



Agenda
City Council Regular Meeting
Tuesday, September 5, 2023
Richland City Hall – Council Chambers
625 Swift Boulevard

City Council Regular Meeting - 6:00 p.m.

Welcome and Roll Call

Pledge of Allegiance

Approval of Agenda: (Approved by Motion)

Presentations:

1. Swearing-In of Richland Police Officer Shandi Coe
 - Brigit Clary, Chief of Police
2. Constitution Week Proclamation
 - Terry Christensen, Mayor
3. Introduction to the Mid-Columbia Children's Museum Board of Directors
 - Joe Schiessl, Deputy City Manager
4. Tri-Cities Community Action for Responsible Environmental Stewardship (C.A.R.E.S.) Update
 - Karen Brun, Tri-Cities C.A.R.E.S.
5. New Hires and Retirements
 - Lacey Paulsen, Human Resources Director

Public Hearing: Please limit public hearing comments to 3 minutes. Comments must speak only to the item for which the hearing is convened. Records intended for Council consideration must be given to the City Clerk for distribution.

6. Proposed Annexation of Approximately 1,641 Acres to be known as the Northwest Advanced Clean Energy Park (formerly North Horn Rapids Industrial Park), Ordinance No. 2023-21
 - Kerwin Jensen, Development Services Director
7. Relinquishing the Remainder of a Utility Easement Located at 311 Van Giesen Street, Resolution 2023-143
 - Pete Rogalsky, Public Works Director
8. Relinquishing a Utility Easement Located at 924 George Washington Way, Resolution No. 2023-144
 - Pete Rogalsky, Public Works Director

Public Comments: Please limit public comments to 2 minutes. The public comment period is not an opportunity for dialogue with councilmembers, or for posing questions with the expectation of an immediate answer. Many questions require an opportunity for information-gathering and deliberation. For this reason, Council will accept comments, but will not directly respond to comments, questions or concerns during public comment. Records intended for Council consideration must be given to the City Clerk for distribution.

Consent Calendar: Items on the Consent Calendar have been distributed to the City Council in advance for reading and study, are considered to be routine, and will be enacted by one motion of the Council with no discussion. Councilmembers may transfer individual items to Items of Business for deliberation before voting.

Minutes:

9. Approval of the August 15, 2023 City Council Regular Meeting Minutes and the August 22, 2023 City Council Workshop Meeting Minutes
 - Jennifer Rogers, City Clerk

Ordinances - First Reading:

10. Ordinance No. 2023-20, Amending Chapter 9.04 of the Richland Municipal Code related to Crimes Against Persons
 - Heather Kintzley, City Attorney

Ordinances - Second Reading & Passage:

11. Ordinance No. 2023-18, Amending Richland Municipal Code Section 2.04.210 related to Limited Commissions in the Richland Police Department
 - Heather Kintzley, City Attorney
12. Ordinance No. 2023-19, Amending Richland Municipal Code Section 8.10.070 related to Public Camping Enforcement
 - Heather Kintzley, City Attorney

Resolutions - Adoption:

13. Resolution No. 2023-124, Authorizing a Consultant Agreement with RH2 Engineering, Inc. for the Supervisory Control and Data Acquisition (SCADA) System Replacement Project
 - Pete Rogalsky, Public Works Director
14. Resolution No. 2023-132, Authorizing Change Order No. 2 with DGR Grant Construction, Inc. for the Richland Community Center Remodel Project
 - Laura Hester, Parks & Public Facilities Director
15. Resolution No. 2023-136, Awarding Commercial Facade Improvement Grant Funds to Monterosso's Italian Restaurant at 1026 Lee Boulevard
 - Kerwin Jensen, Development Services Director
16. Resolution No. 2023-138, Authorizing Award of Bid to Big D's Construction of Tri-Cities, Inc. for the Badger Mountain Park-North Parking Lot Project
 - Laura Hester, Parks & Public Facilities Director
17. Resolution No. 2023-139, Accepting the Donation of an Art Sculpture Titled "Round and Round" by Artist Bernard Hosey
 - Laura Hester, Parks & Public Facilities Director
18. Resolution No. 2023-140, Accepting the Donation of an Art Sculpture Titled "On the Edge" by Artist Bernard Hosey
 - Laura Hester, Parks & Public Facilities Director
19. Resolution No. 2023-141, Accepting the Donation of an Art Sculpture Titled "On the Threshold of Liberty" by Artist Bernard Hosey

- Laura Hester, Parks & Public Facilities Director

20. Resolution No. 2023-142, Authorizing an Interlocal Agreement with the City of Kennewick and County of Benton for the 2023 Byrne Justice Assistance Grant
 - Brigit Clary, Chief of Police

Items - Approval:

21. Appointments to the Economic Development Committee: Brad Bricker, Eileen Griffin, and Kenneth Spencer, Jr.
 - Jennifer Rogers, City Clerk

Expenditures - Approval:

None.

Items of Business:

22. Ordinance No. 2023-21, Annexing Approximately 1,641 Acres Known as the Northwest Advanced Clean Energy Park (formerly the North Horn Rapids Industrial Park) - First Reading
 - Kerwin Jensen, Development Services Director
23. Resolution No. 2023-143, Relinquishing the Remainder of a Utility Easement Located at 311 Van Giesen Street
 - Pete Rogalsky, Public Works Director
24. Resolution No. 2023-144, Relinquishing a Utility Easement Located at 924 George Washington Way
 - Pete Rogalsky, Public Works Director

Reports and Comments:

1. City Manager
2. City Council
3. Mayor

Adjournment

This meeting will be broadcast live on [CityView Channel 192](#) on the City's website and on the [City's YouTube Channel](#).

Richland City Hall is ADA accessible. Any individual who has difficulty attending the meeting in-person may request to provide comments remotely. (Ch. 42.30 RCW) Requests for sign interpreters, audio equipment, and/or other special services must be received 48 hours prior to the meeting by calling the City Clerk's Office at 509-942-7389.



Proclamation

WHEREAS, the Constitution of the United States of America is a testament to the resolve of the American people to maintain their rights, liberties and freedoms; and

WHEREAS, President Dwight D. Eisenhower declared the national observance of Constitution Week in 1956; and

WHEREAS, Constitution Week provides the nation with an opportunity to read and reflect on this important document in America's history; and

WHEREAS, the Daughters of the American Revolution, including the Columbia River Chapter, have promoted and encouraged this week-long commemoration of the Constitution; and

WHEREAS, September 17, 2023 is celebrated as Constitution Day and marks the 236th anniversary of the drafting of the Constitution of the United States of America.

NOW, THEREFORE, I, Terry Christensen, by virtue of the authority vested in me as Mayor of the City of Richland, Washington, do hereby proclaim September 17-23, 2023 to be **CONSTITUTION WEEK** in the City of Richland.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed hereto the official seal of the City of Richland, Washington on this 5th day of September, 2023.

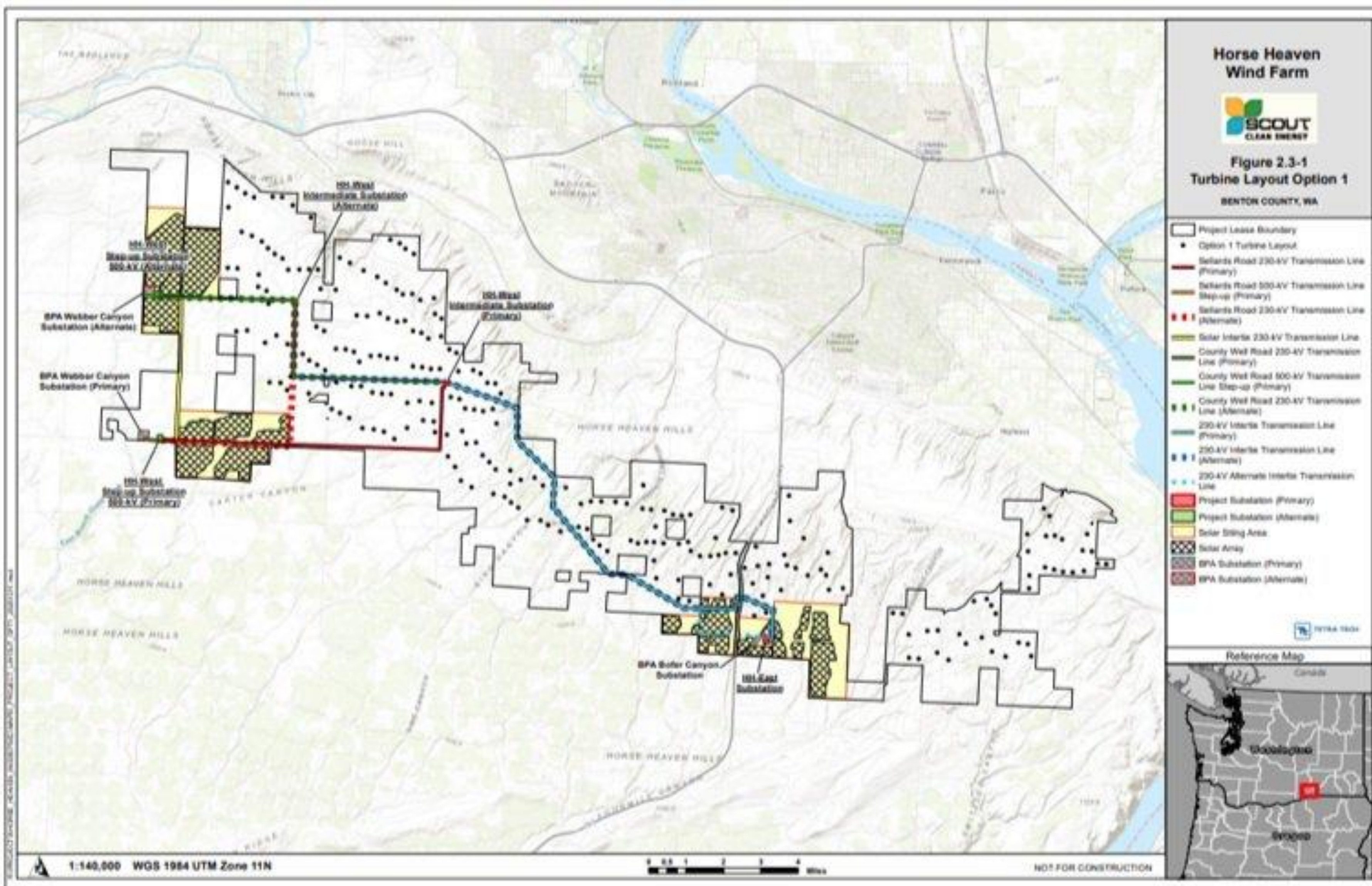

Terry Christensen, Mayor



Horse Heaven Wind and Solar Project Update

by Tri-Cities
C.A.R.E.S.

HH Wind and Solar Project

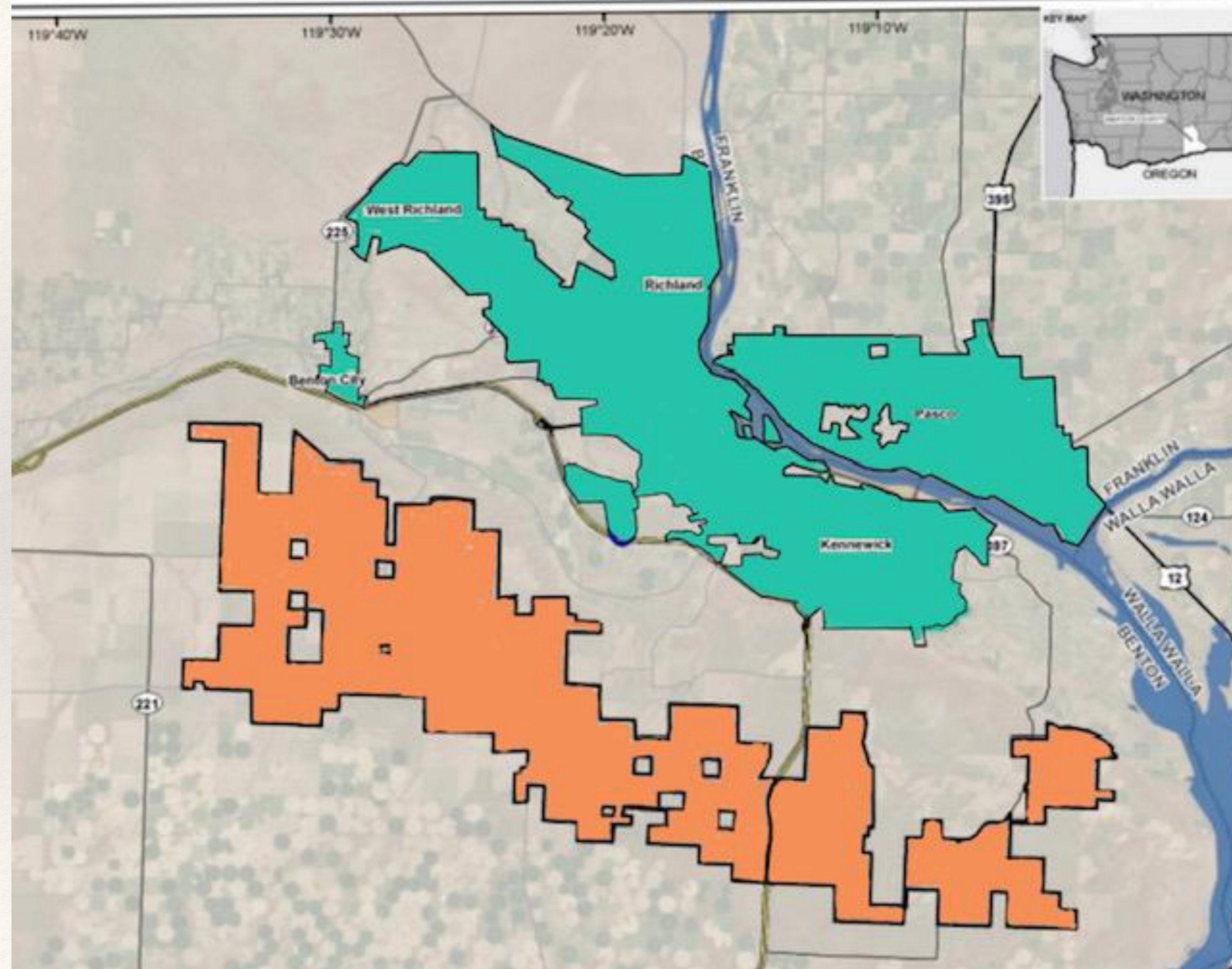


- Biggest wind project in WA
- More than 25 miles long
- From Finley to Benton City
- Covers 72,428 acres or 113 square miles
- 105 miles of new gravel roads

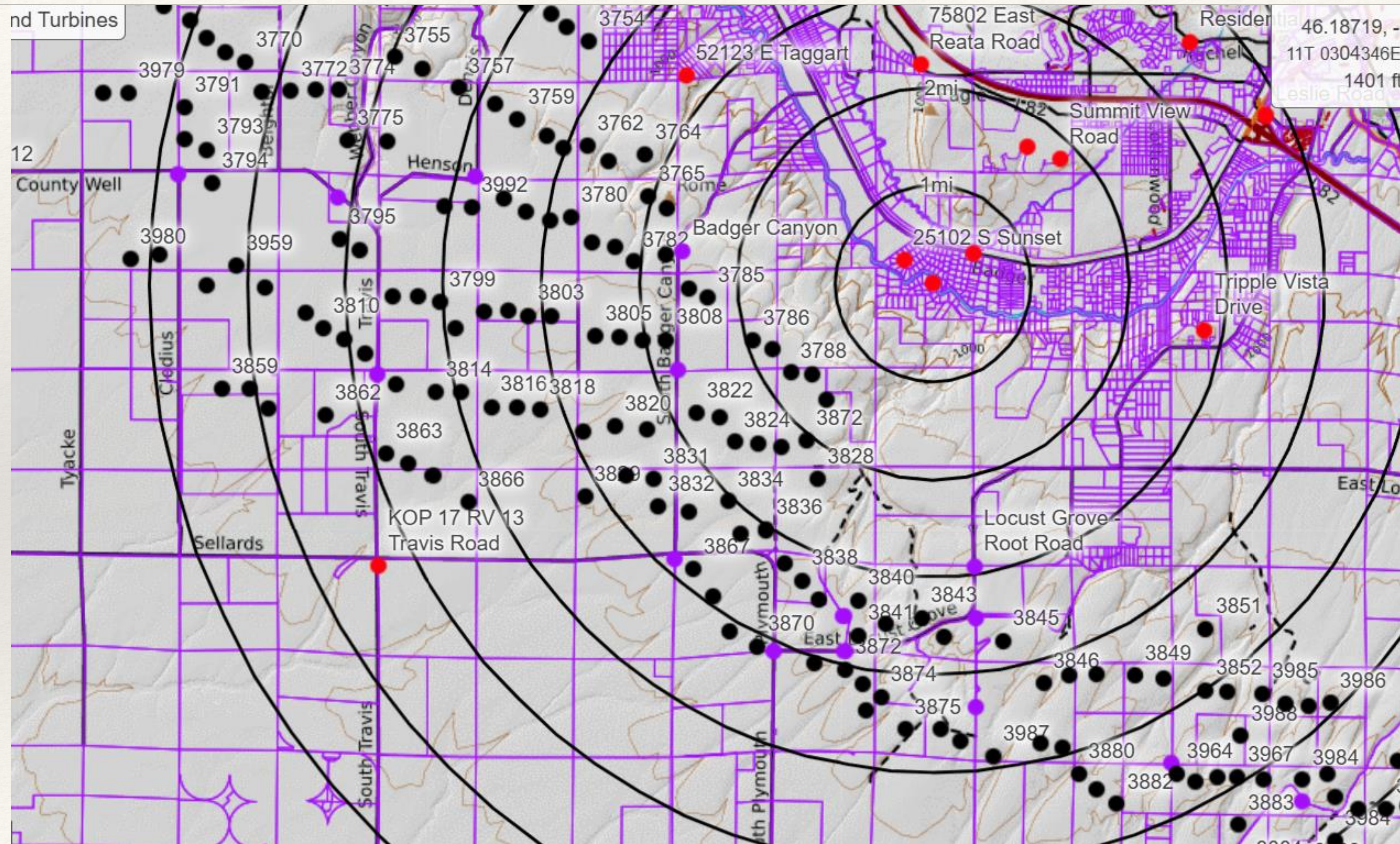
Pasco, Kennewick, Richland, West Richland, and
Benton City

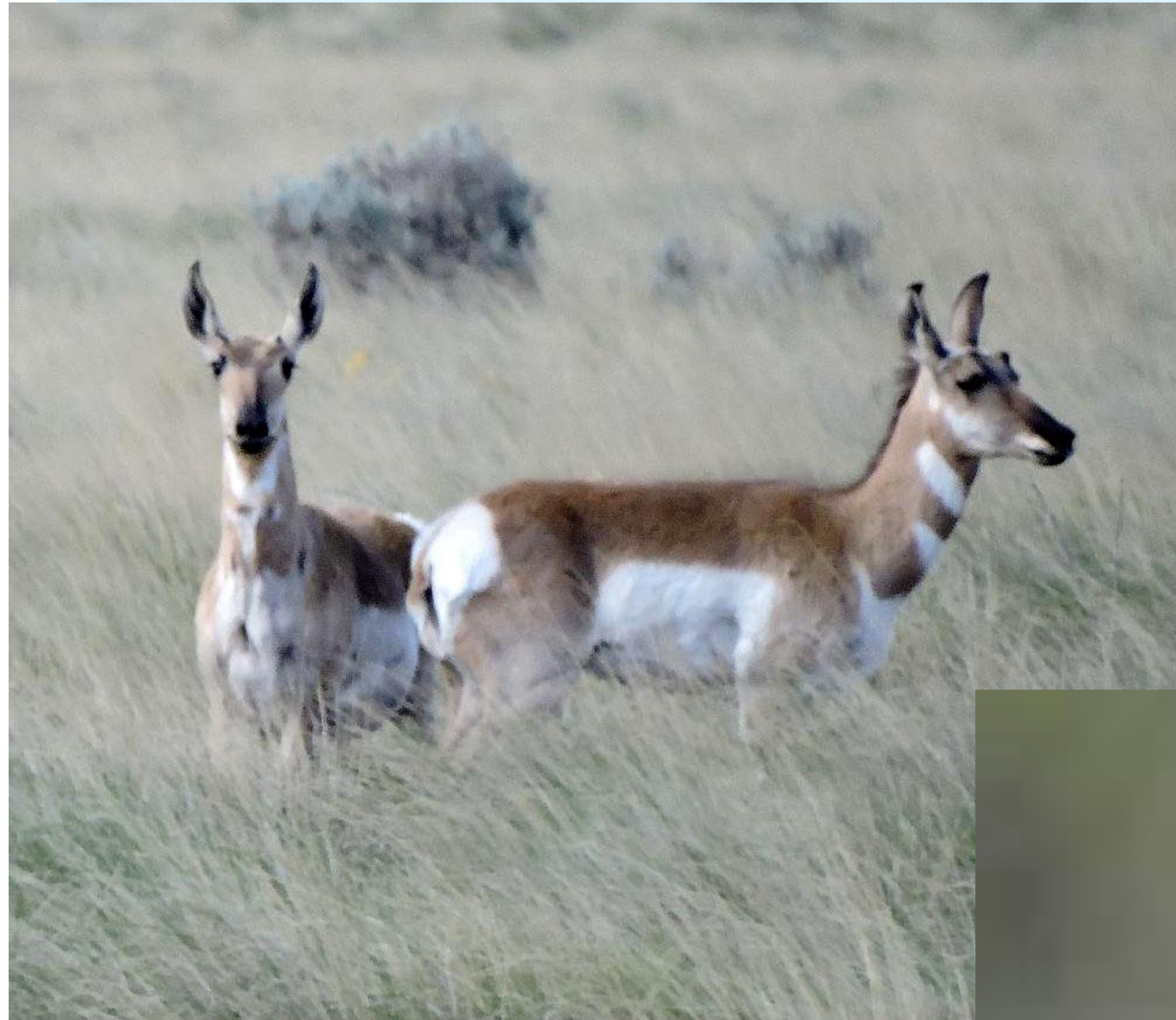
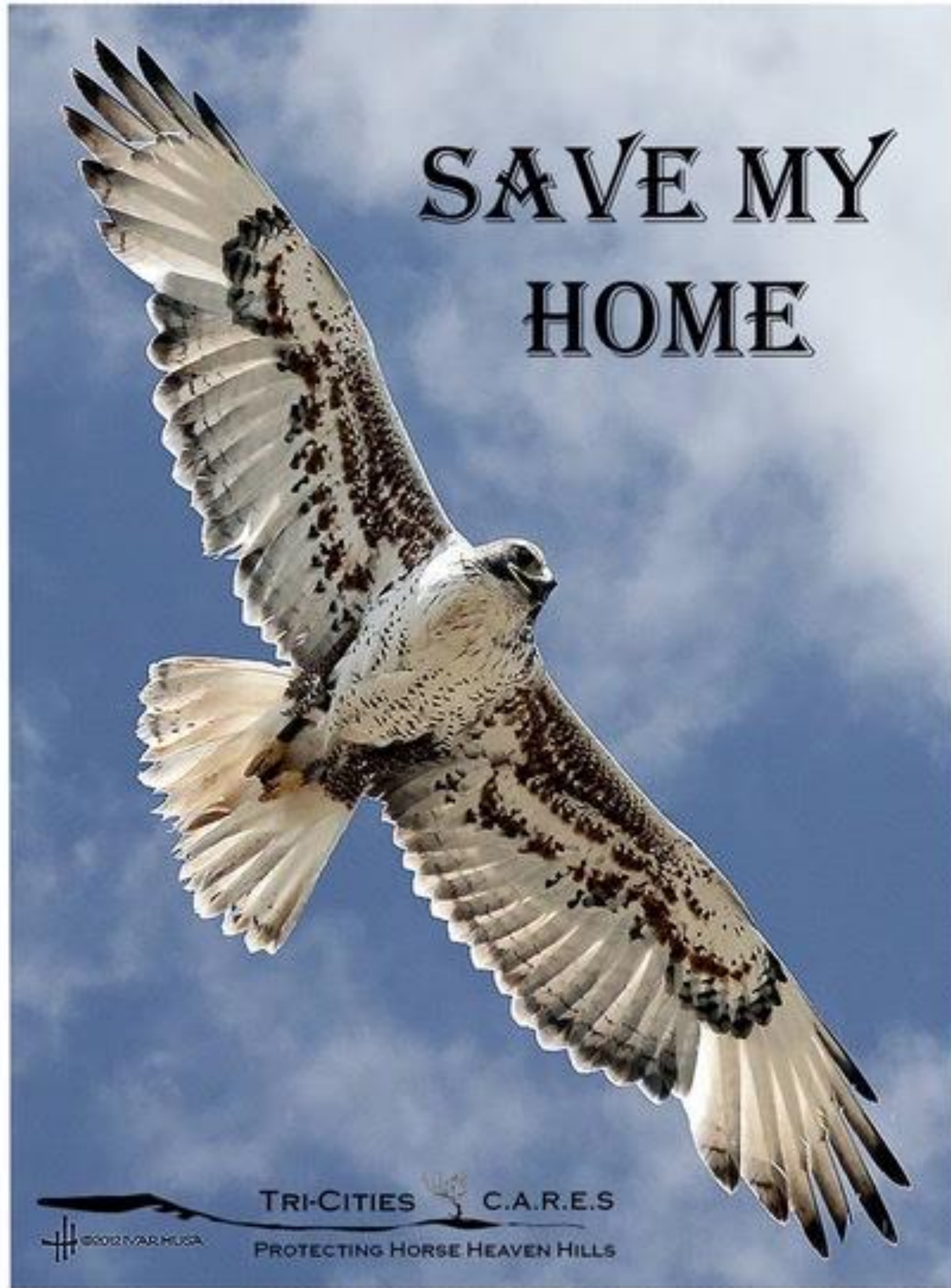
Proposed Wind Turbines

