings for each type of building.
- 2.5.3. All entrances to structure within the PHMPR shall be designed so as to allow the ingress and egress of the Department gurney. Said gurney dimensions are 6 feet long by 2 feet wide. This is to also include all elevators and hallways. The Resort stipulates that all entrances will be ADA compliant as required by building codes.

3. Stage 1 Phase 1- Marina Lands

- Remodel of Maritime Village, Remodel existing pool and building, construct wastewater treatment plant, create construction materials processing site, construct water storage vault and associated piping, Construct first Co-generation unit and construct Marina access drive off Highway 101.

3.1. Roadways:

- 3.1.1. As a minimum all roadways shall be constructed in accordance with the Driveway and Road standards adopted by the Department in 1994. (See attachment 1). Any deviation from standards will require a specific waiver, in writing, from the Department for each occurrence.
- 3.1.2. All roadways within the PHMPR shall be named in accordance with the most current edition of the Jefferson County 911 Locator Ordinance.

3.2. FDC/Hydrants:

- 3.2.1. The placement of all fire hydrants through-out the PHMPR shall be approved by the Department prior to the infrastructure improvements

- 3.2.2. The FDC connection for the Marina Store, laundry and Docks A-F shall be placed on the upper roadway south of the store building with a minimum flow rate of 1500 GPM hydrant within 6 feet. As improvements are made to Docks A-C and E-F a dry standpipe system will be connected to this FDC location.
- 3.2.3. The existing FDC connection for docks G through K will be relocated to the shoulder area of Highway 101, north of the Marina entrance to facilitate tender shuttle operations for docks G through K. Specific design to be by mutually agreed upon between the Developer and the District. This fire protection service area shall be clearly marked and protected with bollards of the appropriate design.
- 3.2.4. Should section 3.2.3 not be possible due to failure to obtain WADOT approval the following shall apply; The Resort will install one 6 inch galvanized pipe from the FDC connections south of the Maritime Village to the existing FDC connection for docks G thru K. This pipe shall be dry and shall have a 5" Storz type fitting on each end. The fitting shall be clearly marked at the supply end as to what area it supplies.
- 3.2.5. There shall be a FDC connection within 6 feet of the hydrant on the upper roadway south of the store that will feed FDC connections for the FDC for D dock. The FDC shall be clearly marked as to the area it supplies.
- 3.2.6. There shall be a FDC connection within 6 feet of the hydrant on the upper roadway south of the store that will feed the future FDC connections for A through F docks. The FDC shall be clearly marked as to the area it supplies.
- 3.2.7. All fire hydrants within the PHMPR shall have three ports, two ports shall be 2.5 inch NH thread and the steamer port shall be a 4 inch Storz type fitting.
- 3.2.8. All fire hydrants shall have a minimum flow rate of not less than 1500 GPM as confirmed by actual flow testing by the Department. Each hydrant shall be color coded as per NFPA 24 Annex D. Exceptions may be made to the flow rate by the District on a case by case basis, with the exceptions noted in writing.

3.3. Wastewater / Sewage Treatment Plant

- 3.3.1. During the construction phase of the wastewater treatment plant the Resort will provide the Department with reasonable access for training. This access is not to interfere with the actual construction and may be conducted after normal working hours
- 3.3.2. The Department and the Resort will work together to develop an emergency response plan for the wastewater treatment and sewage treatment plant during its construction.
- 3.3.3. The Resort shall provide on-site, in a separate structure at the Agri-Center all necessary personnel HAZMAT equipment as required by State, County and industry standards. The specific criteria and equipment to be identified in the Emergency Response Agreement.

4. Stage 1 Phase 2 – Marina Lands

- Construct Marina Lofts 36 units, Construct Reunion House and Harbor View House 24 units, Highway 101 and Black Point Road improvements, Develop Second Well and Construct additional water storage vault.

4.1. Roadways:

4.1.1. As a minimum all roadways shall be constructed in accordance with the Driveway and Road standards adopted by the Department in 1994. (See attachment 1). Any deviation from standards will require a specific waiver from the Department for each occurrence

4.1.2. All roadways within the PHMPR shall be named in accordance with the most current edition of the Jefferson County 911 Locator Ordinance.