SIZE MATTERS



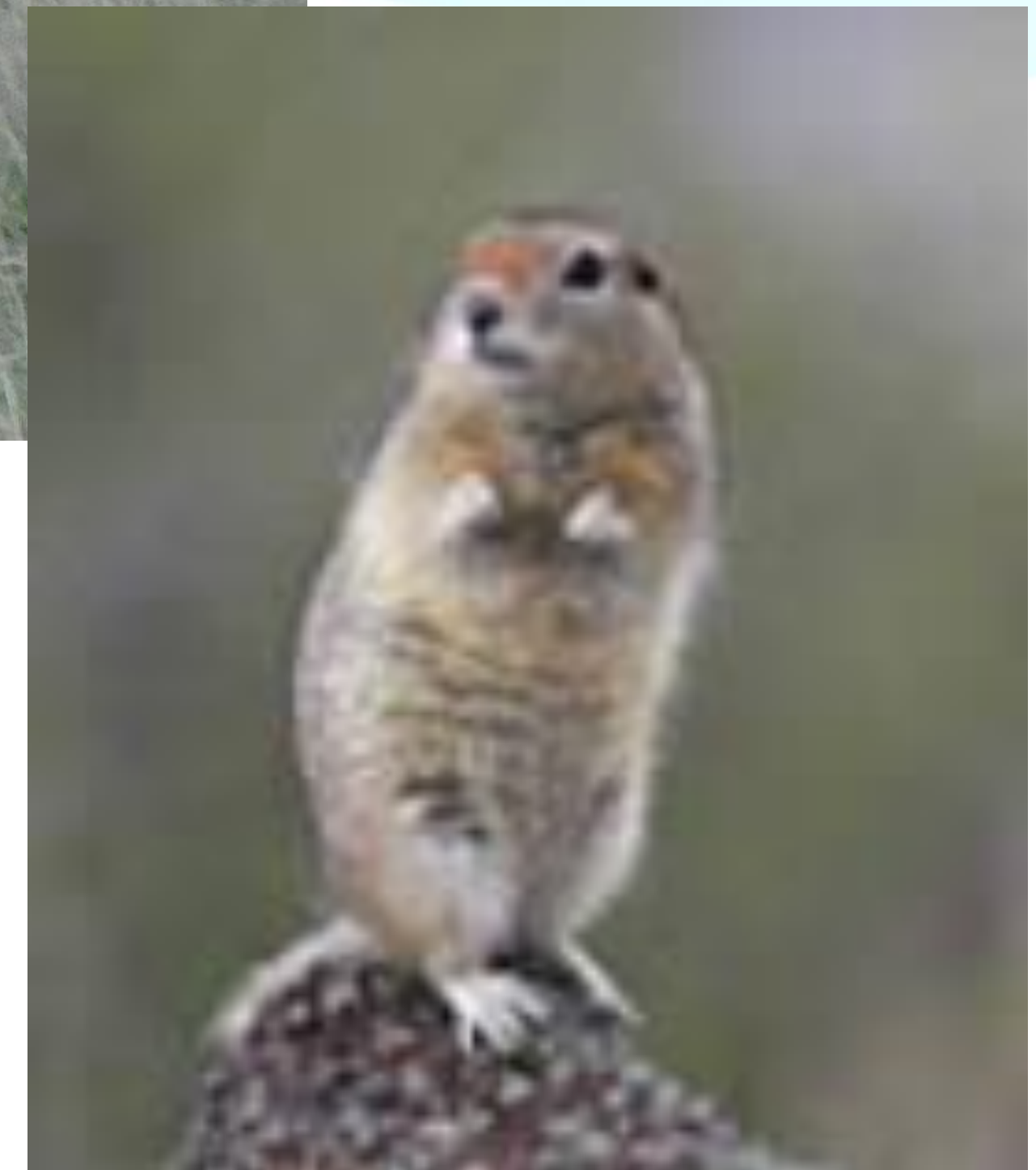
How Many Turbines Will You See?





HHH home to

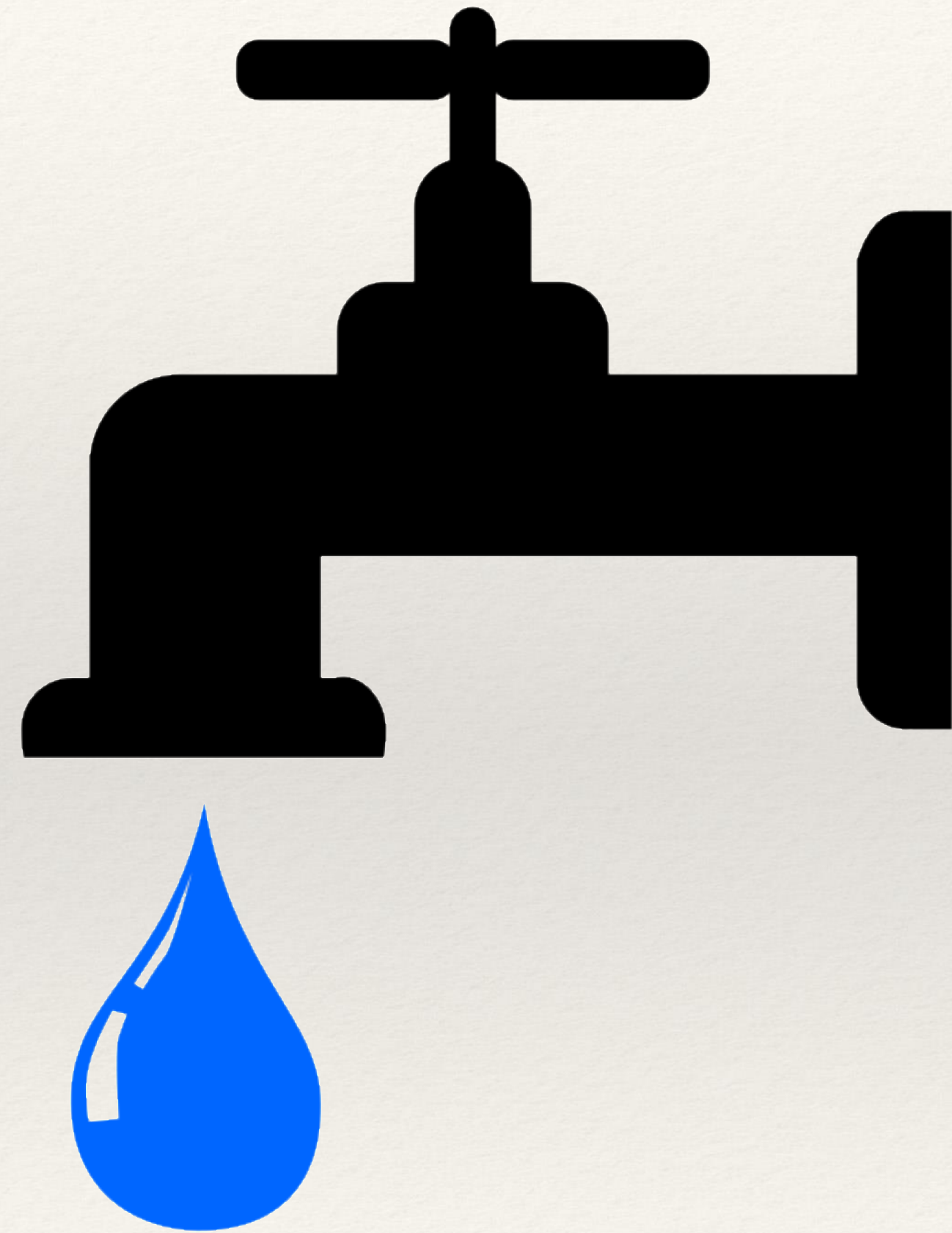
- Endangered Ferruginous Hawk
- 11 species on WA watch list for Endangered, Threatened or Sensitive designation



Aerial Firefighting????



Where's the Water????



HH Wind Project...What's Next?

- ❖ Adjudication - All parties must be represented by counsel
- ❖ TCC only local non-governmental intervenor - working closely with Yakama Nations & Benton County
- ❖ The final Environmental Impact Statement (FEIS) ??????????
- ❖ EFSEC's recommendation due to Governor...January 31, 2024
- ❖ Governor's decision is appealable only to the WA Supreme Court

5 Ways to Help *Save our Ridges*



01

Donate Today

Help cover our legal expenses and expert witness fees as we take on independent power producers.



02

Visit Our Website

<https://www.tricitiescares.org>
Sign up for our mailing list to stay informed!



03

Follow Us

Facebook - tricitiescares
Instagram - tricitiescares
Twitter - tricitiescares



04

Volunteer

We need canvassers, field trip participants, fundraisers, PR and social media coordinators and event staff.



05

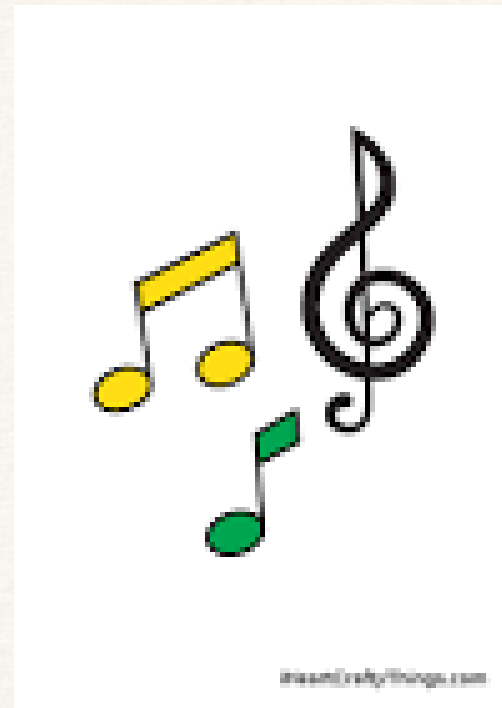
Host

Host a casual event in your neighborhood. We will bring the information.

Tri-Cities Cares is a registered 501(c)(3) non-profit charity representing the people of the Tri-Cities in the HHH Wind Adjudication process before EFSEC.

Sign Up For Updates at
www.tricityscares.org





RESERVE YOUR SPOT

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SAVE OUR RIDGES

HORSE HEAVEN HILLS FUNDRAISER

**Saturday September 9th, 2023
4 p.m. to 7:30 p.m.**

RSVP

**BY INVITATION ONLY
SAVEHORSEHEAVENHILLS@GMAIL.COM**

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TRI-CITIES  **C.A.R.E.S**
PROTECTING HORSE HEAVEN HILLS



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 9/5/2023

Agenda Category: Public Hearing

Core Focus Area 3 - Increase Economic Vitality

Subject:

Proposed Annexation of Approximately 1,641 Acres to be known as the Northwest Advanced Clean Energy Park (formerly North Horn Rapids Industrial Park), Ordinance No. 2023-21

Department/Office
Development Services

Ordinance/Resolution Number:

Document Type:
Public Hearing Item

Recommended Motion:
None.

Summary:

Public hearing for the proposed annexation of approximately 1,641 acres of land (five tax parcels) to be known as the Northwest Advanced Clean Energy Park (North Horn Rapids Industrial Park).

See Ordinance No. 2023-21 on tonight's agenda for more information.

Fiscal Impact: None.

Attachments:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 9/5/2023

Agenda Category: Minutes

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Approval of the August 15, 2023 City Council Regular Meeting Minutes and the August 22, 2023 City Council Workshop Meeting Minutes

Department/Office
City Clerk

Ordinance/Resolution Number:

Document Type:
Minutes

Recommended Motion:

Approve the meeting minutes from the City Council regular meeting held on August 15, 2023 and the City Council workshop meeting held on August 22, 2023.

Summary:

Draft minutes from the August 15, 2023 City Council regular meeting and August 22, 2023 City Council workshop meeting are presented for Council's consideration and approval.

Fiscal Impact:

None.

Attachments:

1. Draft August 15, 2023 City Council Meeting Minutes
2. Draft August 22, 2023 City Council Workshop Meeting Minutes



MINUTES

RICHLAND CITY COUNCIL REGULAR MEETING

Tuesday, August 15, 2023

**Richland City Hall ~ Council Chambers
625 Swift Boulevard**

City Council Regular Meeting - 6:00 p.m.

Mayor Christensen called the Council meeting to order at 6:00 p.m.

Welcome and Roll Call

Mayor Christensen welcomed those in the audience and expressed appreciation for their attendance.

Attendance: Mayor Christensen and Councilmembers Jones, Kent, Lukson, VanDyke, and Whitten were present. Mayor Pro Tem Richardson was absent. Note: Councilmembers Jones and VanDyke joined the meeting remotely via Zoom after roll call was taken and after the motion to excuse their absence.

COUNCILMEMBER LUKSON MOVED AND COUNCILMEMBER KENT SECONDED THE MOTION TO EXCUSE MAYOR PRO TEM RICHARDSON AND COUNCILMEMBERS JONES AND VANDYKE. MOTION CARRIED 4-0.

Also present were City Manager Amundson, Deputy City Manager Schiessl, Assistant City Manager Florence, City Attorney Kintzley, Chief of Police Clary, Fire Chief Huntington, Development Services Director Jensen, Public Works Director Rogalsky, Energy Services Director Whitney, Finance Director Allen, Human Resources Director Paulsen, Parks & Public Facilities Director Hester and City Clerk Rogers.

Pledge of Allegiance

Mayor Christensen led the Council and audience in the recitation of the Pledge of Allegiance.

Approval of Agenda

COUNCILMEMBER LUKSON MOVED AND COUNCILMEMBER KENT SECONDED THE MOTION TO APPROVE THE AGENDA AS PUBLISHED. MOTION CARRIED 4-0.

Councilmember Jones joined the meeting at 6:03 p.m.

Presentations

1. Swearing-In of Richland Police Officer Adam Morin

Chief of Police Clary, Deputy Chief of Police Neher and Commanders Jansen, Judge and Schwarder, and Police Professional Staff Manager Carper were in attendance to welcome

newly commissioned Police Officer Morin. Chief of Police Clary administered the Oath of Office to Officer Morin then introduced Monica Malhan, President of the Richland Police Department Foundation. Ms. Malhan welcomed Officer Morin to the department, wished him well, and presented him with a welcome basket on behalf of the Richland Police Department Foundation. On behalf of the entire Council, Mayor Christensen welcomed Officer Morin.

2. Attendance Awareness Month Proclamation

Mayor Christensen read aloud a proclamation declaring the month of September to be Attendance Awareness Month in the City of Richland. Dr. LoAnn Ayers, President & CEO of United Way of Benton & Franklin Counties, was in attendance to receive the proclamation. Dr. Ayers thanked Council for its support, then explained that family and community support contribute to a student's academic success.

3. American Heart Association Award

Fire Chief Huntington expressed pride in receiving the Mission: Lifeline EMS award, adding the award was made possible only by the continued efforts staff has made in cardiac survival rates within the community. Fire Chief Huntington turned the floor over to Fire Battalion Chief VanBeek.

Fire Battalion Chief VanBeek presented on the City's award of the 2023 American Heart Association's Mission: Lifeline EMS Recognition awards of the Silver with Target: Heart Attack Honor Roll. Fire Battalion Chief VanBeek spoke of the City's partnership with Kadlec's stroke and heart attack coordinators, especially Kadlec's Medical Program Director Dr. Kevin Hodges. In summary, Fire Battalion Chief stated the education, training, and efforts are performed to provide the best health care possible for community members.

Councilmember Lukson thanked Fire Chief Huntington for his vision, for the successful implementation of the program, and for achieving the AHA Mission: Lifeline EMS program awards. Likewise, Councilmember Whitten and Mayor Christensen thanked Fire & EMS staff for their work and congratulated them for receiving the award.

Public Hearing

None.

Public Comments

The following individuals provide public comments:

- Victor Epperly – 8930 W. Canyon Place, Kennewick, WA: Mr. Epperly requested Council consider creating an exploratory committee to canvass whether the cities of Richland and Kennewick and the respective Public Facilities District Boards

would be interested in utilizing their voter-approved sales tax to fund a regional performing arts center to provide a quality venue for Tri-Citians to experience national travel entertainment events and otherwise meet the needs of the growing region. Mr. Epperly then provided basis for this request.

- Trent Reyes – 2203 Putnam Street, Richland, WA: Mr. Reyes stated he is receiving treatment through a Benton County court mental health program and that he would like to present ideas to Council at a future meeting.
- Lauren True – 1865 Birch Avenue, Richland, WA: Ms. True provided statements opposing the Washington State Department of Transportation's upcoming projects to construct a crosswalk at the intersection of SR-240 and Richland Airport and to construct a sound wall on the opposite side of the bike trail in the same vicinity.
- Elizabeth Vann Clark – 1920 Pine Street, Richland, WA: Ms. Vann Clark urged Council to provide notice to property owners affected by projects such as the WSDOT project referenced by Ms. True.

Councilmember VanDyke joined the meeting at 6:19 p.m.

Consent Calendar

City Clerk Rogers read the Consent Calendar.

COUNCILMEMBER LUKSON MOVED AND COUNCILMEMBER WHITTEN SECONDED THE MOTION TO APPROVE THE CONSENT AGENDA AS PUBLISHED. THOSE IN FAVOR: MAYOR CHRISTENSEN AND COUNCILMEMBERS JONES, KENT, LUKSON, VANDYKE, AND WHITTEN. THOSE OPPOSED: NONE. MOTION CARRIED 6-0.

Minutes

4. Approval of the August 2, 2023 City Council Special Meeting Minutes

Ordinances - First Reading

5. Ordinance No. 2023-18, Amending Richland Municipal Code Section 2.04.210 related to Limited Commissions in the Richland Police Department
6. Ordinance No. 2023-19, Amending Richland Municipal Code Section 8.10.070 related to Public Camping Enforcement

Ordinances - Second Reading & Passage

None.

Resolutions - Adoption

7. Resolution No. 2023-104, Authorizing an Interlocal Agreement with Benton County regarding Badger Mountain South Traffic Mitigation
8. Resolution No. 2023-130, Authorizing a Change Order with Big D's Construction for the Columbia Park Trail - Leslie Storm Retrofit Project
9. Resolution No. 2023-131, Authorizing a Change Order with C&E Trenching, LLC for the Hains Avenue and Goethals Drive Stormwater Quality Retrofit Project
10. Resolution No. 2023-134, Authorizing a Purchase and Sale Agreement with Heavy 2, LLC for Property located at 999 Queensgate Drive

Items - Approval

None.

Expenditures - Approval

11. Expenditures from July 1, 2023 to July 31, 2023 for \$22,412,089.50 including Travel Check Nos. 20347-20358, Accounts Payable Check Nos. 313308- 314161, Accounts Payable Wire Nos. 9633-9671, Payroll Wires & ACH Nos. 13463-13510, Payroll Direct Deposit & Check Nos. 210229-211471, and Pension Check Nos. 6513-6536.

Items of Business

12. Resolution No. 2023-133, Authorizing a Contingency Agreement with Atlas Agro North America for a Community Economic Revitalization Board Sewer Project Loan

Economic Development Manager Wallner explained the City has applied for a low-interest loan in the amount of \$4 million from the Washington Department of Commerce's Economic Revitalization Board (CERB) to finance a 6,800 linear feet sewer extension project into the North Horn Rapids Industrial Park (renamed the Northwest Advanced Clean Energy Park) to support future industrial uses.

To be eligible for the low-interest loan, the City's application to CERB requires a contingency agreement between the City and a private business to ensure that the public and private investment will be constructed upon receiving the CERB loan. CERB will review applications on September 21, 2023. If the full \$4 million loan request is awarded, an \$800,000 match will be required, and the interest rate and term will be determined by CERB.

Following the presentation, staff engaged in a question-and-answer session with Council.

COUNCILMEMBER WHITTEN MOVED AND COUNCILMEMBER KENT SECONDED THE MOTION TO APPROVE RESOLUTION NO. 2023-133, AUTHORIZING A CONTINGENCY AGREEMENT WITH ATLAS AGRO NORTH AMERICA FOR A COMMUNITY ECONOMIC REVITALIZATION BOARD SEWER PROJECT LOAN. THOSE IN FAVOR: MAYOR CHRISTENSEN AND COUNCILMEMBERS JONES, KENT, LUKSON, VANDYKE AND WHITTEN. THOSE OPPOSED: NONE. MOTION CARRIED 6-0.

Reports and Comments

City Manager

City Manager Amundson announced the City broke ground on the National Fitness Court located in Howard Amon Park, south of the tennis courts. The amenity will be the first in the area and will be decorated by a local artist selected by the Richland Arts Commission and Richland City Council. The project, funded by the National Fitness Campaign and the Lodging Tax Advisory Committee, will be completed this fall.

This week's heat wave will pose a challenge to some of the City's electric infrastructure. Though there are no current loading issues, the transmission system in the Tri-Cities does have constraints that are stressed by high temperatures. Electrical equipment experiences additional stress during high temperatures. The City has crew available 24-7 to respond to outages. In an effort to stay safe during high temperatures, community members are encouraged to utilize City Hall, the Richland Public Library, and the Richland Community Center as cooling centers.

Lastly, City Manager Amundson sought clarification from Council regarding the potential placement of Mr. Epperly's proposed agenda item to discuss the suggested creation of an exploratory commission to gauge interest in a regional performing arts center.

City Council

Councilmember Jones commended staff for soliciting community feedback concerning the new city website.

Councilmember VanDyke had no comments.

Councilmember Whitten expressed interest in discussing Mr. Epperly's proposed agenda item at a future Council workshop meeting. Councilmember Whitten shared that he attended a Parks & Recreation Commission meeting and reviewed the design for new playground equipment in Howard Amon Park and Columbia Point Marina Park.

Next, Councilmember Whitten announced that the Arts Commission favorably recommended placement of the Bernard Hosey Round and Round art sculpture at Lee Landing in Howard Amon Park. The Arts Commission will meet on August 16, 2023 to further discuss the preferred placement of two (2) additional Bernard Hosey art

sculptures.

Councilmember Kent spoke positively of implementing additional art in the community. Next, Councilmember Kent stated that though she fully supports discussing Mr. Epperly's suggestion to create an exploratory committee, she questioned whether the City is in a position to financially support and sponsor the concept within the 2024 budget.

In response to Mr. Reyes' public comments, Councilmember Kent requested City Manager Amundson or other staff contact Mr. Reyes to discuss his ideas associated with mental health.

Councilmember Lukson congratulated and welcomed Officer Morin to the Richland Police Department, and encouraged those interested in joining RPD to apply as there are several vacancies. Next, Councilmember Lukson thanked Development Services Director Jensen and Economic Development Wallner for their efforts in bringing development to the City's industrial area. Lastly, Councilmember Lukson expressed general support for a performing arts center, but cautioned about timing of the proposed project given that the public safety sales tax renewal will be up soon for voter approval.

Mayor

In response to Mr. Epperly's comments, Mayor Christensen expressed interest in reviewing information regarding the proposed project but did not believe it would be beneficial to discuss it during a workshop setting since the City already supports the REACH Museum through the Richland Public Facilities District Board. Mayor Christensen suggested that Mr. Epperly communicate with the Arts Center Task Force to collaborate on this idea. Finally, Mayor Christensen encouraged citizens who are not able to reach a cooling station to have a contingency plan in place to stay cool.

Adjournment

Mayor Christensen adjourned the meeting at 6:49 p.m.

APPROVED:

ATTEST:

Terry Christensen, Mayor

Jennifer Rogers, City Clerk

DATE APPROVED:

DATE PUBLISHED:



MINUTES

RICHLAND CITY COUNCIL WORKSHOP MEETING

Tuesday, August 22, 2023

**Richland City Hall ~ Council Chambers
625 Swift Boulevard**

City Council Workshop - 6:00 p.m.

Mayor Christensen called the workshop meeting to order at 6:00 p.m.

Attendance: Mayor Christensen, Mayor Pro Tem Richardson, and Councilmembers Kent, Lukson, VanDyke (remote attendance via Zoom), and Whitten were present. Councilmember Jones was absent.

Also present were City Manager Amundson, Deputy City Manager Schiessl, Assistant City Manager Florence, City Attorney Kintzley, Fire Chief Huntington, Development Services Director Jensen, Finance Director Allen, Human Resources Director Paulsen, and Parks & Public Facilities Director Hester.

Agenda Items

1. 2024-2026 City of Richland Strategic Plan

With the aid of a PowerPoint presentation, City Manager Amundson and Assistant City Manager Florence jointly presented the draft 2024-2027 City of Richland Strategic Plan. The City of Richland engaged in a strategic planning process from June 2022 through July 2023 by soliciting feedback from internal and community-based stakeholders.

The Strategic Plan includes the City's five (5) strategic priorities and their associated desired outcomes, key performance indicators, performance targets, and strategic initiatives. Detailed information can be found in the PowerPoint presentation. Staff responded to Council inquiries throughout the presentation.

2. Proposed Process for the 2023 Evaluation of the City Manager

City Manager Amundson presented two (2) proposed processes and a timeline for the City Manager's annual evaluation. Detailed information can be found in the PowerPoint presentation. Council engaged in a question-and-answer session with staff throughout the presentation.

Executive Session:

3. Executive Session Per RCW 42.30.110(l)(i): Discuss Current or Potential Litigation with Legal Counsel (45 minutes)

COUNCIL ENTERED IN EXECUTIVE SESSION AT 7:40 P.M.

Individuals present for the executive session included Mayor Christensen, Mayor Pro Tem Richardson, and Councilmembers Jones, Kent, Lukson, VanDyke (by Zoom), and Whitten. Others present included City Manager Amundson, Deputy City Manager Schiessl, Assistant City Manager Florence, and City Attorney Kintzley.

COUNCIL EXITED EXECUTIVE SESSION AT 8:21 P.M.

Adjournment

Mayor Christensen adjourned the meeting at 8:21 p.m.

APPROVED:

Terry Christensen, Mayor

ATTEST:

Jennifer Rogers, City Clerk

DATE APPROVED:

DATE PUBLISHED:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 9/5/2023

Agenda Category: Ordinances - First Reading

Core Focus Area 6 - Enhance Neighborhood & Community Safety

Subject:

Ordinance No. 2023-20, Amending Chapter 9.04 of the Richland Municipal Code related to Crimes Against Persons

Department/Office
City Attorney

Ordinance/Resolution Number:
2023-20

Document Type:
Ordinance

Recommended Motion:

Give first reading, by title only, to Ordinance No. 2023-20, amending Chapter 9.04 of the Richland Municipal Code related to Crimes Against Persons.

Summary:

The City has need, from time to time, to update the Richland Municipal Code (RMC) to bring it into alignment with state and federal law. In coordination with the Richland Police Department and the Richland City Prosecutor, proposed amendments were identified in Chapter 9.04 RMC Crimes Against Persons.

The Washington State Legislature recently made significant changes to strengthen the crimes of cyber harassment and stalking under state law. Richland generally patterns its municipal criminal statutes after state law. These additional provisions, which include criminalization of monitoring/tracking with electronic devices and holding individuals accountable for causing substantial emotional distress through online harassing behaviors, should be adopted in the City of Richland.

Further, on June 27, 2023, the United State Supreme Court decided *Counterman v. Colorado*, which held that statutes that criminalize true threats require, at a minimum, a mental state (*mens rea*) of recklessness in order to comply with constitutional speech protections. Therefore, in cases of harassment based on words only, the prosecution must show that the defendant consciously disregarded a substantial risk that his/her communications would be viewed as threatening violence. The City's harassment statute would benefit from additional language to clarify the prosecution's burden to prove that the defendant had some subjective understanding of the threatening nature of his or her words.

Proposed Ordinance No. 2023-20 will implement the amendments described above.

Staff recommends approval of Ordinance No. 2023-20 for first reading, by title only.

Fiscal Impact: None.

Attachments:

I. Ordinance No. 2023-20

ORDINANCE NO. 2023-20

AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, AMENDING CHAPTER 9.04 OF THE RICHLAND MUNICIPAL CODE RELATED TO CRIMES AGAINST PERSONS.

WHEREAS, the City has need, from time to time, to update the Richland Municipal Code (RMC) to bring it into alignment with state and federal law; and

WHEREAS, the Washington State Legislature recently made significant changes to strengthen the crimes of cyber harassment and stalking which should be adopted in the City of Richland; and

WHEREAS, on June 27, 2023, the United State Supreme Court held in *Counterman v. Colorado* that statutes that criminalize true threats require proof that the defendant consciously disregarded a substantial risk that his or her communications would be viewed as threatening violence in order to comply with First Amendment protections; and

WHEREAS, the City's harassment statute would benefit from additional language identifying the City's obligation to show that the defendant had some subjective understanding of the threatening nature of his or her words.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Chapter 9.04 of the Richland Municipal Code, entitled Crimes Against Persons, as first enacted by Ordinance No. 99-76, and last amended by Ordinance No. 07-21, is hereby amended as follows:

Chapter 9.04 CRIMES AGAINST PERSONS

Sections:

- 9.04.010 Simple assault.**
- 9.04.020 Harassment.**
- 9.04.030 Intimidation.**
- 9.04.040 Provoking assault.**
- 9.04.045 Use of force – When allowed.**
- 9.04.050 Harassing telephone calls.**
- 9.04.060 Solicitation of a minor.**
- 9.04.070 Reckless endangerment – Second degree.**
- 9.04.080 Stalking – Penalties.**
- 9.04.085 Cyber harassment. ~~Cyberstalking.~~**
- 9.04.090 Coercion.**
- 9.04.100 Leaving a child in the care of a sex offender.**
- 9.04.110 Criminal mistreatment – Fourth degree.**

9.04.010 Simple assault.

A. No person may intentionally use, or threaten to use by purposeful words or acts, unlawful physical force against the person of another.

B. A person is guilty of assault in the fourth degree if, under circumstances not amounting to assault in the first, second, or third degree, or custodial assault, he or she assaults another.

C. Any defense available to a person charged with the crime of “assault in the fourth degree” under RCW 9A.36.041 shall also be a defense to the crime of simple assault under this section.

D. Any crime charged under this section shall be a gross misdemeanor.

9.04.020 Harassment.

A. It is unlawful for any person, without lawful authority, to knowingly threaten:

1. To cause bodily injury immediately or in the future to the person threatened or to any other person; or

2. To cause physical damage to the property of a person other than the actor; or

3. To subject the person threatened or any other person to physical confinement or restraint; or

4. To maliciously do any other act which is intended to substantially harm the person threatened or another with respect to his or her physical or mental health or safety.

B. The person by words or conduct recklessly places the person threatened in reasonable fear that the threat will be carried out. “Words or conduct” includes, in addition to any other form of communication or conduct, the sending of an electronic communication.

C. Every person convicted of a violation of the provisions of this section shall be guilty of harassment, a gross misdemeanor.

9.04.030 Intimidation.

A. It is unlawful for any person to carry, exhibit or display any instrument or weapon apparently capable of producing bodily harm in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons; provided, however, that this section shall not apply to nor affect:

1. Any act committed by a person while in his place of abode or fixed place of business;

2. Any peace officer;

3. Any person lawfully acting in self-defense or acting in the lawful defense of another;

4. Any person making or assisting in making a lawful arrest for the commission of a felony; or

5. Any person engaged in military activities authorized by state or federal government.

B. Every person convicted of a violation of the provisions of this section shall be guilty of intimidation, a misdemeanor.

9.04.040 Provoking assault.

It is unlawful for any person to willfully provoke or attempt to provoke, by word, sign or gesture, another person to commit an assault or breach of the peace. Every person convicted of a violation of the provisions of this section shall be guilty of provoking assault, a misdemeanor.

9.04.045 Use of force – When allowed.

The use, attempt, or offer to use force upon or toward the person of another is not unlawful in the following cases:

- A. Whenever necessarily used by a public officer in the performance of a legal duty, or a person assisting the officer and acting under the officer's direction;
- B. Whenever necessarily used by a person arresting one who has committed a felony and delivering him or her to a public officer competent to receive him or her into custody;
- C. Whenever used by a party about to be injured, or by another lawfully aiding him or her, in preventing or attempting to prevent an offense against his or her person, or a malicious trespass, or other malicious interference with real or personal property lawfully in his or her possession, in case the force is not more than is necessary;
- D. Whenever reasonably used by a person to detain someone who enters or remains unlawfully in a building or on real property lawfully in the possession of such person, so long as such detention is reasonable in duration and manner to investigate the reason for the detained person's presence on the premises, and so long as the premises in question did not reasonably appear to be intended to be open to members of the public;
- E. Whenever used by a carrier of passengers or the carrier's authorized agent or servant, or other person assisting them at their request, in expelling from a carriage, railway car, vessel, or other vehicle, a passenger who refuses to obey a lawful and reasonable regulation prescribed for the conduct of passengers, if such vehicle has first been stopped and the force used is not more than is necessary to expel the offender with reasonable regard to the offender's personal safety;
- F. Whenever used by any person to prevent a mentally ill, mentally incompetent or mentally disabled person from committing an act dangerous to any person, or in enforcing necessary restraint for the protection or restoration to health of the person, during such period only as is necessary to obtain legal authority of the restraint or custody of the person.

9.04.050 Harassing telephone calls.

A. It is unlawful for any person, with intent to harass, intimidate, torment or embarrass any other person, to make a telephone call to such other person:

- 1. Anonymously or repeatedly or at an extremely inconvenient hour, whether or not conversation ensues; or
- 2. Using any lewd, lascivious, profane, indecent or obscene words or language, or suggesting the commission of any lewd or lascivious act; or
- 3. Threatening to inflict injury on the person or property of the person called or any member of his family; or

4. Without purpose of legitimate communication.

B. Any offense committed by use of a telephone as set forth in this section may be deemed to have been committed either at the place from which the telephone call or calls were made or at the place where the telephone call or calls were received. Every person convicted of a violation of the provisions of this section shall be guilty of making harassing telephone calls, a gross misdemeanor.

9.04.060 Solicitation of a minor.

It is unlawful for any person to solicit, entice, or otherwise communicate with a child under the age of 18 years for immoral purposes. Every person convicted of a violation of the provisions of this section shall be guilty of solicitation of a minor, a gross misdemeanor, except if:

A. The person has previously been convicted under this section or of a felony sexual offense under Chapter 9.68A, 9A.44, or 9A.64 RCW; or

B. Any other felony sexual offense in this or any other state; or

C. The person communicates with a minor or with someone the person believes to be a minor for immoral purposes through the sending of electronic communication.

9.04.070 Reckless endangerment – Second degree.

A person is guilty of reckless endangerment in the second degree when he or she recklessly engages in conduct not amounting to reckless endangerment in the first degree as defined by RCW 9A.36.045, but which creates a substantial risk of death or serious physical injury to another person. Reckless endangerment is a gross misdemeanor.

9.04.080 Stalking – Penalties.

A. A person commits the crime of stalking if, without lawful authority ~~and under circumstances not amounting to a felony attempt of another crime~~ the person:

1. Intentionally and repeatedly harasses another person;

~~2.1. He or she i~~Intentionally and repeatedly follows another person ~~to that person's home, school, place of employment, business, or any other location, or follows the person while the person is in transit between locations; and~~ or

3. Intentionally contacts, follows, tracks, or monitors, or attempts to contact, follow, track, or monitor another person after being given actual notice that the person does not want to be contacted, followed, tracked, or monitored; or

4. Knowingly and without consent installs or monitors an electronic tracking device, or causes an electronic tracking device to be installed, placed, or used, to track the location of another person; and

B2. The person being harassed, followed, tracked, or monitored suffers substantial emotional distress ~~is intimidated, harassed,~~ or ~~is~~ placed in fear that the stalker intends to injure ~~him or her, or another person,~~ ~~the person~~ or ~~his or her~~ property ~~of the person being followed~~ or ~~the property~~ of another person, or, in the circumstances identified in (A)(4), the victim's knowledge of the tracking device would reasonably elicit substantial emotional distress or fear. The feeling of substantial

emotional distress or fear, ~~intimidation, or harassment~~ must be one that a reasonable person in the same situation would experience ~~under all~~ given the totality of the circumstances; ~~and~~

~~3. The stalker either:~~

~~a. Intends to frighten, intimidate, or harass the person being followed; or~~

~~b. Knows or reasonably should know that the person being followed is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person;~~

~~4. A person who commits the crime of stalking under this subsection (A) is guilty of a gross misdemeanor except under the conditions defined in subsection (E) of this section.~~

CB. It is not a defense to the crime of stalking in this section where:

1. Under subsections (A)(31), (2) and (4a) of this section the stalker was not given actual notice that the person ~~being followed~~ did not want the stalker to contact, ~~or follow, track, or monitor him or her the person;~~ or

2. Under subsection (A)(13)(~~b~~) of this section the stalker did not intend to frighten, ~~or~~ intimidate, ~~or harass~~ the person or place the person in substantial emotional distress. ~~being followed.~~

DC. It shall be a defense to the crime of stalking that the defendant is a licensed private detective acting within the capacity of his or her license as provided by Chapter 18.165 RCW.

E. D. ~~Attempts to contact or follow the person after being given actual notice that the person does not want to be contacted or followed constitute prima facie evidence that the stalker intends to intimidate or harass the person. The provisions of this section do not apply to the installation, placement, or use of an electronic tracking device by any of the following:~~

1. A law enforcement officer, judicial officer, probation or parole officer, or other public employee when any such person is engaged in the lawful performance of official duties and in accordance with state or federal law;

2. The installation, placement, or use of an electronic tracking device authorized by an order of a state or federal court;

3. A legal guardian for a disabled adult or a legally authorized individual or organization designated to provide protective services to a disabled adult when the electronic tracking device is installed, placed, or used to track the location of the disabled adult for which the person is a legal guardian or the individual or organization is designated to provide protective services;

4. A parent or legal guardian of a minor when the electronic tracking device is installed, placed, or used to track the location of that minor unless the parent or legal guardian is subject to a court order that orders the parent or legal guardian not to assault, threaten, harass, follow, or contact that minor;

5. An employer, school, or other organization, who owns the device on which the tracking device is installed and provides the device to a person for use in connection with the person's involvement

with the employer, school, or other organization and the use of the device is limited to recovering lost or stolen items; or

6. The owner of fleet vehicles, when tracking such vehicles. For the purposes of this section, “fleet vehicle” means any of the following:

(a) One or more motor vehicles owned by a single entity and operated by employees or agents of the entity for business or government purposes;

(b) Motor vehicles held for lease or rental to the general public; or

(c) Motor vehicles held for sale, or used as demonstrators, test vehicles, or loaner vehicles, by motor vehicle dealers.

FE. A person who stalks another person is guilty of a gross misdemeanor, except that the person is guilty of a Class ~~CB~~ felony if any of the following applies:

1. The stalker has previously been convicted in this state or any other state of any crime of harassment as defined in RMC 9.04.020 or RCW 9A.46.060, ~~of the same victim or members of the victim’s family or household member or any person specifically named in a no-contact order or no-harassment order;~~ or

2. The person stalking violates any protective order ~~a court order issued pursuant to RMC 9.07.020 or RCW 9A.46.040~~ protecting the victim ~~person being stalked~~; or

3. The stalker has previously been convicted of a gross misdemeanor or felony stalking offense for stalking another person; or

4. The stalker was armed with a deadly weapon as defined in RCW 9.94A.825 while stalking the victim ~~person~~; or

5. The ~~stalker’s~~ victim is or was a law enforcement officer;~~;~~ judge;~~;~~ juror;~~;~~ attorney;~~;~~ victim advocate;~~;~~ legislator;~~;~~ ~~or~~ community corrections officer;~~;~~ an employee, contract staff person, or volunteer of a correctional agency; court employee, court clerk, or courthouse facilitator; or an employee of the child protective, child welfare, or adult protective services division within the department of social and health services; and the stalker stalked the victim to retaliate against the victim for an act the victim performed during the course of official duties~~;~~ or to influence the victim’s performance of official duties; or

6. The ~~stalker’s~~ victim is a current, former, or prospective witness in an adjudicative proceeding, and the stalker stalked the victim to retaliate against the victim as a result of the victim’s testimony or potential testimony.

GF. Definitions as used in this section:

1. “Course of conduct” means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. “Course of conduct” includes, in addition to any other form of communication, contact, or conduct, the sending of an electronic

communication, but does not include constitutionally protected free speech. Constitutionally protected activity is not included within the meaning of “course of conduct.”

2. “Electronic tracking device” means an electronic device that permits a person to remotely determine or monitor the position and movement of another person, vehicle, device, or other personal possession. As used in this subsection (6)(e), “electronic device” includes computer code or other digital instructions that once installed on a digital device, allows a person to remotely track the position of that device.

31. “Follows” means deliberately maintaining visual or physical proximity to a specific person over a period of time. A finding that the ~~alleged~~ stalker repeatedly and deliberately appears at the person’s home, school, place of employment, business, or any other location to maintain visual or physical proximity to the person is sufficient to find that the ~~alleged~~ stalker follows the person. It is not necessary to establish that the ~~alleged~~ stalker follows the person while in transit from one location to another.

42. “Harasses” means a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, torments, or is detrimental to such person, and which serves no legitimate or lawful purpose. ~~unlawful harassment as defined in RMC 9.04.020 or RCW 10.14.020.~~

53. “Protective order” means any temporary or permanent court order prohibiting or limiting violence against, harassment of, contact or communication with, or physical proximity to another person.

64. “Repeatedly” means on two or more separate occasions.