4.2. FDC/Hydrants:

4.2.1. The placement of all fire hydrants through-out the PHMPR shall be approved by the Department prior to the infrastructure improvements.

4.2.2. There shall be a fire hydrant within 500 feet of any occupied structure with a minimum flow rate of 1500 GPM. Reference NFPA 24 Chapter 7, Section 7.2, Subsection 7.2.1

4.2.3. There shall be an FDC for all multi occupancy residential structures. The FDC shall be at the curb for each unit and within 6 feet of the fire hydrant. The fire hydrant shall have a minimum flow rate of 1500 GPM.

4.2.4. FDC connections shall have KNOX FDC locks.

4.2.5. At the meeting 11/12/2010, between the Fire Chief, Mr. Craig Peck – Engineer, Mr. Don Coleman and Mrs. Diane Coleman – PHMPR Representatives, it was agreed that this dry hydrant was not required. However, it may be desirable as a redundant emergency water supply. The Resort will consult with the Department, at a later date, if the decision is made to install this dry standpipe to draft water from the reservoir.

4.2.6. If constructed this dry hydrant shall comply with NFPA 1142 and the Department connection will be placed no further then 10 feet from the edge of the roadway.

5. Stage II Phase 1: Site Servicing and Golf Course Construction and Road Network

- Construct Wetlands Kettle C, Construct Golf Terrace & Conference Center/Spa, Begin Golf Course Construction.

5.1. Roadways

5.1.1. As a minimum all roadways shall be constructed in accordance with the Driveway and Road standards adopted by the Department in 1994. (see attachment 1). Any deviation from standards will require a specific waiver, in writing, from the Department for each occurrence.

5.1.2. All roadways within the PHMPR shall be named in accordance with the most current edition of the Jefferson County 911 Locator Ordinance.

5.2. FDC / Hydrants

5.2.1. The placement of all fire hydrants through-out the PHMPR shall be determined by the Department prior to the infrastructure improvements

5.2.2. All fire hydrants within the PHMPR shall have three ports, two ports shall be 2.5 inch NH thread and the steamer port shall be a 4 inch Storz type fitting.

5.2.3. All fire hydrants shall have a minimum flow rate of not less than 1500 GPM as confirmed by actual flow testing by the Department. Each hydrant shall be color coded as per NFPA 24 Annex D. Exceptions may be made to the flow rate by the District on a case by case basis.

5.2.4. The FDC connections for each building sprinkler system or zone shall be accessible 24/7 and must not be covered over. There shall also be a fire hydrant with a minimum sustainable flow rate of 1500 GPM hydrant within 500 feet of each FDC connections.

5.2.5. The FDC connections for each floor / wing of the Golf Terraces and Conference Center/Spa shall be placed at the NE corner and at the NW corner of the building, respectively. There shall also be a fire hydrant with a minimum sustainable flow rate of 1500 GPM hydrant within 6 feet of both connections.

5.3. General

5.3.1. All alarmed structures shall have a remote alarm enunciator panel located at the main entrance. Physical location shall be mutually agreed upon by the Department and the Electrical Engineer.

5.3.2. All structures within the PHMPR shall have KNOX box access.

5.3.3. Multi occupancy structures will have one centrally located KNOX key box at the buildings alarm enunciator panel.

5.3.4. All electric gates shall have KNOX key switches.

5.3.5. FDC connections shall have KNOX FDC covers.

6. Stage 2 Phase 2 – Golf Course & Residence Construction

- Construct Golf Terraces units 2&3 220 units, Sea View Villas 57 units, Golf Vistas 28 units, Maintenance unit & Staff quarters 52 units, Complete Golf Course, Reconstruct Black Point Road, and Construct Sanitary Sewer Pumping Stations.

6.1. Roadways

6.1.1. As a minimum all roadways shall be constructed in accordance with the Driveway and Road standards adopted by the Department in 1994. (See attachment 1). Any deviation from standards will require a specific waiver from the Department for each occurrence.

6.1.2. All roadways within the PHMPR shall be named in accordance with the most current edition of the Jefferson County 911 Locator Ordinance.