9.04.085 Cyber harassment. ~~Cyberstalking.~~

A. A person is guilty of cyber harassment ~~cyberstalking~~ if the person ~~he or she~~, with intent to harass, or ~~intimidate, or torment~~ any other person, and under circumstances not constituting telephone harassment, makes an electronic communication to ~~such other~~ that person or a third party and the communication:

1. ~~Using~~ Uses any lewd, lascivious, indecent, or obscene words, images, or language, or suggests ~~ing~~ the commission of any lewd or lascivious act;

2. Is made ~~A~~ anonymously or repeatedly, ~~whether or not conversation occurs~~; or

3. ~~Threatening~~ Contains a threat to inflict bodily injury immediately or in the future on the person threatened or to any other person; or ~~or property of the person called or any member of his or her family or household.~~

4. Contains a threat to damage, immediately or in the future, the property of the person threatened or of any other person; and

B. With respect to any offense committed under the circumstances identified in subsection (A)(3) or (A)(4):

1. Would cause a reasonable person, with knowledge of the sender's history, to suffer emotional distress or to fear for the safety of the person threatened; or

2. Reasonably caused the threatened person to suffer emotional distress or fear for the threatened person's safety.

~~C.B.~~ Cyberstalking is a gross misdemeanor, except as provided in subsection (~~D.E~~) of this section.

~~D.E.~~ Cyberstalking is a Class C felony if either of the following applies:

1. The perpetrator has previously been convicted in this state or any other state of the crime of harassment, as defined in RCW 9A.46.060, with the same victim or a member of the victim's family or household or any person specifically named in a no-contact order or no-harassment order ~~in this or any other state; or~~

2. The perpetrator engages in the behavior prohibited under subsection (A)(3) of this section by threatening to kill the person threatened or any other person~~;~~

3. The person cyber harasses a criminal justice participant or election official who is performing the participant's official duties or election official's official duties at the time the communication is made;

4. The person cyber harasses a criminal justice participant or election official because of an action taken or decision made by the criminal justice participant or election official during the performance of the participant's official duties or election official's official duties; or

5. The person commits cyber harassment in violation of any protective order protecting the victim.

~~E.D.~~ Any offense committed under this section may be deemed to have been committed either at the place from which the communication was made or at the place where the communication was received.

~~F.E.~~ For purposes of this section, "electronic communication" means the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means. "Electronic communication" includes, but is not limited to, electronic mail, internet-based communications, pager service, and electronic text messaging.

9.04.090 Coercion.

A. A person is guilty of coercion if, by use of a threat, he or she compels or induces a person to engage in conduct which the latter has a legal right to abstain from, or to abstain from conduct which he or she has a legal right to engage in.

B. "Threat," as used in this section, means:

1. To communicate, directly or indirectly, the intent to immediately use force against any person who is present at the time; or

2. Threats as defined in RCW 9A.04.110(27)(a) through (f) as those subsections may be amended from time to time.

3. Coercion is a gross misdemeanor.

9.04.100 Leaving a child in the care of a sex offender.

A. A person is guilty of the crime of leaving a child in the care of a sex offender if the person is (1) the parent of a child; (2) entrusted with the physical custody of a child; or (3) employed to provide to the child the basic necessities of life, and leaves the child in the care or custody of another person who is not a parent, guardian, or lawful custodian of the child, knowing that the person is registered or required to register as a sex offender under the laws of this state, or a law or ordinance in another jurisdiction with similar requirements, because of a sex offense against a child.

B. It is an affirmative defense to the charge of leaving a child in the care of a sex offender under this section that the defendant must prove by a preponderance of the evidence that a court has entered an order allowing the offender to have unsupervised contact with children, or that the offender is allowed to have unsupervised contact with the child in question under a family reunification plan, which has been approved by a court, the department of corrections, or the department of social and health services in accordance with department policies.

C. Leaving a child in the care of a sex offender is a misdemeanor.

9.04.110 Criminal mistreatment – Fourth degree.

A. A person is guilty of the crime of criminal mistreatment in the fourth degree if the person is the parent of a child, is a person entrusted with the physical custody of a child or other dependent person, is a person who has assumed the responsibility to provide to a dependent person the basic necessities of life, or is a person employed to provide to the child or dependent person the basic necessities of life, and either:

1. With criminal negligence, creates an imminent and substantial risk of bodily injury to a child or dependent person by withholding any of the basic necessities of life; or

2. With criminal negligence, causes bodily injury or extreme emotional distress manifested by more than transient physical symptoms to a child or dependent person by withholding the basic necessities of life.

B. For purposes of this section, “a person who has assumed the responsibility to provide to a dependent person the basic necessities of life” means a person other than: (1) A government agency that regularly provides assistance or services to dependent persons, including but not limited to the department of social and health services; or (2) a good Samaritan as defined in RCW 9A.42.010.

C. Criminal mistreatment in the fourth degree is a misdemeanor.

Section 2. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 3. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener’s errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the _____ day of _____, 2023.

Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

First Reading: _____

Second Reading: _____

Date Published: _____



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 9/5/2023

Agenda Category: Ordinances - Second Reading & Passage

Core Focus Area 6 - Enhance Neighborhood & Community Safety

Subject:

Ordinance No. 2023-18, Amending Richland Municipal Code Section 2.04.210 related to Limited Commissions in the Richland Police Department

Department/Office
City Attorney

Ordinance/Resolution Number:
2023-18

Document Type:
Ordinance

Recommended Motion:

Give second reading and pass Ordinance No. 2023-18, amending Richland Municipal Code Section 2.04.210 related to limited commissions in the Richland Police Department.

Summary:

In an effort to expand services, the Richland Police Department seeks to codify authority to issue limited commissions to certain Richland employees who are not otherwise qualified as commissioned peace officers in Washington. Such individuals may include, but are not limited to, the City's park ranger and civilian code enforcement officers. Proposed modifications to RMC 2.04.210 will conclusively establish this limited commission authority.

Additionally, RPD Command Staff has asked for further edits to RMC 2.04.210 to clarify the general authority granted to the Richland Police Department under the laws of the State of Washington. This language is a necessary element of the accreditation process and will foster RPD's efforts to become an accredited law enforcement agency.

Staff recommends approval of Ordinance No. 2023-18 for second reading and passage.

Fiscal Impact: None.

Attachments:

I. Ordinance No. 2023-18

ORDINANCE NO. 2023-18

AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, AMENDING RICHLAND MUNICIPAL CODE SECTION 2.04.210 RELATED TO LIMITED COMMISSIONS IN THE RICHLAND POLICE DEPARTMENT.

WHEREAS, the City has need, from time to time, to update the Richland Municipal Code to eliminate ambiguity and bring it into compliance with current practice; and

WHEREAS, the Chief of Police currently issues a limited commission for animal control officers, and desires to expand the staff eligible for a limited commission to code enforcement officers and the City's park ranger; and

WHEREAS, amending the Richland Municipal Code to address limited commissions will ensure the requisite authority is in place.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Richland Municipal Code Section 2.04.210, entitled Police department, as first enacted by Ordinance No. 1-78, and last amended by Ordinance No. 2022-33, is hereby amended as follows:

2.04.210 Police department

The police department, under the direction of the chief of police, shall have all of the duties designated and devolved upon such departments by state law generally, and specifically as to cities organized or chartered under either RCW Title 35 or 35A.~~shall be responsible for patrol, investigations, code enforcement and community relations.~~ In addition, the chief of police may issue a limited commission to persons outside the police department who have a need to have limited enforcement capabilities such as, but not limited to, animal control, parking and parks. These limited commissions will specifically state the ordinances for which the holder may issue citations for civil infractions. The chief of police will develop standards for the selection and training of those being granted a limited commission, which will be consistently applied. The limited commission may be revoked at any time by the chief of police.

Section 2. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 3. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 5th day of September, 2023.

Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

First Reading: August 15, 2023

Second Reading: September 5, 2023

Date Published: September 10, 2023



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 9/5/2023

Agenda Category: Ordinances - Second Reading & Passage

Core Focus Area 6 - Enhance Neighborhood & Community Safety

Subject:

Ordinance No. 2023-19, Amending Richland Municipal Code Section 8.10.070 related to Public Camping Enforcement

Department/Office
City Attorney

Ordinance/Resolution Number:
2023-19

Document Type:
Ordinance

Recommended Motion:

Give second reading and pass Ordinance No. 2023-19, amending Richland Municipal Code Section 8.10.070 related to public camping enforcement.

Summary:

Camping on public property, including City Hall and other city facilities, John Dam Plaza, parks, public rights-of-way, and other public property is a public health and safety concern due to interference with other intended uses, such as daily municipal operations, events at John Dam Plaza, park recreational activities, pedestrian, bicycle and vehicular traffic, and other public uses. Camping without adequate sanitation services, such as sewer, water, and garbage, presents a public health and safety concern due to increased risk of the spread of disease and the potential for citizens contracting illnesses. Public property is intended for, and should be, available to the public for its intended purposes, including daily city operations, park recreational use, pedestrian, bicycle and vehicular transportation, and other public uses.

On July 5, 2022, Richland City Council approved Ordinance No. 2022-22 to regulate public camping on public property and in city rights-of-way. The statutory scheme complies with federal law concerning the availability of lawful places for the unhoused to sleep by suspending enforcement when there are no shelter beds or housing vouchers available. However, legitimate time/place/manner restrictions are also in place that identify certain high visibility/high use locations where public camping is never allowed, regardless of the availability of shelter space or housing vouchers.

Chapter 8.10 has been in effect for a year. At this time, three (3) additional high visibility locations in the City's inventory – 505 Swift Boulevard, 515 George Washington Way, and Fire Station No. 71 – require addition to the codified list of properties where unauthorized encampments are always prohibited, regardless of the availability of beds, shelter space, or housing vouchers administered by the Benton County Department of Health and Human Services. Ordinance No. 2023-19 will add those three locations to the City's existing list of properties.

Staff recommends approval of Ordinance No. 2023-19 for second reading and passage.

Fiscal Impact: None.

Attachments:

I. Ordinance No. 2023-19

ORDINANCE NO. 2023-19

AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, AMENDING RICHLAND MUNICIPAL CODE SECTION 8.10.070 RELATED TO PUBLIC CAMPING ENFORCEMENT.

WHEREAS, the City has need, from time to time, to update the Richland Municipal Code to add clarity; and

WHEREAS, on July 5, 2022, Richland City Council approved Ordinance No. 2022-22 to regulate public camping on public property and in city rights-of-way; and

WHEREAS, camping on public property, including City Hall and other city facilities, John Dam Plaza, parks, public rights-of-way, and other public property is a public health and safety concern due to interference with other intended uses, such as daily operations of the City, events at John Dam Plaza, park recreational activities, pedestrian, bicycle and vehicular traffic, and other public uses; and

WHEREAS, camping without adequate sanitation services, such as sewer, water, and garbage, presents a public health and safety concern due to increased risk of spread of disease and potential for citizens contracting illnesses; and

WHEREAS, public property is intended for, and should be, available to the public for its intended purposes, including daily City operations, park recreational use, pedestrian, bicycle and vehicular transportation, and other public areas; and

WHEREAS, three (3) additional high visibility locations in the City's inventory – 505 Swift Boulevard, 515 George Washington Way, and Fire Station No. 71 – require addition to the codified list of properties where unauthorized encampments are always prohibited, regardless of the availability of beds or shelter space.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Richland Municipal Code Section 8.10.070, entitled Enforcement suspended, as first enacted by Ordinance No. 2022-22, is hereby amended as follows:

8.10.070 Enforcement suspended.

A. Except as otherwise provided in this section, enforcement of criminal provisions of this chapter shall be suspended any time there is no space or beds available through the voucher program operated by Benton County department of human services, to the extent such available space or beds are required by law. In such circumstances, all provisions of this chapter shall continue to apply to camping, storage of personal property, including camp facilities and camp paraphernalia, and unauthorized encampments at the following:

1. The real property containing:

- a. Richland City Hall (Benton County PID No. 1-11982020629019);
- b. John Dam Plaza (Benton County PID No. 1-11983020625000);
- c. Howard Amon Park (Benton County PID No. 1-11984012586008; 1-11981020636002);
- d. Leslie Groves Park (Benton County PID No. 1-35084020923000; 1-35081020922000; 1-36081000000000);
- e. Riverfront Trail (Benton County PID No. 1-11981020624001);
- f. Columbia Playfields (Benton County PID No. 1-10981020600036);
- g. George Prout Memorial Pool (Benton County PID No. 1-10981020600005);
- h. Columbia Point Marina (Benton County PID No. 1-13983020018002);
- i. Richland Public Library (Benton County PID No. 1-11982020629012);
- j. Richland Police Department (Benton County PID No. 1-11981020623003); and
- k. Richland City Shops (Benton County PID No. 1-16984020002002);
- l. 505 Swift Boulevard (Benton County PID No. 1-11981020623004);
- m. 515 George Washington Way (Benton County PID No. 1-11984020557004);
- n. Richland Fire Station No. 71 (Benton County PID No. 1-11981020635006).

2. Park facilities, including but not limited to all buildings, structures, equipment, signs, shelters, swimming pools, water recreation facilities, playgrounds, bathrooms, courts or designated sports fields available for reservation, or any other fixture or improvement and the real property within 30 feet of such facilities. Unless constructed as a part of such park facility, natural vegetation shall not be considered to be a “park facility” for purposes of this section;

3. Public rights-of-way and city-owned real property marked “No Trespassing”; and

4. Publicly owned stormwater drainage facilities.

B. Enforcement of the criminal provisions of this chapter may also be temporarily suspended by law enforcement or the city manager or designee for the purpose of allowing an individual actively engaged in the process of exiting homelessness to continue working towards exiting homelessness; provided, that such suspension shall not authorize any individual to be located at any of the locations identified in subsection (A) of this section. Such suspension may only occur during the period while an individual is actively engaged in the process of exiting homelessness. Nothing in this section shall guarantee or create rights to have enforcement of this chapter waived or

suspended for any individual found to be violating the terms of this chapter. This section shall not preclude enforcement of this chapter against a person actively engaged in exiting homelessness where the violation results in a significant risk of harm to any person or impedes pedestrian or vehicular traffic, or where the person violates any other federal, state, or local law. Further, nothing in this section shall preclude the city from requiring an individual to move from any location identified in subsection (A) of this section to other available public property. Failure to work toward exiting homelessness and/or failure to follow other park and city regulations will result in immediate enforcement of this chapter subject to shelter bed availability (through the voucher program) as required by law.

The city manager may adopt such rules and procedures necessary to identify individuals actively engaged in exiting homelessness and to notify the Richland police department of such individuals.

C. Nothing in this chapter shall preclude enforcement of any other federal, state, or local laws, including enforcement of Chapter 9.22 RMC.

Section 2. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 3. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 5th day of September, 2023.

Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

First Reading: August 15, 2023

Second Reading: September 5, 2023

Date Published: September 10, 2023



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 9/5/2023

Agenda Category: Resolutions - Adoption

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Resolution No. 2023-124, Authorizing a Consultant Agreement with RH2 Engineering, Inc. for the Supervisory Control and Data Acquisition (SCADA) System Replacement Project

Department/Office
Public Works

Ordinance/Resolution Number:
2023-124

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 2023-124, authorizing the City Manager to sign and execute a consultant agreement with RH2 Engineering, Inc. to complete planning for the Water and Wastewater SCADA Replacement project.

Summary:

The City's water and wastewater systems utilize supervisory control and data acquisition (SCADA) systems to support system operations both at the treatment plants and around the City. The current SCADA systems use obsolete communication equipment and outdated software that should be replaced to sustain reliable operations.

The 2022-2027 Capital Improvement Plan (CIP) includes a Wastewater SCADA Replacement project and a Water System SCADA Replacement and Site Security Improvements project to fund replacement and updates to these systems. City staff do not have the requisite expertise to conduct detailed design of state of the art SCADA systems. For this reason, a qualified consultant is needed to guide the City to a good replacement system.

A competitive Request for Qualifications (RFQ) process was conducted in compliance with City purchasing policies to solicit the services of a qualified firm to guide project development. The City received six (6) responses to the RFQ from which RH2 Engineering, Inc. was selected as the most qualified vendor. A scope and budget has been negotiated with RH2 Engineering, Inc. that provides the City with the needed services at a good value. The proposed contract covers only the initial planning phase of the project. Once this planning phase is complete, the contract is expected to be amended to authorize detailed design and implementation phases.

The City's best interests are served by executing a consultant agreement with RH2 Engineering, Inc. to procure engineering services to complete planning for the Water and Wastewater SCADA Replacement project.

Staff recommends adoption of Resolution No. 2023-124.

Fiscal Impact:

The 2022 Capital Improvement Plan approved \$50,000 for design in the Wastewater Fund and \$75,000 for design in the Water Fund. The combined \$125,000 budgeted amount allows for full funding of the SCADA Evaluation and Upgrade consultant project, which is estimated at approximately \$70,100 for the consultant's portion of the review and design efforts.

Attachments:

1. Resolution No. 2023-124
2. Draft Consultant Agreement with RH2 Engineering, Inc.

RESOLUTION NO. 2023-124

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,
AUTHORIZING A CONSULTANT AGREEMENT WITH RH2
ENGINEERING, INC. FOR THE WATER AND WASTEWATER
SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM
REPLACEMENT PROJECT.**

WHEREAS, the City's water and wastewater systems utilize supervisory control and data acquisition (SCADA) systems to support system operations at both the treatment plants and around the city; and

WHEREAS, the current SCADA systems use obsolete communication equipment and outdated software that should be replaced to sustain reliable operations; and

WHEREAS, the 2022-2027 Capital Improvement Plan (CIP) includes a Wastewater SCADA Replacement project and a Water System SCADA Replacement and Site Security Improvements project (the "Projects") to fund replacement and updates to these systems; and

WHEREAS, because city staff does not maintain the expertise to conduct detailed design of state-of-the-art SCADA systems, a qualified consultant is needed to guide the City to a good replacement system; and

WHEREAS, a competitive Request for Qualifications (RFQ) process was conducted in accordance with the City's purchasing policies to solicit the services of a qualified engineering firm to guide project development; and

WHEREAS, the City received six (6) responses to the RFQ; and

WHEREAS, RH2 Engineering, Inc. was selected as the most qualified consultant to complete the project planning and design; and

WHEREAS, a scope of work and budget have been negotiated with RH2 Engineering, Inc. that provides the City with the needed services at a good value; and

WHEREAS, the City's best interests are served by executing a consultant agreement with RH2 Engineering, Inc. to procure engineering services to complete planning for the Water and Wastewater SCADA Replacement project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute a consultant agreement with RH2 Engineering, Inc. to complete planning for the Water and Wastewater SCADA Replacement project.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 5th day of September, 2023.

Terry Christensen, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

**AGREEMENT BETWEEN CITY AND CONSULTANT****SCADA EVALUATION AND UPGRADE**

This Agreement is entered into this _____ day of September, 2023 ("Effective Date") by and between the **City of Richland** ("**City**"), a Washington municipal corporation located at 625 Swift Blvd. Richland, WA 99352, and **RH2 Engineering, Inc.** ("**Consultant**"), a Washington for-profit corporation with service at 114 Columbia Point Dr., Richland, WA 99352. **City** and **Consultant** are referred to individually herein as a "Party" and collectively herein as the "Parties."

WITNESSETH:**1. SCOPE OF WORK**

- a. Consultant shall furnish all services, labor and related equipment necessary to conduct and complete the work outlined in Exhibit A. In performing these services, Consultant shall at all times comply with all federal, state and local statutes, rules and ordinances applicable to the performance of such services. In addition, these services and all duties incidental or necessary therefore, shall be performed diligently and completely and in accordance with professional standards of conduct and performance. All services performed under this Agreement will be conducted solely for the benefit of the City and will not be used for any other purpose without written consent of the City.
- b. This Agreement consists of this Agreement and other documents listed below. These form the entire Agreement between the Parties, and are fully integrated into this Agreement as if stated or repeated herein. In the event of a conflict between documents, the order of precedence will be the order listed below. An enumeration of the Agreement documents is set forth below (mark all that apply):
 1. ☒ City of Richland Agreement No. _____
 2. ☒ Exhibit A: Scope of Work
 3. ☒ City Richland Solicitation No. 23-0051
 4. ☒ Exhibit B: Solicitation No. 23-0051 proposal response submitted by Consultant dated May 24, 2023.
 5. ☐ Additional Documents – .

2. TIME FOR COMPLETION

Consultant shall not begin any work under the terms of this Agreement until authorized in writing by the City. Consultant agrees to use best efforts to complete all work described under this Agreement by June 30, 2024.

3. TERM

The term of this Agreement shall commence on the Effective Date identified above and end at midnight on June 30, 2024.

4. PAYMENT

- a. Services rendered by Consultant under this Agreement will be paid at the rate set forth in Exhibit A Scope of Work, but in no event shall the total compensation for services rendered under this Agreement exceed **Seventy Thousand Sixty-Nine Dollars (\$70,069.00)**, including all fees and those reimbursable expenses listed in Exhibit A.
- b. City shall pay Consultant for services rendered after receipt of a detailed invoice. Invoices not in dispute by the City will be paid net thirty (30) days and shall reference the contract number and/or purchase order applicable to the work. The invoice shall provide sufficient detail on the work being billed and include detailed receipts for any invoices.
- c. Partial payments to cover the percentage of work completed may be requested by Consultant. These payments shall not be more than one (1) per month.
- d. Pre-approved travel, meals and lodging will be reimbursed at cost and only when consultant travels at least 150 miles per one way trip. Reimbursable expenses are limited to the following: coach airfare, ground transportation (taxi, shuttle, car rental), hotel accommodations as provided below, personal or company vehicle use at the then-current federal mileage rate, and meals at the current federal per-diem meal allowance or up to the current federal per-diem with detailed receipts, no alcohol, and a 20% maximum gratuity.
 - i. Hotel accommodations: eligible lodging expenses include the room cost only; itemized receipts must be provided for hotel reimbursements.
 - ii. Hotel reimbursement is limited to the single room rate. If two or more consultants are sharing a room, reimbursement is allowable for only one consultant at the double room rate.
 - iii. The maximum reimbursement should be limited to the best discount rate available and allowable that meets traveler's business needs and basic needs for health, safety and cleanliness. Non-smoking rooms are authorized even if they are more expensive.
- e. Reimbursement for extra services/reimbursable expenses are not authorized under this Agreement unless detailed in the Scope of Work or agreed upon in writing as a modification to this Agreement.
- f. Consultant will allow access to the City, State of Washington, Federal Grantor Agency, Comptroller General of the United States, or any of their duly authorized representatives, to any books, documents, papers, and records which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions. Unless otherwise provided, said records must be retained for three (3) years from the date of receipt of final payment. If any litigation, claim, or audit arising out of, in connection with, or relating to this Agreement is initiated before the expiration of the three-year period, the records shall be retained until such litigation, claim, or audit involving the records is completed.