6.2. FDC / Hydrants

6.2.1. The placement of all fire hydrants through-out the PHMPR shall be approved by the Department prior to the infrastructure improvements

6.2.2. All fire hydrants within the PHMPR shall have three ports, two ports shall be 2.5 inch NH thread and the steamer port shall be a 4 inch Storz type fitting.

6.2.3. All fire hydrants shall have a minimum flow rate of not less than 1500 GPM as confirmed by actual flow testing by the Department. Each hydrant shall be color coded as per NFPA 24 Annex D. Exceptions may be made to the flow rate by the District on a case by case basis.

6.2.4. The FDC connections for each building sprinkler system or zone shall be accessible 24/7 and must not be covered over. There shall also be a fire hydrant with a minimum sustainable flow rate of 1500 GPM hydrant within 500 feet of each FDC connections.

6.3. General

6.3.1. All alarmed structures shall have a remote alarm enunciator panel located at the main entrance. Physical location shall be mutually agreed upon by the Department and the Electrical Engineer.

6.3.2. All structures within the PHMPR shall have KNOX box access.

6.3.3. Multi occupancy structures will have one centrally located KNOX key box at the buildings alarm enunciator panel.

- 6.3.4. All electric gates shall have KNOX key switches.
- 6.3.5. FDC connections shall have KNOX FDC covers.
- 6.3.6. Prior to the opening of the golf course at the end of Stage II Phase 2 the Resort shall have one ATV type vehicle equipped to transport a patient from out on the golf course to the ambulance. The Resort has agreed to provide an electric golf cart for EMS usage. The golf cart will need to be capable of carrying 1 full size stokes type patient litter with an EMS attendant and a driver.

7. Stage 2 Phase 3 Golf Course Lands Completion

- Construct Golf Terrace 4 - 126 units, Construct Sea View Villas - 200 units, Construct Golf Vistas - 48 Units and Construct remaining sanitary pumping stations.

7.1. Roadways

- 7.1.1. As a minimum all roadways shall be constructed in accordance with the Driveway and Road standards adopted by the Department in 1994. (See attachment 1). Any deviation from standards will require a specific waiver, in writing, from the Department for each occurrence.
- 7.1.2. All roadways within the PHMPR shall be named in accordance with the most current edition of the Jefferson County 911 Locator Ordinance.

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- 7.2.1. The placement of all fire hydrants through-out the PHMPR shall be approved by the Department prior to the infrastructure improvements
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- 7.2.3. All fire hydrants shall have a minimum flow rate of not less than 1500 GPM as confirmed by actual flow testing by the Department. Each hydrant shall be color coded as per NFPA 24 Annex D. Exceptions may be made to the flow rate by the District on a case by case basis.
- 7.2.4. The FDC connections for each building sprinkler system or zone shall be accessible 24/7 and must not be covered over. There shall also be a fire hydrant with a minimum sustainable flow rate of 1500 GPM hydrant within 500 feet of each FDC connections.

7.3. General

- 7.3.1. All alarmed structures shall have a remote alarm enunciator panel located at the main entrance. Physical location shall be mutually agreed upon by the Department and the Electrical Engineer.

DEVELOPMENT AGREEMENT
Pleasant Harbor Marina and Golf Resort
Jefferson County Fire Protection District #4

Draft (7) March 8, 2011

- 7.3.2. All structures within the PHMPR shall have KNOX box access.
- 7.3.3. Multi occupancy structures will have one centrally located KNOX key box at the buildings alarm enunciator panel.
- 7.3.4. All electric gates shall have KNOX key switches.
- 7.3.5. FDC connections shall have KNOX FDC covers.
- 7.3.6. Prior to the Final Inspection and issuance of the Certificate of Occupancy, the Resort and the Department shall cooperate to develop an Emergency Response Protocol for all potential emergencies at the PHMPR.

Approved By Jefferson County Fire District #4

Signature _____ Date _____
Mr. Ronald Garrison Chairman of the Board of Fire Commissioners

Signature _____ Date _____
Mr. Kenneth McEdwards Fire Commissioner

Signature _____ Date _____
Mr. Meril Smith Fire Commissioner

Approved By Pleasant Harbor Marina and Golf Resort LLP

Signature _____ Date _____
Mr. Garth Mann