5. INDEPENDENT CONTRACTOR

Consultant, and any and all employees of Consultant or other persons engaged in the performance of any work or services required of Consultant under this Agreement, are independent contractors and shall not be considered employees of the City. Any and all claims

that arise at any time under any Workers' Compensation Act on behalf of said employees or other persons while so engaged, and any and all claims made by a third party as a consequence of any act or omission on the part of Consultant's employees or other persons engaged in any of the work or services required to be provided herein, shall be the sole obligation and responsibility of Consultant.

6. OWNERSHIP OF DOCUMENTS

Any and all data, analyses, documents, photographs, plans, designs, drawings, specifications, surveys, films, documents, reports and other work products created, prepared, produced, constructed, assembled, made, performed, or otherwise produced by Consultant or Consultant's subcontractors for delivery to the City pursuant to this Agreement shall become the sole and absolute property of the City upon completion of the services and payment in full of all payment due to Consultant of the fees set forth in this Agreement. Such property shall constitute "work made for hire" as defined by the U.S. Copyright Act of 1976, 17 U.S.C. § 101, and the ownership of the copyright and any other intellectual property rights in such property shall vest in the City at the time of its creation. Ownership of the intellectual property includes the right to copyright, patent, and register, and the ability to transfer these rights. Material which Consultant uses to perform this Agreement but is not created, prepared, constructed, assembled, made, performed or otherwise produced for or paid for by the City is owned by Consultant and is not "work made for hire" within the terms of this Agreement. Consultant will ensure that all independent contractors have written agreements in place that transfers ownership of all Intellectual Property created by them or provided by them to the City.

The City may make or permit to be made any modifications to the plans and specifications without the prior written authorization of Consultant. The City agrees to waive any claim against Consultant arising from any unauthorized reuse of the plans and specifications, and to indemnify and hold Consultant harmless from any claim, liability or cost arising or allegedly arising out of any reuse of the plans and specifications by the City or its agent not authorized by Consultant.

7. TERMINATION

- a. This Agreement may be terminated by either Party upon thirty (30) days' written notice. In the event this Agreement is terminated by Consultant, the City shall be entitled to reimbursement of costs occasioned by such termination. In the event the City terminates this Agreement, the City shall pay Consultant for the work performed, which shall be an amount equal to the percentage of completion of the work as mutually agreed between the City and Consultant.
- b. If any work covered by this Agreement shall be suspended or abandoned by the City before Consultant has completed the assigned work, Consultant shall be paid an amount equal to the costs incurred up to the date of termination or suspension as mutually agreed upon between the City and Consultant.

8. AVAILABILITY OF RECORDS FOR PUBLIC INSPECTION

- a. As a public contract, all records prepared, generated or used by Consultant or its agents, employees and subcontractors relating to this Agreement and associated work (hereinafter "public records") may be subject to disclosure under the Washington State Public Record Act, Chapter 42.56 RCW.
- b. Contractor shall maintain and retain all such public records in a manner that is readily accessible for a minimum term of no less than three (3) years following completion of the

contract work. City shall have the right to timely review all such public records upon request. Contractor shall provide copies of any public records requested by City within thirty (30) calendar days of City's request. If City requests that copies of public records be provided to City in an electronic format, said records shall be provided at no cost to City. If paper copies are requested by City, City shall pay \$.10 per page. Payment for paper copies shall be rendered to Consultant within twenty (20) calendar days of receipt.

- c. All records subject to a public disclosure request will be provided to a requester unless exempted from disclosure by law. The City's decision to exempt or redact any public record shall be based only upon valid exemptions that apply to the City. City will not refrain from disclosing any record under an exemption that may be personal to Consultant. In the event Consultant objects to release of any public record under this Agreement, Consultant may seek judicial approval to prevent such disclosure at Consultant's sole expense. City shall neither aid nor interfere with Consultant's request for an injunction to prevent disclosure of any public record under this Agreement.
- d. Consultant shall insert this provision in all contracts with subcontractors or agents providing services relating to this Agreement.

9. DISPUTE RESOLUTION

- a. The City and Consultant agree to negotiate in good faith for a period of thirty (30) days from the date of notice of all disputes between them prior to exercising their rights under this Agreement, or under law.
- b. All disputes between the City and Consultant not resolved by negotiation between the Parties may be arbitrated only by mutual agreement of the City and Consultant. If not mutually agreed to resolve the claim by arbitration, the claim will resolve by legal action.

10. DEBARMENT CERTIFICATION

Consultant certifies that neither Consultant nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in this contract by any federal or state department or agency. Further, Consultant agrees not to enter into any arrangements or contracts related to completion of the work contemplated under this Agreement with any party that is on the "General Service Administration List of Parties Excluded from Federal Procurement or Non-Procurement Programs" which can be found at:

www.sam.gov and <https://secure.lni.wa.gov/verify/>

11. VENUE, APPLICABLE LAW AND PERSONAL JURISDICTION

In the event that either Party deems it necessary to initiate a legal action to enforce any right or obligation under this Agreement, the Parties agree that any such action shall be initiated in the Superior Court of the State of Washington situated in Benton County. The Parties agree that all questions shall be resolved by application of Washington law, and that the Parties to such action shall have the right of appeal from such decision of the Superior Court in accordance with the laws of the State of Washington. Consultant hereby consents to the personal jurisdiction of the Superior Court of the State of Washington situated in Benton County.

12. ATTORNEY'S FEES

The Parties agree that should legal action be necessary to enforce any of the provisions of this Agreement, that the substantially prevailing Party will be awarded its reasonable

attorney's fees and costs in action, including costs and attorney's fees on appeal if appeal is taken.

13. INSURANCE

Consultant shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by Consultant, its agents, representatives, or employees.

- a. No Limitation. Consultant's maintenance of insurance as required by this Agreement shall not be construed to limit the liability of Consultant to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.
- b. Minimum Scope of Insurance. Consultant shall obtain insurance of the types described below:
 1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage.
 2. Commercial General Liability insurance shall be as least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop-gap independent contractors and personal injury and advertising injury. The City shall be named as an insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the City using an additional insured endorsement at least as broad as ISO CG 20 26.
 3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
 4. Professional Liability, Errors or Omissions insurance appropriate to the Consultant's profession. Coverage shall be provided if Consultant is providing services under this Agreement as a licensed professional, including, but not limited to, engineers, architects, accountants, surveyors, and attorneys.
- c. Minimum Amounts of Insurance. Consultant shall maintain the following insurance limits:
 1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
 2. Commercial General Liability insurance shall be written with limits no less than \$2,000,000 each occurrence, \$2,000,000 general aggregate.
 3. Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.
- d. Other Insurance Provisions. Consultant's Automobile Liability and Commercial General Liability insurance policies are to contain, or be endorsed to contain that they shall be primary insurance with respect to the City. Any insurance, self-insurance, or self-insured

pool coverage maintained by the City shall be excess of Consultant's insurance and shall not contribute with it.

- e. Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.
- f. Verification of Coverage. Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to, the additional insured endorsement, evidencing the insurance requirements of Consultant before commencement of the work.
- g. Notice of Cancellation. Consultant shall provide the City with written notice of any policy cancellation within two (2) business days of Consultant's receipt of such notice.
- h. Failure to Maintain Insurance. Failure on the part of Consultant to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five (5) business days' notice to Consultant to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due Consultant from the City.
- i. Public Entity Full Availability of Consultant Limits. If Consultant maintains higher insurance limits than the minimum shown above, the City shall be insured for the full available limits of the Commercial General and Excess or Umbrella liability maintained by Consultant, irrespective of whether such limits maintained by Consultant are greater than those required by this contract or whether any certificate of insurance furnished to the City evidences limits of liability lower than those maintained by Consultant.

14. INDEMNIFICATION / HOLD HARMLESS

- a. Consultant shall defend, indemnify, and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the willful or negligent acts, or alleged willful or alleged negligent acts, errors or omissions of the Consultant or the Consultant's employees or agents in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.
- b. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability, including the duty and cost to defend, shall be only to the extent of the Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the Parties. The provisions of this section shall survive the expiration or termination of this Agreement.

15. STANDARD OF CARE

The professional services will be furnished in accordance with the care and skill ordinarily used by members of the same profession practicing under similar conditions at the same time and in the same locality.

16. SUCCESSORS OR ASSIGNS

All of the terms, conditions and provisions hereof shall inure to the benefit of and be binding upon the Parties hereto, and their respective successors and assigns; provided, however, that no assignment of the Agreement shall be made without written consent of the non-assigning Party, which may be given in the non-assigning Party's sole discretion.

17. NOTICES

Any notices required under this Agreement will be in writing, addressed to the appropriate Party at the address which appears below (as modified in writing from time to time by such party), and given by electronic submission, by facsimile personally, by registered or certified mail, return receipt requested, or by nationally recognized overnight courier service. All notices shall be effective upon the date sent.

Purchasing Manager
City of Richland
625 Swift Blvd., MS-11
Richland, WA 99352
Email: purchasing@ci.richland.wa.us
Phone: (509) 942-7710

Contact Name: Paul Cross
Name of Firm: RH2 Engineering, Inc.
Address: 114 Columbia Point Dr.
Address: Richland, WA 99352
Email: pcross@rh2.com
Phone Number: (509) 392-6502

18. EQUAL OPPORTUNITY AGREEMENT

Consultant agrees that Consultant will not discriminate against any employee or job applicants for work under this Agreement for reasons of race, sex, nationality, religious creed, or sexual orientation.

19. SEVERABILITY

If any provision of this Agreement conflicts with applicable law, or its application is found to be invalid by a court of competent jurisdiction, the remainder of this Agreement shall not be affected, and to this end, the terms of this Agreement are declared to be severable.

20. AMENDMENTS

All amendments must be in writing and be approved and signed by both Parties.

21. CHANGE IN LAW

The Parties hereto agree that in the event legislation is enacted or regulations are promulgated, or a decision of court is rendered, or any interpretive policy or opinion of any governmental agency charged with the enforcement of any such law or regulation is published that affects or may affect the legality of this Agreement or any part thereof or that materially and adversely affects the ability of either Party to perform its obligations or receive the benefits intended hereunder ("Adverse Change in Law"), then within fourteen (14) calendar days following written notice by either Party to the other Party of such adverse change in law, the Parties shall meet to negotiate in good faith an amendment which will carry out the original intention of the Parties to the extent possible. If, despite good faith attempts, the Parties cannot reach agreement upon an amendment within sixty (60) calendar days after commencing negotiation, then this Agreement may be terminated by either Party as of the

earlier of: (i) the effective date of the adverse change in law, or (ii) the expiration of a period of sixty (60) days following written notice of termination provided by one Party to the other.

22. CONFIDENTIALITY

In the course of performing under this Agreement, Consultant, including its employees, agents or representatives, may receive, be exposed to, or acquire confidential information. Confidential information may include, but is not limited to, patient information, contract terms, sensitive employee information, or proprietary data in any form, whether written, oral, or contained in any computer database or computer readable form. Consultant shall: i) not disclose or sell confidential information except as permitted by this Agreement; (ii) only permit use of such confidential information by employees, agents and representatives having a need to know in connection with performance under this Agreement; and (iii) advise each of its employees, agents, and representatives of their obligations to keep such information confidential.

23. CHANGES OF WORK

- a. When required to do so, and without any additional compensation, Consultant shall make such changes and revisions in the completed work of this Agreement as necessary to correct or revise any errors, omissions, or other deficiencies in the design, drawings, specifications, reports, and other similar documents which Consultant is responsible for preparing or furnishing under this Agreement.
- b. Should the City find it desirable for its own purposes to have previously satisfactorily completed work or parts thereof changed or revised, Consultant shall make such revisions as directed by the City. This work shall be considered as Extra Work and will be paid for as herein provided under Section 24, Extra Work.

24. EXTRA WORK

The City may desire to have Consultant perform work or render additional services within the general scope of this Agreement. Such work shall be considered as extra work and will be specified in a written supplement to this Agreement which will set forth the nature of the scope, schedule for additional work, additional fees and the method of payment. Work under a supplemental Agreement shall not proceed until authorized in writing by the City.

25. ENTIRE AGREEMENT

This Agreement contains the entire agreement of the Parties hereto and supersedes all previous understandings and agreements, written and oral, with respect to this transaction. Neither Party shall be liable to the other for any representations made by any person regarding the terms of this Agreement, except to the extent that the same are expressed in this Agreement.

26. AUTHORITY TO EXECUTE

Each person executing this Agreement on behalf of another person, corporation, partnership, company, or other organization or entity represents and warrants that he or she is fully authorized to so execute and deliver this Agreement on behalf of the entity or party for which he or she is signing. The Parties hereby warrant to each other that each has full power and authority to enter into this Agreement and to undertake the actions contemplated herein, and that this Agreement is enforceable in accordance with its terms.

27. COUNTERPART ORIGINALS

Execution of this Agreement and any amendment or other document related to this Agreement may be by electronic signature and in any number of counterpart originals, each of which shall be deemed to constitute an original agreement, and all of which shall constitute one whole agreement.

(Signature page to follow)

Draft

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

CITY OF RICHLAND

CONSULTANT

Jon Amundson, ICMA-CM
City Manager

Signature

Attest:

Printed Name

Jennifer Rogers, City Clerk

Title

Approved as to form:

Heather Kintzley, City Attorney

EXHIBIT A: Detailed Scope of Work

See Attached

Draft

EXHIBIT A

Scope of Work

City of Richland

SCADA Evaluation and Upgrade

August 2023

Background

The City of Richland (City) has requested that RH2 Engineering, Inc., (RH2) review the City's existing supervisory control and data acquisition (SCADA) system for potential improvements.

While discussing the system, the City identified the following areas of improvement:

- Identify opportunities for improving the resiliency and extent of the communications backbone for City telemetry communications. *The existing radio system is obsolete and needs to be replaced. The City-owned fiber network will be the backbone of the system, but radio communications will be required until fiber can be extended to all high priority locations.*
- Replacement of the SCADA computer hardware and review of the generational age and support for the PanelView graphic terminals and programmable logic controllers (PLC) within the water and wastewater system.
- Upgrade or replacement of the existing AVEVA Intouch, formally Wonderware Intouch, human machine interface (HMI) at the water treatment plant (WTP), North Richland Wellfield (NRWF), wastewater treatment facility (WWTF), and other modules for remote operator interface and connectivity with other City databases.
- Historian and Dream Reports usage.
- Cybersecurity, including information technology (IT) and operational technology (OT) separation. Compare existing system to U.S. Environmental Protection Agency cybersecurity guidelines.
- Development of a SCADA Upgrade Plan.

The City has requested that RH2 develop a SCADA Upgrade Plan that will establish standards for the City's control and SCADA system together with an upgrade strategy for the system. The upgrade plan and recommendations will be documented in a technical report at the conclusion of the study.

RH2 will use as is and rely upon the data, materials, and information generated or produced by the City or others in the performance of this Scope of Work. Services outlined herein will be performed to the level of effort identified in the Fee Estimate and within the Project Schedule identified. If additional services, effort, or a change to the Project Schedule are required or requested, an amendment to the Scope of Work and Fee Estimate will be mutually determined by the City and RH2.

Task 1 – Project Management Services

Objective: Manage RH2's project team and maintain frequent client communications. Maintain project schedules and prepare monthly invoices and budget status summaries.

Approach:

- 1.1 Provide direction, oversight, and coordination to the RH2 project team.
- 1.2 Prepare monthly invoices, schedule, and budget status summaries.

RH2 Deliverables:

- Monthly invoices and budget status summaries in electronic PDF.
- Meeting agendas and minutes in electronic PDF.
- Project schedule and updates in electronic PDF.

Task 2 – Investigation of Current SCADA System

Objective: Visit the existing SCADA system remote sites and facilities and meet with City staff to identify the goals and desired outcomes from the upgrade project.

Approach:

- 2.1 Review existing City-owned fiber system documents, including near-term plans to extend the fiber system.
- 2.2 Perform site visits to approximately thirty (30) remote sites on the water and sewer systems. Document the age and condition of the remote telemetry units (RTUs), PanelView graphics terminals, digital and analog monitoring and control capabilities, access and security features, method and path of communications.
- 2.3 Review existing conditions of the PLCs, PanelView graphics terminals, access and security and other SCADA system components at the WTP, NRWf, and WWTF. Document communications, controller, computer, instrumentation, and process components of the existing SCADA system at the main facilities.
- 2.4 Document fiber and radio connections to the traffic server from traffic signals.
- 2.5 Interview City staff for up to six (6) separate groups to identify preferences for radio equipment upgrades, server age, IT and OT cybersecurity, existing challenges and must-have capabilities, including the following groups.
 - IT Management.
 - Energy Services radio technicians.
 - Water Operations.
 - Wastewater Operations.
 - Traffic Engineer and technicians.

- Public Works and Engineering.

Provided by the City:

- Existing maps of City fiber and near-term improvements.
- Hosting of and key staff availability for interviews.
- Access to existing SCADA system facilities and components.
- Attendance at facilities tour and access to remote sites.

RH2 Deliverables:

- Prepared questions for key staff to vet out necessary background information.
- On-site review of remote and facility sites.

Task 3 – Evaluate Communications and Hardware Improvements

Objective: Evaluate the communications system for improvement opportunities together with documenting other near-term improvements to address obsolescence and update access control and security.

Approach:

- 3.1 Identify potential short and long-term communications strategies for communicating with remote and facility sites based upon developing strong bandwidths for enhanced monitoring and control needs.
- 3.2 Identify opportunities for communications redundancy at critical facilities and stand-alone control strategies for less critical facilities when communications are lost.
- 3.3 Document current and near-term obsolescence within the existing SCADA system components including radios, PLC, RTU, telemetry, and instrumentation. Identify hardware update requirements to meet specific control strategies, cybersecurity, expandability, local support, monitoring and alarm, and data and reporting.
- 3.4 Document security and access recommendations with input from City IT staff on current capabilities and technology used at current City facilities. Identify potential physical and cybersecurity issues and improvement options based on current SCADA cybersecurity Best Management Practices within the industry and as regulated by the federal government.
- 3.5 Summarize communications challenges at remote sites and opportunities for improvement in a draft technical report. Meet with the City to review findings, establish standards, and discuss prioritizing improvements.

Provided by the City:

- Attendance at one (1) review meeting.
- Review comments for the technical report.

RH2 Deliverables:

- Draft technical report summarizing SCADA improvement opportunities in electronic PDF.
- Attendance at one (1) review meeting.

Task 4 – Software and Operator Interfaces

Objective: Evaluate the software and operator interface generational age and identify upgrades.

Approach:

- 4.1 Identify replacement requirements of the server and SCADA computer hardware and review of the generational age and operating system software within the water and wastewater system servers.
- 4.2 Document the generational age and evaluate upgrade or replacement of the existing AVEVA Intouch, formally Wonderware Intouch, HMI at the WTP, NRWF, WWTF, and other modules for connectivity with other City databases.
- 4.3 Evaluate remote operator interfaces for monitoring system status, making operational changes, and receiving and acknowledging alarms. Identify appropriate technology options based upon multiple operator preferences for notifications.
- 4.4 Document historian and report usage. Identify opportunities to improve reporting capabilities using the existing databases.
- 4.5 Summarize software and operator interface challenges with the SCADA system and opportunities for improvement as an addition to the draft technical report. Meet with the City to review findings, establish standards, and discuss prioritizing improvements. Finalize technical report based upon City input.

Provided by the City:

- Attendance at one (1) review meeting.
- Review comments for the technical report.

RH2 Deliverables:

- Updated draft and final technical report summarizing SCADA improvement opportunities in electronic PDF.
- Attendance at one (1) review meeting.

Task 5 – Addressing Priority Improvements

Objective: Identify next generation SCADA system options for SCADA upgrades.

Approach:

- 5.1 Document proposed phasing for replacement of communications and SCADA hardware and software and estimate costs in a technical report.

- 5.2 Identify hybrid opportunities for high-priority facilities with possible redundant paths for resiliency and reliability.
- 5.3 Identify gaps in security that may require early implementation.
- 5.4 Incorporate the findings into a draft technical report for the SCADA Upgrade Plan. Meet with the City to review the technical report, incorporate review comments, and finalize the technical report. *The technical report will include the overall big-picture upgrades together with a breakdown of the overall upgrade into three (3) to four (4) smaller projects with required sequencing.*

Provided by the City:

- Review comments on the draft technical report .

RH2 Deliverables:

- Draft and final technical report summarizing the SCADA Upgrade Plan in electronic PDF.
- Attendance at review meeting, including meeting agenda and minutes.

Project Schedule

RH2 can begin work following receipt of an executed agreement. The anticipated schedule is as follows:

- Information gathering, interviews, and site visits – September 2023 through November 2023.
- Evaluate Communications and Hardware Improvements – December 2023.
- Software and Operator Interfaces – January 2024.
- Addressing Priority Improvements – February 2024 through March 2024.

EXHIBIT B**Fee Estimate****City of Richland****SCADA Evaluation and Upgrade Plan****Aug-23**

Description		Total Hours	Total Labor	Total Expense	Total Cost
Task 1	Project Management Services	10	\$ 1,912	\$ 48	\$ 1,960
Task 2	Investigation of Current SCADA System	87	\$ 19,403	\$ 1,428	\$ 20,831
Task 3	Evaluate Communications and Hardware Improvements	72	\$ 17,308	\$ 433	\$ 17,741
Task 4	Software and Operator Interfaces	65	\$ 16,381	\$ 659	\$ 17,040
Task 5	Address Priority Gaps	53	\$ 12,193	\$ 305	\$ 12,498
PROJECT TOTAL		287	\$ 67,197	\$ 2,872	\$ 70,069

EXHIBIT C
RH2 ENGINEERING, INC.
2023 SCHEDULE OF RATES AND CHARGES

RATE LIST	RATE	UNIT
Professional I	\$162	\$/hr
Professional II	\$176	\$/hr
Professional III	\$198	\$/hr
Professional IV	\$216	\$/hr
Professional V	\$229	\$/hr
Professional VI	\$247	\$/hr
Professional VII	\$263	\$/hr
Professional VIII	\$275	\$/hr
Professional IX	\$275	\$/hr
Technician I	\$124	\$/hr
Technician II	\$137	\$/hr
Technician III	\$154	\$/hr
Technician IV	\$169	\$/hr
Technician V	\$183	\$/hr
Technician VI	\$201	\$/hr
Technician VII	\$218	\$/hr
Technician VIII	\$228	\$/hr
Administrative I	\$83	\$/hr
Administrative II	\$97	\$/hr
Administrative III	\$114	\$/hr
Administrative IV	\$137	\$/hr
Administrative V	\$160	\$/hr
CAD/GIS System	\$27.50	\$/hr
CAD Plots - Half Size	\$2.50	price per plot
CAD Plots - Full Size	\$10.00	price per plot
CAD Plots - Large	\$25.00	price per plot
Copies (bw) 8.5" X 11"	\$0.09	price per copy
Copies (bw) 8.5" X 14"	\$0.14	price per copy
Copies (bw) 11" X 17"	\$0.20	price per copy
Copies (color) 8.5" X 11"	\$0.90	price per copy
Copies (color) 8.5" X 14"	\$1.20	price per copy
Copies (color) 11" X 17"	\$2.00	price per copy
Technology Charge	2.50%	% of Direct Labor
Mileage	\$0.6550	price per mile (or Current IRS Rate)
Subconsultants	15%	Cost +
Outside Services	at cost	

Rates listed are adjusted annually.



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 9/5/2023

Agenda Category: Resolutions - Adoption

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Resolution No. 2023-132, Authorizing Change Order No. 2 with DGR Grant Construction, Inc. for the Richland Community Center Remodel Project

Department/Office
Parks & Public Facilities

Ordinance/Resolution Number:
2023-132

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 2023-132, authorizing the City Manager to execute Change Order No. 2 with DGR Grant Construction, Inc. in the amount of \$6,552.43 for the Richland Community Center Remodel Project and increasing the total value of Contract No. 17-23 to \$310,422.19.

Summary:

On January 11, 2023, the City awarded a \$257,520.30 construction contract to DGR Grant Construction, Inc. for the Richland Community Center remodel Project. Per Chapter 3.04 RMC, the City Manager is authorized to administratively execute public works contracts valued under \$350,000.

The City adjusted the project scope related to light fixtures and tile flooring, resulting in Change Order No. 1 in the amount of \$46,359.46. RMC 3.04.080(A)(1) authorizes administrative change orders valued at \$50,000 or less to resolve unanticipated issues that may arise during construction. Change Order No. 2 in the amount of \$6,552.43 is now necessary to compensate for additional tile and reception counter modifications requested by the City during construction. The aggregate value of Change Order Nos. 1 & 2 is \$52,911.89, which exceeds the City Manager's administrative authority by \$2,911.89.

Staff recommends adoption of Resolution No. 2023-132.

Fiscal Impact: \$10,107.69 remains in the Richland Community Center Remodel Project budget to support Change Order No. 2 in the amount of \$6,552.43.

Attachments:

1. Resolution No. 2023-132
2. Change Order No. 2 to Contract No. 17-23

RESOLUTION NO. 2023-132

A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON, AUTHORIZING CHANGE ORDER NO. 2 TO CONTRACT NO. 17-23 WITH DGR GRANT CONSTRUCTION, INC. FOR THE RICHLAND COMMUNITY CENTER REMODEL PROJECT.

WHEREAS, on January 11, 2023, the City awarded a construction contract to DGR Grant Construction, Inc. for the Richland Community Center remodel project (see Contract No. 17-23); and

WHEREAS, the construction contract awarded to DGR Grant Construction, Inc. was valued at \$257,520.30; and

WHEREAS, pursuant to RMC 3.04.070(C), the City Manager is authorized to administratively execute public works contracts meeting the threshold value of \$350,000 or less; and

WHEREAS, RMC 3.04.080(A)(1) authorizes \$50,000 in administrative change order authority to resolve unanticipated issues that may arise during construction; and

WHEREAS, as construction progressed, the scope of the project related to light fixtures and tile flooring was adjusted by the City, thereby resulting in Change Order No. 1 in the amount of \$46,359.46; and

WHEREAS, Change Order No. 1 was administratively executed consistent with RMC 3.04.080(A)(1) on May 8, 2023; and

WHEREAS, Change Order No. 2 in the amount of \$6,552.43 is now necessary to compensate for additional tile and reception counter modifications requested by the City during construction; and

WHEREAS, the aggregate change order value of Change Order Nos. 1 and 2 is \$52,911.89, which exceeds the City Manager's administrative change order authority under RMC 3.04.070(C); and

WHEREAS, sufficient funds are available in the project budget to support Change Order Nos. 1 and 2.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the total value of Contract No. 17-23 with DGR Grant Construction, Inc. for the Richland Community Center remodel project is hereby increased to \$310,422.19.

BE IT FURTHER RESOLVED that the City Manager is authorized to sign and execute Change Order No. 2 to Contract No. 17-23 with DGR Grant Construction, Inc. in the amount of \$6,552.43.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 5th day of September, 2023.

Terry Christensen, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney



Public Works Contract Change Order

Project: Richland Community Center Lobby Remodel-
Rebid Project

Change Order No: 2

Contractor: DGR*Grant Construction, Inc.

Date: 07/07/2023

Federal/State/Grant

Aid Number: N/A

Contract Number: 17-23

Reason for Change:

☐ Regulatory Change ☒ City Requested ☐ Design Error ☐ Unforeseen/Unforeseeable

Change Description: (Describe the change(s) and the reason(s) for the change)

COP#04 – Remove built up concrete where tile needs to be installed at from the corner of the meeting Room 139 to relocated door 138. (\$3,226.00 + tax \$280.66 = \$3,506.66)

COP#05 - Additional (2) Data/Comm ports at each location in reception counter. Total of (6) additional cables - (2) to each of (3) locations. Contract drawings E3.01 only show two at each location. (\$2,802 + tax \$243.77 = \$3,045.77)

All attachments listed are made part of this Contract Change Order.

All terms & conditions defined in the Contract Documents & Change Orders issued to date remain in effect unless otherwise state herein.

The following adjustments, if any, to the Contract Sum and Contract Time constitute the complete and final settlement of all costs of labor, materials, equipment, overhead, fee, and damages, whether direct, indirect, and any other claim by the Contractor, as a result of the change.

Contract Summary:

Original Contract Amount:	\$ 257,510.30
Previous Change Orders:	\$ 46,359.46
This Change Order:	\$ 6,552.43
New Contract Amount:	\$ 310,422.19
Total % of Change Orders	20.5%

Schedule Summary:

Original Contract Duration:	120 Days
Previous Added Days:	0 Day(s)
This Change Order:	0 Day(s)
New Contract Duration:	0 Days
Revised Completion Date	N/A

Execution of this Change Order by the Contractor constitutes the Contractor's irrevocable acceptance of all the terms hereof, including the above described adjustments, if any, in the Contract Sum and Contract time. This Contract Change Order is hereby incorporated into and becomes part of the Contract Documents.

Approved:

City of Richland:			
Department Director	Authorized Signature	Print Name	Date
City of Richland:			
City Manager	Authorized Signature	Print Name	Date
WSDOT	N/A	N/A	N/A
(If applicable)	Authorized Signature	Print Name	Date
Contractor:			
	Authorized Signature	Print Name	Date



Contract No.

ITB 23-0004

Project: COR Community Center Lobby Remodel

COP# 04

Date: 5/10/2023

Description						
Remove built up concrete where tile needs to be installed at from the corner of the meeting Room 139 to relocated door 138.						
LABOR						
Description	Craft	ST Hrs	Rate	OT Hrs	Rate	Totals
Superintendent	1	16	\$ 74.55			\$ 1,192.80
Laborer	1	16	\$ 60.09			\$ 961.44
						\$ -
						\$ -
Total Labor:						\$ 2,154.24
EQUIPMENT						
Type	PO Number	QTY	Unit	Rate	Tax	
						\$ -
						\$ -
						\$ -
						\$ -
Total Equipment:						\$ -
MATERIALS						
Description	PO Number	Qty	Unit	Unit Amount	Tax	Total
Misc Materials (Temp Protection)		1	LS	\$ 150.00		\$ 150.00
						\$ -
						\$ -
						\$ -
Total Materials:						\$ 150.00
SUBCONTRACTOR'S						
Murley's (Misc Patch Back)		1	LS	\$ 200.00		\$ 200.00
						\$ -
						\$ -
Total Subcontractor:						\$ 200.00
Total Self Performed Costs \$ 2,304.24 Small Tools 3% (DLC) \$ 64.63 Safety 2% (DLC) \$ 43.08 Supervision 0% (DLC) \$ - Subtotal \$ 2,411.95 OH at 16% (First \$50,000) \$ 385.91 Profit at 6% \$ 144.72 Total Self Performed Costs with markup \$ 2,942.58 Subcontractor No. 1 \$ 200.00 Subcontractor No. 2 \$ - Subcontractor No. 3 \$ - Subcontractor Subtotal \$ 200.00 OH on Lower-tier 6% (First \$50,000) \$ 12.00 Profit on Lower-tier 4% \$ 8.00 Total Lower-tier cost with markup \$ 220.00 Total of self-perform + Subcontractor costs w/markups \$ 3,162.58 Bond & Insurance 2% \$ 63.25 Grand Total Due to Contractor \$ 3,226						

Approvals		
Architect	Owner	Contractor
Date:	Date:	5/10/2023

Murley Floorcovering

CHANGE ORDER

6539 W Clearwater Ave Suite A110
Kennewick, WA. 99336

Phone (509) 735-2369 Fax (509) 735-2369

DATE: May 11, 2023
SOLD TO: DGR Grant Construction
ADDRESS: 502 Stevens Dr
CITY, STATE, ZIP: Richland, WA 99352

PROJECT: Richland Community Center Lobby

PHONE:
ATTN: Noah

FAX: -

EMAIL:

CHANGE ORDER NO.: 1.00

Description	Units	Amount	Price
Add Self-Leveling To Existing Substrate Where Concrete Was Removed	1.00	200.00	\$200.00

Previous Contract Amount: \$52,985.00
Change Order Amount: \$200.00
New Contract Amount: \$53,185.00


Authorized Signature

Name: Dan Pasco

ACCEPTANCE OF CHANGES The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

ACCEPTED BY: _____
Authorized Signature

DATE: _____



Contract No.

ITB 23-0004

Project: COR Community Center Lobby Remodel

COP# 05

Date: 6/8/2023

Description						
Additional (2) Data/Comm ports at each location in reception counter. Total of (6) additional cables - (2) to each of (3) locations. Contract drawings E3.01 only show two at each location						
LABOR						
Description	Craft	ST Hrs	Rate	OT Hrs	Rate	Totals
Superintendent	1	1	\$ 74.55			\$ 74.55
						\$ -
						\$ -
						\$ -
Total Labor:						\$ 74.55
EQUIPMENT						
Type	PO Number	QTY	Unit	Rate	Tax	
						\$ -
						\$ -
						\$ -
						\$ -
Total Equipment:						\$ -
MATERIALS						
Description	PO Number	Qty	Unit	Unit Amount	Tax	Total
						\$ -
						\$ -
						\$ -
						\$ -
Total Materials:						\$ -
SUBCONTRACTOR'S						
Murley's (Misc Patch Back)		1	LS	\$ 2,410.63		\$ 2,410.63
						\$ -
						\$ -
Total Subcontractor:						\$ 2,410.63
Total Self Performed Costs						\$ 74.55
Small Tools 3% (DLC)						\$ 2.24
Safety 2% (DLC)						\$ 1.49
Supervision 0% (DLC)						\$ -
Subtotal						\$ 78.28
OH at 16% (First \$50,000)						\$ 12.52
Profit at 6%						\$ 4.70
Total Self Performed Costs with markup						\$ 95.50
Subcontractor No. 1						\$ 2,410.63
Subcontractor No. 2						\$ -
Subcontractor No. 3						\$ -
Subcontractor Subtotal						\$ 2,410.63
OH on Lower-tier 6% (First \$50,000)						\$ 144.64
Profit on Lower-tier 4%						\$ 96.43
Total Lower-tier cost with markup						\$ 2,651.69
Total of self-perform + Subcontractor costs w/markups						\$ 2,747.19
Bond & Insurance 2%						\$ 54.94
Grand Total Due to Contractor						\$ 2,802

Approvals		
Architect	Owner	Contractor
Date:	Date:	6/8/2023



6931 N. Road 76
Pasco, WA 99301
PH: (509) 545.1752

COR: 2
Date: 6/6/2023

WA State Contractors Registration Number - PRAIREI150RZ CCB#: 60178

Job Name: COR Community Center

Ref Dwg Or Spec: -

Description: Additional (2) Data/Comm ports at each location in reception counter

Includes: Total of (6) additional cables - (2) to each of (3) locations

Excludes: -

Labor:	Description	Qty	Rate	Total
	Journeyman hours	16.69		1,102.41
		0		0.00
Materials:	-	0		755.59
	-			280.51

Markup/Overhead: 272.12

Total: \$2,410.63



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 9/5/2023

Agenda Category: Resolutions - Adoption

Core Focus Area 3 - Increase Economic Vitality

Subject:

Resolution No. 2023-136, Awarding Commercial Facade Improvement Grant Funds to Monterosso's Italian Restaurant at 1026 Lee Boulevard

Department/Office
Development Services

Ordinance/Resolution Number:
2023-136

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 2023-136, authorizing the City Manager to sign and execute a Commercial Facade Improvement Program funding agreement with Monterosso's Italian Restaurant for improvements to 1026 Lee Boulevard in the amount of \$20,000.

Summary:

Aaron Burks, owner of Monterosso's Italian Restaurant located at 1026 Lee Boulevard, submitted an application for a \$20,000 grant from the Commercial Facade Improvement Program (CFIP). The project will help prevent blight in the Central Business District (CBD). Monterosso's Italian Restaurant is located behind (north) of Chapala Express on Lee Boulevard and is surrounded by other commercial uses.

The City's program funds are 1:1 matching (i.e. one dollar of public funds is provided for each dollar of private funds spent up to a maximum of \$20,000). The applicant's investment of \$75,000 in qualified exterior improvements makes the project eligible for the City's maximum contribution of \$20,000 pursuant to RMC 5.04.388 and established program guidelines.

At its August 21, 2023 meeting, the Economic Development Committee (EDC) reviewed the application and favorably recommended approval of \$20,000 in grant funds.

Staff recommends adoption of Resolution No. 2023-136.

Fiscal Impact: Approval of this request will decrease the amount available in the Commercial Facade Improvement Program by \$20,000, leaving \$60,000 for future projects in 2023.

Attachments:

1. Resolution No. 2023-136
2. CFIP2023-103 Application
3. Vicinity Map

RESOLUTION NO. 2023-136

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,
AWARDING COMMERCIAL FAÇADE IMPROVEMENT PROGRAM
FUNDS TO MONTEROSSO’S ITALIAN RESTAURANT.**

WHEREAS, the improvement of the exterior of buildings in the City of Richland enhances the overall appearance and economic character of the City; and

WHEREAS, Ordinance No. 15-08, as amended, established the Commercial Façade Improvement Program (CFIP) intended to encourage economic development and the reduction of blight within the City; and

WHEREAS, the Economic Development Committee (EDC) reviews and recommends to the Richland City Council projects for funding from the CFIP; and

WHEREAS, at its August 21, 2023 meeting, the EDC provided a positive recommendation to award \$20,000 in CFIP funds to Monterosso’s Italian Restaurant to reimburse eligible expenses associated with improving the façade at 1026 Lee Boulevard consistent with RMC 5.04.388 and as further described in the CFIP application.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute a Commercial Façade Improvement Program funding agreement with the owner of Monterosso’s Italian Restaurant in the amount of \$20,000.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 5th day of September, 2023.

Terry Christensen, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney



Commercial Façade Improvement Program

Application

Applicant Name	Aaron Burks	Applicant Title	Owner
Applicant Phone	253-503-9565	Applicant Email	atomicale@comcast.net
Applicant Mailing Address	1026 Lee Blvd, Richland, WA. 99352		
Applicant Relationship to Business	Owner		
Business Name	Monterosso's Italian Restaurant	Business Phone	5099464525
Age of Building	76 yrs old	UBI Number	601-697-028
Project Physical Address	1026 Lee Blvd, Richland, WA. 99352		
Project Cost	\$ \$75,000.00	Amount Requested	\$ \$20,000.00
Amount of funding requested may not exceed 50% of project cost, and the maximum grant reimbursement is \$20,000.00 per enclosed unit (see graphic within guidelines and procedures document).			
Is the property owner different than the business owner? ☐ Yes ☒ No (If yes, complete section in yellow below)			
Owner Name		Property Manager	
Owner Phone		Owner Email	
Owner Mailing Address			
Have you obtained permission to complete this project from the property owner? ☐ Yes ☐ No			
1) Have you used this program before? ☒ Yes ☐ No (If yes, complete section 1a)			
1a) For what purpose or project did you use this program in the past? Please indicate the year utilized, and the funding amount you received. Attach one photo of the completed project to this application.			
I used a small amount for my other business, Atomic Ale Brewpub & Eatery in 2014 and I may have used a small amount for Monterosso's Italian Restaurant around the same time. I can't remember the details.			
2) Provide a brief description of the proposed improvements and note how you believe they will enhance the area surrounding your business. Attach a photo, rendering, or sketch of the proposed improvement to this application. Attach additional pages as necessary.			
Attached...			
3) Will the project require any permits? ☒ Yes ☐ No (If yes, complete section 3a)			
3a) Please indicate which permits you may need to obtain.			
☒ City of Richland Building Permits		☐ City of Richland Right-of-Way Permits	
☐ City of Richland Sewer/Water Permits		☐ Washington State Liquor Licensing	
4) Have you consulted with Richland Development Services? ☒ Yes ☐ No			
4a) If yes, which building division official did you speak with? If no, please email building@ci.richland.wa.us to set a consultation appointment.			
Mizael Acevedo			

5) Can the project be completed within 12 months? Please explain.

Yes - my goal is to complete the project by the end of 2023.

Revenue (Attach additional pages as necessary)

Source	Amount
Business bank account and personal bank account if needed	\$ \$75,000.00
	\$
	\$
	\$
	\$
	\$
Total	\$ \$75,000.00

Expenses (Attach additional pages as necessary)

Source	Amount
Contractor	\$ \$75,000.00
	\$
	\$
	\$
	\$
	\$
Total	\$ \$75,000.00

You may use additional pages if necessary to complete the application. Please attach any additional information about the project or your organization that you believe is relevant to this application.

Application Requirements

Please check the box beside each item to note that you have met that requirement.

☒	Requirements for Submittal
☒	The business applicant has a current Richland Business License
☒	The applicant has available funds to complete the project before requesting reimbursement from the City
☒	The project complies with Richland Municipal Code and all applicable building and life safety codes
☒	The project improvements are clearly visible to the general public
☒	The reimbursement request is no more than 50% of total project cost
☒	The project requests reimbursement of no more than \$20,000 per enclosed unit in this application
☒	The project is well designed, and the applicant provided a sketch or rendering of the proposal
☒	The project is permanent and long lasting
☒	The applicant provided two (2) estimates for the project

Application Review Criteria

In order to encourage applicants to incorporate multiple improvements into a given project, it is recommended that all projects submitted attempt to ***fulfill some or all of the criteria listed below***. It is not required that a project fulfill each criterion, but projects that fulfill multiple criteria will be looked upon more favorably. The Economic Development Committee reserves the right to reject or table applications for further review if they do not meet the criteria described.



CRITERIA CONSIDERED

Physical



The project enhances the building and surrounding neighborhood



The project enhances existing historical or architectural features



The project is designed in consistency with the surrounding area



The project enhances the immediate common area shared by two or more businesses



The project is decorative and/or artfully designed in compatibility with its surrounding area



The project improvements replace existing aging or decaying exterior appurtenances

Programmatic Goals



The project clusters two or more on-site improvements



It is the first application awarded at the project site



The improvements are in an area identified as a priority funding area



The project narrative describes the project's positive economic impact on the business

Relationship Building



The project encourages favorable aesthetics in a shopping strip or center with adjacent retail/commercial vacancies



The project is performed in tandem with another demonstrated economic development effort in the immediate area, or is made by two or more adjacent businesses

By signing below, you are affirming that you:

- Have read the **Commercial Facade Improvement Program Guidelines and Procedures** document
- Are aware of the limitations of this program
- Certify that requested funds will only be used for purposes as described in this application and/or as approved by the City of Richland
- You understand that use of funds is subject to audit by the State of Washington
- Will submit, if approved for award, a detailed project schedule and updated budget within 30 days of receipt of a fully executed contract

eSigned via SeamlessDocs.com

Aaron Burks

Signature

Aaron Burks

Printed Name

08-07-2023

Date

Application Submittal

Applications completed digitally:

- Applications that were completed digitally may be saved and sent via email to info@richlandbusiness.com
- Save your application with a different file name than the original
- Attach any accompanying documentation as a separate attachment, saved as a PDF or JPG

Applications completed handwritten:

- Applications that are handwritten may be sent via email, dropped off, or mailed
- If sent via email, please legibly scan your document as a PDF
- If dropped off, bring to 625 Swift Blvd. in Richland: Attn: Mandy Wallner
- If mailed, mail to:

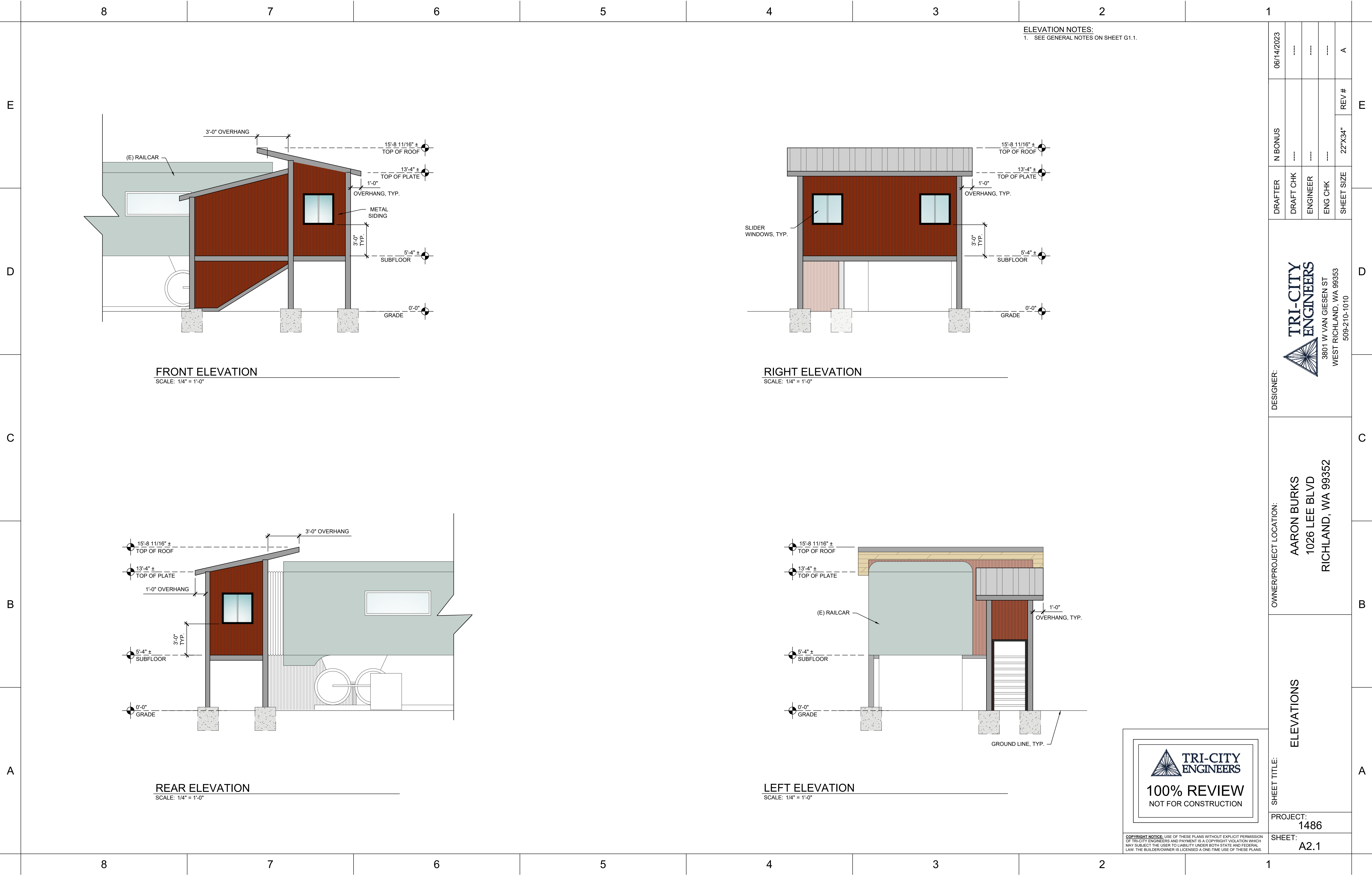
Richland BEDO
Attn: Mandy Wallner, Economic Development
625 Swift Boulevard, MS-18
Richland, WA 99352

Monterosso's Italian Restaurant 1026 Lee Blvd, Richland, WA. 99352

New train depot style entry stairs and platform and awning.

Monterosso's Italian Restaurant is situated in an antique railroad dining car. It is a 1947 Pullman dining car. I purchased the property in 1994 and restored the train car to its original condition. We have been serving the Tri-Cities for over 28 years since 1995 and we are a well known and loved restaurant in the community. The stairway and platform to enter the train has degraded over time and needs to be replaced. We have designed a replacement entry that will look like a vintage train depot to enhance the historical aspect of the train itself. We will add tasteful train and train depot decorations to fit the theme. This will be highly visible from Lee Blvd and the surrounding businesses and will be a significant improvement over the current entry and will be much more attractive from Lee Blvd and the surrounding businesses. In a separate project, I plan to have the train repainted to its original historical paint scheme when it operated as a Northern Pacific dining car. The new entry and the painting will tie together to highlight the historical significance of the train.





ELEVATION NOTES:
1. SEE GENERAL NOTES ON SHEET G1.1.

FRONT ELEVATION
SCALE: 1/4" = 1'-0"

RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

REAR ELEVATION
SCALE: 1/4" = 1'-0"

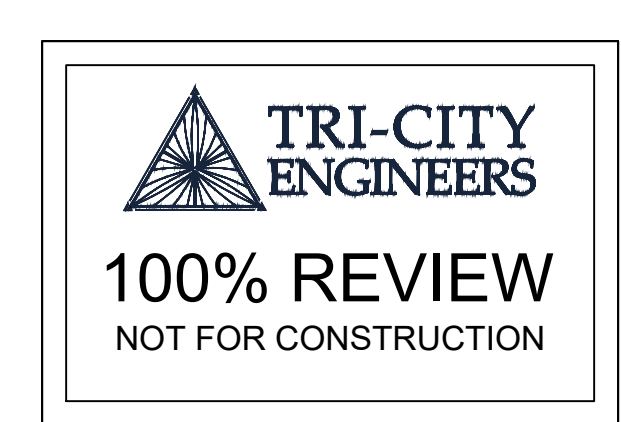
LEFT ELEVATION
SCALE: 1/4" = 1'-0"



OWNER/PROJECT LOCATION:
AARON BURKS
1026 LEE BLVD
RICHLAND, WA 99352

SHEET TITLE:
ELEVATIONS

PROJECT:
1486
SHEET:
A2.1



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ATTN: Aaron Berks
PHONE: 253-503-9565
EMAIL: atomicale@comcast.net
PROJECT: Monterosso Italian Restaurant
ADDRESS: 1026 LEE Blvd Richland, WA 99352

ESTIMATOR: Mike Rice
DATE: 8/2/23
CELL: 509-380-8357
OFFICE: 509-416-2007
EMAIL: M.Rice@ctcbuilds.com

CTC is pleased to provide this budgetary estimate per 60% plans provided by Tri-City Engineers dated 06-14-2023 and information provided by Owner.

SCOPE OF WORK:

- 1) **General Requirements:** Provide management and supervision of all labor and materials as required throughout the duration of the project. Clean up and disposal of all job-related debris.
- 2) **Sitework & Demo:** Demo of existing stairs and entry covered patio and old sunshade on south side of the train car. Provide labor to trench for new electrical meter location.
- 3) **Concrete:** Provide labor, pre-mix and forms for install of new footings for the covered entry per plan. Provide labor, premix, and finish for concrete deck in waiting area.
- 4) **Masonry:** Excluded
- 5) **Metals:** Provide labor and materials to fabricate and install new covered entry and stairs per plan. Pan decking for the floor of waiting patio floor. Provide labor and installation of new metal benches in waiting area per contractor design. Provide labor and installation of new sunshade awning on the south side of the train car per contractor design.
- 6) **Woods & Plastics:** Excluded
- 7) **Thermal & Moisture Protection:** provide and install insulation for the new entry stairs and waiting patio walls. Provide and install metal siding and roof for interior and exterior of new stairs and waiting area.
- 8) **Doors & Windows:** Provide labor and materials for new store front door with hardware at entry of stairs. Provide labor and installation of (4) new 3' x 3' vinyl slider windows.
- 9) **Finishes:** Provide labor and installation of epoxy non-slip coating on concrete floor in patio. Provide labor and installation of paint for exposed metal framing and sunshade awning. Provide labor to strip existing paint from entire train car. Provide materials and labor to remove rust make repairs as necessary to the metal skin of the train car. Provide material and labor to repaint train car.
- 10) **Specialties:** Excluded
- 11) **Equipment:** Excluded
- 12) **Furnishings:** Excluded



- 13) Special Construction:** Excluded
- 14) Conveying Systems:** Excluded
- 15) Mechanical:** provide labor to relocate existing outdoor unit, includes new refrigeration line if required and pump down unit to move, add new freon if required. Provide and install new electric heater in waiting area of new covered entry.
- 16) Electrical:** Provide Washington state electrical permit. Coordinate with city of Richland for relocation of meter base. Remove existing service entrance conductors. Relocate existing meter base away from new stairs and make compliant for height. Provide and install new service conductors rated for 200 amps. Connect existing panel to new meter base using new conductors. Provide labor to demo existing circuits to heater and lighting. Save for reinstallation. Provide and install (2) jelly jar surface mounted light fixtures. Provide wiring extension from existing circuit to hook up owner provided heater.
- 17)** All provided materials noted above shall be per owner's selection of contractor provided materials.
- 18)** Excludes architectural/engineered drawings, building permit and review fees, special inspections, and utility connection fees.

Total: \$111,576.00 plus tax

ALTERNATE 1: REPAINTING OF TRAIN CAR – ADD \$37,191.00 plus tax

- 1. Provide labor to strip existing paint from entire train car.
- 2. Provide materials and labor to remove rust make repairs as necessary to the metal skin of the train car.
- 3. Provide material and labor to repaint train car.

Aaron,

Here is a very rough cost estimate (ROM = Approx. -25% to + 75%). The below stated prices are in no way binding and could be high or low based on the actual material specified on your final drawings. I had to guess on all of the material do to the fact that it is not specified. No Electrical hookups included, No City Permits included.

Demo Labor = \$8,500

Demo Equipment = \$ 4,500

Material = \$35,000

Shop Fabrication = \$25,000

Install Labor = \$9,500

Install Equipment = \$5,000

Total= \$87,500.00

Hopefully this will work for what you need. Let me know if you have any questions.

Thank You,

Robert Armstead



3120 Travel Plaza Way
Pasco, WA 99301
509.380.1950 Cell



Chris Kathrens
Custom Design & Contracting
1360 N. Louisiana St. A-747
Kennewick, WA. 99336
509-542-7994

Name: Monterossos Italian Restaurant	
Address: 1026 LEE BLVD Richland, WA 99352	Date: 08/01/2023
Phone: 253-503-9565	Fax:
Email: atomicale@comcast.net	Valid Until:

Scope of Work: Install landing and paint train per design. 34,000 plus tax

Install: Excavate and install footings, create second story level made with metal trusses and framing. Trusses we will create four loadbearing walls. Walls will be bat and board metal siding wrapping around to the staircase and continuing to the entry. Install 2 x 10 flat metal roof paint according to design. There will be appropriate R rating insulation install metal siding inside with flashing. Install floor with trex. Install ground fault lights and outlets include a couple exterior lights. The actual train will be painted and will be two-tone green with gold pinstripe. Metal awnings will be replaced over existing awnings over train windows.

Labor to remove existing structure. Detach from adjacent surfaces. Break into haul able pieces. Remove from site and dispose of legally. Includes planning, equipment and material acquisition, area preparation and protection, setup and cleanup. Costs to load and haul away old materials, installation waste and associated debris. Labor to dig out and remove dirt in existing area. Includes planning, equipment and material acquisition, area preparation and protection, setup and cleanup. Job related costs of specialty equipment used for job quality and efficiency. Costs to load and haul away old materials, installation waste and associated debris.

Labor to install structure where new structure is being built. Layout, fabricate and fit metal trusses and studs along with metal sheets Secure to framing per manufacturer specifications. Includes planning, equipment and material acquisition, area preparation and protection, setup and cleanup. Measure, cut (miter or butt) trim and finish nail molding. Patch and smooth nail holes and if painting caulk edge gap. Includes planning, equipment and material acquisition, area preparation and protection, setup and cleanup. Shim to achieve level and plumb placement. Set jamb edges flush to finished wall surface. Secure unit to rough opening framing. Insulate perimeter and secure house wrap at window as appropriate. Repair of exterior and interior surfaces is not included. Includes planning, equipment and material acquisition, area preparation and protection, setup and cleanup.





COUNCIL AGENDA ITEM COVERSHEET

Council Date: 9/5/2023

Agenda Category: Resolutions - Adoption

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Resolution No. 2023-138, Authorizing Award of Bid to Big D's Construction of Tri-Cities, Inc. for the Badger Mountain Park-North Parking Lot Project

Department/Office
Parks & Public Facilities

Ordinance/Resolution Number:
2023-138

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 2023-138, authorizing the City Manager to sign and execute a construction contract with Big D's Construction of Tri-Cities, Inc. in the amount of \$937,037.48 for the Badger Mountain Park-North Parking Lot project.

Summary:

The Badger Mountain Community Park located on Keene Road and Englewood Drive is a popular city park. Park amenities include sports fields, a dog park, a playground, and a zero-depth water splash pad. There are two (2) existing parking lots in the park, including the north parking lot which serves the dog park and multipurpose football and lacrosse fields. The north parking lot is currently improved with an unpaved gravel surface. This project will pave the existing gravel parking lot and install storm drainage and landscaping.

The project originally had partial funding from lodging tax revenue because it attracts sports tourism. Badger Mountain Park will be more attractive to future tourists after the north parking lot is converted from a gravel surface to a paved surface.

Staff recommends adoption of Resolution No. 2023-138.

Fiscal Impact:

The project is included in the City's approved 2022-2027 Capital Improvement Plan (CIP Project No. PR130001) and sufficient funds are available to cover the contract amount of \$937,037.48. The lodging tax funds awarded to this project expired in a previous year, and staff will request the reinstatement of those funds from the Lodging Tax Committee, as well as request the transfer of unspent lodging tax from another, completed project that came in under budget to partially fund this project. If lodging tax funds are not available, there is sufficient appropriated savings in other city park projects to fully fund this project.

Attachments:

1. Resolution No. 2023-138
2. ITB 23-0078 Bid Tab

RESOLUTION NO. 2023-138

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,
AUTHORIZING AWARD OF BID TO BIG D'S CONSTRUCTION OF
TRI-CITIES, INC. FOR THE BADGER MOUNTAIN PARK – NORTH
PARKING LOT PROJECT.**

WHEREAS, the 2022-2027 Capital Improvement Plan (CIP) includes a project titled Badger Mountain Park – North Parking Lot (the “Project”); and

WHEREAS, all project development and design work necessary to advance the Project to construction is complete; and

WHEREAS, bids were solicited in accordance with the City’s purchasing policies, with six (6) bids received and opened on August 3, 2023; and

WHEREAS, Big D’s Construction of Tri-Cities, Inc. submitted the lowest responsible bid of the six (6) received; and

WHEREAS, sufficient funding is available to complete the Project; and

WHEREAS, the City’s best interests are served by completing the Project in accordance with the Capital Improvement Plan, project design and lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute a construction contract with Big D’s Construction of Tri Cities, Inc. in the amount of \$937,037.48 for the Badger Mountain Park – North Parking Lot project, and to execute change orders in an aggregate amount not to exceed 10% of the original contract value as needed to fulfill the Project’s intent.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 5th day of September, 2023.

Terry Christensen, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney



DATE BIDS OPENED:	August 3, 2023	ITB #	23-0078
BADGER MOUNTAIN PARK - NORTH PARKING LOT			

Item	Description	Qty	Unit	ENGINEER'S ESTIMATE		Big D's Construction, Inc. Pasco, WA		Premier Excavation Pasco, WA	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
	BASE BID								
A-1	Badger Mountain Park – North Parking Lot Phase 1, per Contract documents, Drawings, and Specifications.	1	LS	\$445,040.00	445,040.00	448,000.00	448,000.00	486,000.00	486,000.00
	BASE BID SUBTOTAL				\$445,040.00		\$448,000.00		\$486,000.00
	8.7% SALES TAX				38,718.48		38,976.00		42,282.00
	BASE BID TOTAL				\$483,758.48		\$486,976.00		\$528,282.00
	ADDITIVE 1								
B-1	Badger Mountain Park – North Parking Lot Phase 2	1	LS	\$305,000.00	305,000.00	310,000.00	310,000.00	336,000.00	336,000.00
	ADDITIVE 1 SUBTOTAL				\$305,000.00		\$310,000.00		\$336,000.00
	8.7% SALES TAX				26,535.00		26,970.00		29,232.00
	ADDITIVE 1 TOTAL				\$331,535.00		\$336,970.00		\$365,232.00
	ADDITIVE 2								
C-1	Badger Mountain Park – North Parking Lot Phase 3	1	LS	\$112,000.00	112,000.00	120,000.00	120,000.00	114,500.00	114,500.00
	ADDITIVE 2 SUBTOTAL				\$112,000.00		\$120,000.00		\$114,500.00
	8.7% SALES TAX				9,744.00		10,440.00		9,961.50
	ADDITIVE 2 TOTAL				\$121,744.00		\$130,440.00		\$124,461.50
	GRAND TOTAL				\$937,037.48		\$954,386.00		\$1,017,975.50



DATE BIDS OPENED:	August 3, 2023	ITB #	23-0078
BADGER MOUNTAIN PARK - NORTH PARKING LOT			

Item	Description	Qty	Unit	James Dean Construction White Salmon, WA		Granite Construction Yakima, WA		GAME, Inc. Kennewick, WA	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
	BASE BID								
A-1	Badger Mountain Park – North Parking Lot Phase 1, per Contract documents, Drawings, and Specifications.	1	LS	480,000.00	480,000.00	476,000.00	476,000.00	650,000.00	650,000.00
	BASE BID SUBTOTAL				\$480,000.00		\$476,000.00		\$650,000.00
	8.7% SALES TAX				41,760.00		41,412.00		56,550.00
	BASE BID TOTAL				\$521,760.00		\$517,412.00		\$706,550.00
	ADDITIVE 1								
B-1	Badger Mountain Park – North Parking Lot Phase 2	1	LS	360,000.00	360,000.00	367,000.00	367,000.00	400,000.00	400,000.00
	ADDITIVE 1 SUBTOTAL				\$360,000.00		\$367,000.00		\$400,000.00
	8.7% SALES TAX				31,320.00		31,929.00		34,800.00
	ADDITIVE 1 TOTAL				\$391,320.00		\$398,929.00		\$434,800.00
	ADDITIVE 2								
C-1	Badger Mountain Park – North Parking Lot Phase 3	1	LS	104,000.00	104,000.00	172,000.00	172,000.00	135,000.00	135,000.00
	ADDITIVE 2 SUBTOTAL				\$104,000.00		\$172,000.00		\$135,000.00
	8.7% SALES TAX				9,048.00		14,964.00		11,745.00
	ADDITIVE 2 TOTAL				\$113,048.00		\$186,964.00		\$146,745.00
	GRAND TOTAL				\$1,026,128.00		\$1,103,305.00		\$1,288,095.00



DATE BIDS OPENED:	August 3, 2023	ITB #	23-0078
BADGER MOUNTAIN PARK - NORTH PARKING LOT			

				Inland Asphalt Co. Richland, WA	
Item	Description	Qty	Unit	Unit Price	Total Price
BASE BID					
A-1	Badger Mountain Park – North Parking Lot Phase 1, per Contract documents, Drawings, and Specifications.	1	LS	609,000.00	609,000.00
BASE BID SUBTOTAL					\$609,000.00
8.7% SALES TAX					52,983.00
BASE BID TOTAL					\$661,983.00
ADDITIVE 1					
B-1	Badger Mountain Park – North Parking Lot Phase 2	1	LS	349,000.00	349,000.00
ADDITIVE 1 SUBTOTAL					\$349,000.00
8.7% SALES TAX					30,363.00
ADDITIVE 1 TOTAL					\$379,363.00
ADDITIVE 2					
C-1	Badger Mountain Park – North Parking Lot Phase 3	1	LS	246,000.00	246,000.00
ADDITIVE 2 SUBTOTAL					\$246,000.00
8.7% SALES TAX					21,402.00
ADDITIVE 2 TOTAL					\$267,402.00
GRAND TOTAL					\$1,308,748.00



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 9/5/2023

Agenda Category: Resolutions - Adoption

Core Focus Area 5 - Maximize Community Amenities

Subject:

Resolution No. 2023-139, Accepting the Donation of an Art Sculpture Titled "Round and Round" by Artist Bernard Hosey

Department/Office
Parks & Public Facilities

Ordinance/Resolution Number:
2023-139

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 2023-139, accepting the donation of an art sculpture titled "Round and Round" by artist Bernard Hosey.

Summary:

In March of 2023, Judith Shulman reached out to multiple public agencies in Eastern Washington, providing the opportunity to accept donated sculptures from her private collection of Bernard Hosey art. She provided background information on the artist and a short video showcasing the pieces in her inventory, currently located in Walla Walla, WA. The opportunity was brought to the Richland Arts Commission for consideration. The pieces of interest to the City were "On the Threshold of Liberty", "On the Edge", and "Round and Round".

On June 27, 2023, Parks & Public Facilities Director Laura Hester presented the Arts Commission's recommendations to the Richland City Council, to include possible placement of "On the Threshold of Liberty" and "On the Edge" in the Queensgate Roundabouts. City Council provided input and requested alternative locations to be considered for the sculptures aside from the Queensgate Roundabouts.

On August 2, 2023, the Richland Arts Commission recommended the placement of "Round and Round" at Lee Landing in Howard Amon Park. The Arts Commission also favorably recommended accepting Ms. Shulman's donation of the other two (2) sculptures with ultimate placement to be determined. Because the Arts Commission's recommended location for the piece "Round and Round" was in a city park, the matter was scheduled for review by the Parks & Recreation Commission. On August 10, 2023, the PRC favorably recommended that City Council accept the donation of the sculpture "Round and Round" for recommended placement at Lee Landing in Howard Amon Park.

Ms. Shulman has confirmed that her donation of all three sculptures is unrestricted with the understanding that the City will endeavor to display the sculptures in locations where they will be visually accessible to the public with credit (i.e. a plaque) attributing the work to the artist. The City will retain absolute discretion to remove, relocate, store or sell the sculptures for any reason at any time; provided, however, that whenever the sculptures are displayed they will be displayed with attribution to the artist, Bernard Hosey. An interview with the late artist is available at <https://vimeo.com/47289446>.

Staff recommends adoption of Resolution No. 2023-139.

Fiscal Impact: None.

Attachments:

1. Resolution No. 2023-139
2. Round and Round Placement

RESOLUTION NO. 2023-139

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,
ACCEPTING THE DONATION OF AN ART SCULPTURE TITLED
“ROUND AND ROUND” BY ARTIST BERNARD HOSEY.**

WHEREAS, pursuant to Chapter 2.17 RMC, the City of Richland created an Arts Commission comprised of citizen volunteers serving in an advisory capacity to provide expertise on visual arts, as well as to encourage and support art in Richland to improve quality of life, strengthen economic development, and revitalize the community; and

WHEREAS, the City holds a diverse and growing collection of public art placed in publicly accessible locations throughout the City; and

WHEREAS, in 2020, through use of an online survey, the Richland Arts Commission received favorable public feedback and support for large-scale sculptures and art in public spaces; and

WHEREAS, in March 2023, Ms. Judith Shulman of Walla Walla, Washington presented the City with an opportunity to accept donated sculpture art from her private collection created by the late sculptor Bernard Hosey; and

WHEREAS, the Richland Arts Commission and the Richland Parks & Recreation Commission both favorably recommend acceptance of the large-scale one-of-a-kind sculpture titled “Round and Round” with recommended placement at Lee Landing in Howard Amon Park.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City hereby accepts Ms. Judith Shulman’s unrestricted donation of the late artist Bernard Hosey’s sculpture “Round and Round” into the City’s growing collection of public art.

BE IT FURTHER RESOLVED that a letter of acceptance shall be issued to the donor pursuant to Chapter 3.09 RMC.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 5th day of September, 2023.

Terry Christensen, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

Lee Landing
Round and Round



Lee Landing
Round and Round
(Alternate view)





COUNCIL AGENDA ITEM COVERSHEET

Council Date: 9/5/2023

Agenda Category: Resolutions - Adoption

Core Focus Area 5 - Maximize Community Amenities

Subject:

Resolution No. 2023-140, Accepting the Donation of an Art Sculpture Titled "On the Edge" by Artist Bernard Hosey

Department/Office
Parks & Public Facilities

Ordinance/Resolution Number:
2023-140

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 2023-140, accepting the donation of an art sculpture titled "On the Edge" by artist Bernard Hosey.

Summary:

In March of 2023, Judith Shulman reached out to multiple public agencies in Eastern Washington, providing the opportunity to accept donated sculptures from her private collection of Bernard Hosey art. She provided background information on the artist and a short video showcasing the pieces in her inventory, currently located in Walla Walla, WA. The opportunity was brought to the Richland Arts Commission for consideration. The pieces of interest to the City were "On the Threshold of Liberty", "On the Edge", and "Round and Round".

On June 27, 2023, Parks & Public Facilities Director Laura Hester presented the Arts Commission's recommendations to the Richland City Council, to include possible placement of "On the Threshold of Liberty" and "On the Edge" in the Queensgate Roundabouts. City Council provided input and requested alternative locations to be considered for the sculptures aside from the Queensgate Roundabouts.

On August 2, 2023, the Richland Arts Commission recommended the placement of "Round and Round" at Lee Landing in Howard Amon Park. The Arts Commission also favorably recommended accepting Ms. Shulman's donation of the other two (2) sculptures with ultimate placement to be determined.

At a subsequent meeting on August 16, 2023, the Arts Commission favorably recommended that City Council accept the donation of "On The Edge" for recommended placement in Trailhead Park. Because the Arts Commission's recommended location for the piece "On the Edge" was in a city park, the matter was scheduled for review by the Parks & Recreation Commission. On August 24, 2023, the PRC favorably recommended that City Council accept the donation of the sculpture "On the Edge" without identifying a specific placement location. During the PRC's discussion, commissioners received public comments and directed staff to continue working with partners and the Arts Commission to recommend final placement of the art.

Friends of Badger Mountain (FOBM) was contacted for input since Trailhead Park is a primary access point to the Badger Mountain Trail system. FOBM did not favor the specific placement identified at Trailhead Park. FOBM President Bob Bass attended the August 24, 2023 PRC meeting to provide public comment. He shared FOBM's concerns that the art was not complimentary to the natural environment and the specific location shown in the images would place the sculpture in an area where FOBM has worked to encourage the growth of native vegetation. As a counterpoint, a resident neighboring Trailhead Park, Mr. Brandal, spoke in support of placing the art at Trailhead Park. In follow-up discussions with FOBM, an alternative area lower in Trailhead Park and away from the Badger Mountain Trailhead may be acceptable. Additional outreach and education on the possible location of "On the Edge" in Trailhead Park is ongoing.

Ms. Shulman has confirmed that her donation of all three sculptures is unrestricted with the understanding that the City will endeavor to display the sculptures in locations where they will be visually accessible to the public with credit (i.e. a plaque) attributing the work to the artist. The City will retain absolute discretion to remove, relocate, store or sell the sculptures for any reason at any time; provided, however, that whenever the sculptures are displayed they will be displayed with attribution to the artist, Bernard Hosey.

Information referencing the artist's biography and professional works, along with images of the sculptures being considered, is attached. Staff recommends adoption of Resolution No. 2023-140.

Fiscal Impact: None.

- Attachments:
- 1. Resolution No. 2023-140
 - 2. Bernard Hosey Sculpture Information
 - 3. Prospective Location Presentation to Council

RESOLUTION NO. 2023-140

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,
ACCEPTING THE DONATION OF AN ART SCULPTURE TITLED
“ON THE EDGE” BY ARTIST BERNARD HOSEY.**

WHEREAS, pursuant to Chapter 2.17 RMC, the City of Richland created an Arts Commission comprised of citizen volunteers serving in an advisory capacity to provide expertise on visual arts, as well as to encourage and support art in Richland to improve quality of life, strengthen economic development, and revitalize the community; and

WHEREAS, the City holds a diverse and growing collection of public art placed in publicly accessible locations throughout the City; and

WHEREAS, in 2020, through use of an online survey, the Richland Arts Commission received favorable public feedback and support for large-scale sculptures and art in public spaces; and

WHEREAS, in March 2023, Ms. Judith Shulman of Walla Walla, Washington presented the City with an opportunity to accept donated sculpture art from her private collection created by the late sculptor Bernard Hosey; and

WHEREAS, the Richland Arts Commission and the Richland Parks & Recreation Commission both favorably recommend acceptance of the large-scale one-of-a-kind sculpture titled “On the Edge”.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City hereby accepts Ms. Judith Shulman’s unrestricted donation of the late artist Bernard Hosey’s sculpture “On the Edge” into the City’s growing collection of public art.

BE IT FURTHER RESOLVED that a letter of acceptance shall be issued to the donor pursuant to Chapter 3.09 RMC.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 5th day of September, 2023.

Terry Christensen, Mayor

Attest:

Approved as to Form:

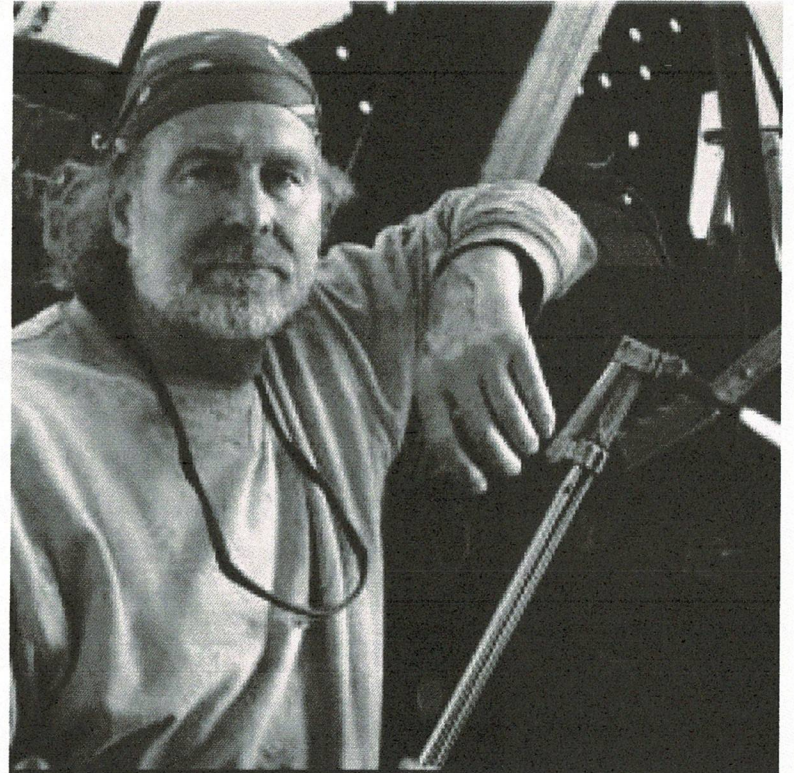
Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

BERNARD HOSEY SCULPTURES

Artist information and Availability

March 2023



After graduating from SIU, Bernard returned to the Seattle area and worked at a steel yard while developing his own work. His work included architectural metalwork as well as freestanding pieces. His most significant piece during this period of his career is probably a freestanding steel staircase at his brother Harry's house. At his studio in Redmond he completed his first monumental sculptural work, "Alaska Totem". The 35-foot tall work is placed at the University of Alaska, Fairbanks. His main gallery representation during the 1980s was through the Francine Seders Gallery in Seattle.

In 1989 he moved his studio and home to the Methow Valley on the east slope of the North Cascade Range in Washington State. The Valley is quiet, incredibly beautiful and remote, with a strong artistic community. It provided space, inspiration and the seclusion that Bernard found most important in pursuing his work. He maintained his many contacts on the "Westside" and his house and shop became a focal point in the artistic life of the Valley.

He worked out of a rented industrial space in Twisp for many years and later built his own studio. His approach to tools and equipment was very functional; he was definitely not a collector. But tools he did have, including a 200-ton hydraulic forming press and a semi truck with a 50-foot knuckle boom for moving and placing his sculpture.

At his studios in the Methow Valley, Bernard brought to maturity several lines of work and achieved international stature. One of the lines of exploration was a series of monumental fabricated steel sculptures that used forged iron forms as a point of departure. This work reached its greatest size, 40ft high, in a series made for urban art symposia in China from 2006 to 2011. "Three Elements" in Urumqi, Xinjiang Province and "Departures" in Tangshan, Hebei Province were both fabricated from models on the site under his direct supervision.

A second series, "The Spheres" was started in 2003. Bernard completed about 80 sculptural spheres ranging in size from 1.5 ft. to 12 ft. in diameter. Two very large spheres, "Uno Grande" in Taizhou, Jiangsu Province and "Infinite" at Tsinghua University, Beijing were fabricated under his direction in China. The "Sphere" series proved to be a success on many levels; the form could be dealt with as surface and volume, with a possibility of textural treatment. It referenced a basic physical shape engraved in the human unconscious, from atoms to stars and provided an initial bridge of comprehension that could lead the viewer to explore the particularities of the work. Sometimes his approach was organic as in "Entro", purchased by the Pigott family and donated to TwispWorks, a civic and cultural institution in the town of Twisp, Washington, and sometimes more geometric as in his last work, "Transcendence", in the public art collection of the City of Yakima. "CrissCross" (2011) placed at NordArt, Büdelsdorf, near Kiel, Germany is another geometric oriented sphere made of one continuous line. Starting in the late 2000's Bernard was represented by the Woodside-Braseth Gallery in Seattle, Washington.

Throughout his life Bernard preferred to work by himself in his studio, with help from others on an infrequent basis. He did not like the distraction of supervising others and in-studio collaboration was of no interest to him. Luckily, others were able to aid him in his work by providing business services, promotional abilities, and the back office organization that any producing art studio requires to function.

Bernard Hosey died August 2012. He was such a vital force that one of his friends said he could not believe it had happened, feeling that Bernard was “above such mundane things”. Bernard was a complex and exuberant, practicing artist who was a lot of fun to be with and who never stopped growing.

ON THE THRESHOLD OF LIBERTY

Painted Steel

Welded Steel Plates

18-ft High

Approx. 900 lbs.

1989

(Breaks down into 5 linear pieces)



ON THE EDGE

Painted Steel
18-ft X 34-ft
(Base below ground)



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TRANSPORTATION AND INSTALLATION SERVICES AVAILABLE

For more info, call, text or email Judith Shulman

206-909-5000

judithshulman@gmail.com

RESUMÉ - Bernard F. Hosey

Twisp, WA 98856 USA PO Box 548 Phone [1] 509-997-1313

www.bernardhosey.com

EXHIBITIONS AND INVITATIONALS

- 2007 Group Show, Confluence Gallery, Twisp, Washington
- 2007 Depot Arts Center Gallery, Sculpture Exhibition 2007, Anacortes, Washington
- 2006 International Sculpture Exhibition, Beijing, China
- 2006 Big Rock Garden Sculpture Exhibition, Bellingham, Washington
- 2006 Northstar Winery, Solo Exhibition, Walla Walla, Washington
- 2006 La Conner, Sculpture Exhibition 2006, La Conner, Washington
- 2006-7 Westcott Bay Reserve, 4th Outdoor Sculpture Exhibition, Roche Harbor, Wash.
- 2005 Solo Show, 'Show of Tessellations', Sunburst Gallery, Chelan, Washington
- 2005 Solo Show, 'Spheres', Bernard Hosey's Studio, Twisp, Washington
- 2005 Group Show, 'Mountain to Steppe', Confluence Gallery, Twisp, Washington
- 2005 Artist Trust Art Auction, Consolidated Works, Seattle, Washington
- 2004 Group Show, Confluence Gallery, Twisp, Washington
- 2004 Bellevue Sculpture Exhibition 2004, Bellevue, Washington
- 2004-5 Westcott Bay Reserve, 4th Outdoor Sculpture Exhibition, Roche Harbor, Wash.
- 2003 Art & All That Jazz, Whatcom Museum, Bellingham, Washington
- 2003 Art On The Avenues, Wenatchee, Washington
- 2003 Lucia Douglas Gallery, Bellingham, Washington
- 2002-3 Group show, National Metal Museum, Memphis, Tennessee
- 2002 Elements of the Earth, Confluence Gallery, Twisp, Washington
- 2000 Northwest International Art Competition, Whatcom Museum, Bellingham, Wash.
- 2000 Annual International Sculpture Exhibit, Big Rock Garden Park, Bellingham, Wash.
- 2000 Outdoor Sculpture Invitational, Maryhill Museum of Art, Goldendale, Washington
- 2000 Two Person Show, Methow Valley Brewing Company, Twisp, Washington
- 2000 Art for the Heart, Confluence Gallery, Twisp, Washington
- 1998 Metalurge, Confluence Gallery, Twisp, Washington
- 1997 Two Person Show, Confluence Gallery, Twisp, Washington
- 1996 Fahrenheit 96, Liquid Solid Liquid, Bellevue Public Library, Bellevue, Washington
- 1996 Two Person Show, Anderson-Glover Gallery, Kirkland, Washington
- 1996 Group Show, Anderson-Glover Gallery, Kirkland, Washington
- 1995 Group Show, Metropolis Contemporary Art Gallery, Seattle, Washington
- 1995 Two Person Show, Confluence Gallery, Twisp, Washington
- 1994 Two Person Show, Wenatchee Valley College, Wenatchee, Washington
- 1993 Two Person Show, Confluence Gallery, Twisp, Washington
- 1992 Two Person Show, Confluence Gallery, Twisp, Washington
- 1991 Architectural Details: Contemporary Blacksmithing, Tempe, Arizona and Sky Harbor International Airport, Phoenix, Arizona
- 1991 Two Person Show, Confluence Gallery, Twisp, Washington
- 1990 Sculpture Group Show, Davidson Gallery, Seattle, Washington
- 1990 Firearts Group Show, Confluence Gallery, Twisp, Washington
- 1989 House Jewelry II, National Ornamental Metal Museum, Memphis, Tennessee
- 1988 Group Sculpture Show, Francine Seders Gallery, Seattle, Washington
- 1988 The Bird-5 Interpretations, Francine Seders Gallery, Seattle, Washington

- 1988 Metal Arts, North Seattle Community College, Seattle, Washington
- 1987 Solo Show, 1001 - 4th Avenue Plaza, Seattle, Washington
- 1987 Group Show, 50 years of Northwest Sculpture, Seattle, Washington
- 1987 Art Expo 1987, Trade Center, Seattle, Washington
- 1986 Solo Show, Francine Seders Gallery, Seattle, Washington
- 1986 Metalwork in Architecture Exhibition, Katherine E. Nash Gallery, University of Minnesota, Minneapolis, Minnesota
- 1986 Art Works/Working Art Exhibition, Bellevue Art Museum, Bellevue, Washington
- 1986 Art Expo 1986, Design Center, Seattle, Washington
- 1986 Studies for Murals & Sculpture, Francine Seders Gallery, Seattle, Washington
- 1986 Twentieth Anniversary Show, Francine Seders Gallery, Seattle, Washington
- 1984 Three Person Show, Francine Seders Gallery, Seattle, Washington
- 1983 Solo Show, Collections Gallery, Seattle, Washington
- 1983 Showcase '83, Portland, Oregon
- 1982 Twenty Years of Metals, University Museum, Southern Illinois University at Carbondale, Illinois
- 1982 Northwest Crafts Exhibition, Bellevue, Washington
- 1982 Pacific Northwest Crafts Exhibition, Seattle, Washington
- 1981 Mid-States Craft Exhibition, Evansville Museum of Arts and Science, Evansville, Indiana
- 1981 Solo Show, National Ornamental Iron Museum, Memphis, Tennessee
- 1981 Owensboro Invitational, Owensboro Museum of Fine Art, Owensboro, Kentucky
- 1980 Pre-Metals, National Ornamental Iron Museum, Memphis, Tennessee
- 1980 University Selected Metalsmiths, Emporia, Kansas
- 1980 The Wabash Valley Exhibition, Sheldon Swope Art Gallery, Terra Haute, Indiana
- 1980 33rd Annual Mid-States Art Exhibition, Museum of Arts and Science, Evansville, Indiana
- 1980 American Art Industries Invitational, Atlanta, Georgia
- 1980 Memphis State University Invitational, Memphis, Tennessee
- 1978 50th Annual Student Art Show, Madison, Wisconsin
- 1977 Black and Gold, Cedarsburg, Wisconsin
- 1977 Beaux Art Designer/Craftsman, Columbus, Ohio
- 1977 Renwick Gallery, Smithsonian Institute, Washington DC
- 1976 Museum of Contemporary Crafts, New York, New York
- 1976 Solid Wrought/USA, Carbondale, Illinois
- 1976 Wisconsin Union Crafts Exhibition, Madison, Wisconsin

PUBLIC AND CORPORATE COLLECTIONS

- 2007 'International Sphere', commissioned by the 2007 Beijing International City Sculpture Exhibition Organization Committee
- 2002 Pharos Corporation, Edmonds, Washington
- 2002 Pacific International Engineering LLC, Edmonds, Washington
- 1990 Early Winters Resort Corporation, Bellevue, Washington
- 1986 Exterior Sculpture, University of Alaska, Fairbanks, Alaska
- 1985 Diamond & Sylvester, Attorneys at Law, Columbia Center, Seattle, Washington
- 1984 Exterior sculpture, Mercer Island Community Center, Mercer Island, Washington
- 1984 Francine Seders Gallery, Seattle, Washington
- 1984 John Rushmore Design Group, Architects/Interior & Space Planning, Bellevue, Washington
- 1983 Hosey & Associates Engineering Company, Bellevue, Washington
- 1983 National Metals Museum, Memphis, Tennessee
- 1983 Hayden Island, Inc., Portland, Oregon
- 1981 Edward Merrin Gallery, New York, New York
- 1981 The Evansville Museum of Arts and Science, Evansville, Indiana
- 1980 Ornamental Metals Museum, Memphis, Tennessee
- 1980 Art Industries, Atlanta, Georgia
- 1980 Artpark, Lewiston, New York
- 1976 The University of Wisconsin, Madison, Wisconsin

SPECIAL PROJECTS

- 2004 Private commission, sculptured railing, Hosey residence, Edmonds, Washington
- 2003 Architectural commission, Pors residence, Winthrop, Washington
- 2003 Sculpture commission, Alcazar L.L.C., Edmonds, Washington
- 2002 Architectural commission, David Bonn, Winthrop, Washington
- 2002 Architectural commission, Alcazar L.L.C., Edmonds, Washington
- 2001 Architectural commission, Hosey-Shulman residence, Edmonds, Washington
- 2000 Architectural commission, Howard Johnson residence, Twisp, Washington
- 2000 Architectural commission, David Bonn residence, Winthrop, Washington
- 1999 *Burning Desire*, monumental sculpture, 40 feet high, 5 tons
- 1999 John Bonica residence, Twisp, Washington
- 1998 Jim Pigott residence, Twisp, Washington
- 1995 Architectural commission, Methow Valley Methodist Church, Winthrop, Wash.
- 1995 Architectural commission, Mary Anne Bidart residence, Winthrop, Washington
- 1995 Architectural commission, Peter Vogt residence, Twisp, Washington
- 1991 Private commission, Glass Top Forged Iron Dining Table and Chandelier. Charles & Janice Helming residence, Seattle, Washington
- 1989 Private commission, 21,000 pound sculpture, Las Vegas, Nevada
- 1989 *On the Threshold of Liberty*, fabricated steel sculpture, 18 feet high
- 1989 Private commission, sculpture, Seattle, Washington
- 1985 Architectural commission, Don Brown residence, Kirkland, Washington
- 1984 Architectural commission, Charles Bond residence, Mercer Island, Washington
- 1984 Architectural commission, Terry Kelly residence, Woodinville, Washington
- 1984 Private commission, automobile design, Seattle, Washington
- 1982 Private commission, sculptured spiral staircase, Harry P. Hosey residence, Woodinville, Washington

VISITING ARTIST POSITIONS

- 2006 Visiting Artist, San Diego State University, San Diego, California
- 2006 Visiting Artist, "Olympic Culture & Public Art Seminar", Beijing, China
- 2004 Juror, Artist Trust GAP Grants
- 1989 Juror, Artsplash, Redmond, Washington
- 1988 Juror, Artsplash, Redmond, Washington
- 1988 Juror, Redmond Art Festival, Redmond, Washington
- 1988 Visiting Artist, Penland School of Crafts, Penland, North Carolina
- 1983 Visiting Artist/Lecturer, Southern Illinois University at Carbondale, Illinois
- 1981 Workshop, Illinois Valley Blacksmiths Association, Peoria, Illinois
- 1980 Resident Artist, Artpark, Lewiston, New York
- 1980 Ornamental Iron Museum, Memphis, Tennessee
- 1978 University of Washington, Seattle, Washington
- 1977 University of Wisconsin, Madison and LaCrosse, Wisconsin

AWARDS

- 2006 Outstanding Award for presentation of "International Sphere" to China Beijing Olympic Park City Sculpture Design Competition, Beijing, China
- 1982 Merit Award, Northwest Crafts Exhibition, Bellevue, Washington
- 1980 Purchase Award, 33rd Annual Mid-States Art Exhibition, Evansville, Indiana
- 1978 Purchase Award, 50th Annual Student Art Show, Madison, Wisconsin
- 1977 Cash Award, AUA 5th Annual Student Art Show, Madison, Wisconsin
- 1976 Purchase Award, 5th Annual Wisconsin Union Crafts Exhibition, Madison, WI

GRANTS AND FELLOWSHIPS

- 1979 Research Fellowship, University of Southern Illinois
- 1978 Ford Foundation Grant, University of Washington

EDUCATION

- 1981 University of Southern Illinois, Carbondale, Illinois, M.F.A.
- 1979 University of Washington, Seattle, Washington
- 1978 University of Wisconsin, Madison, Wisconsin, B.S., Art

REVIEWS

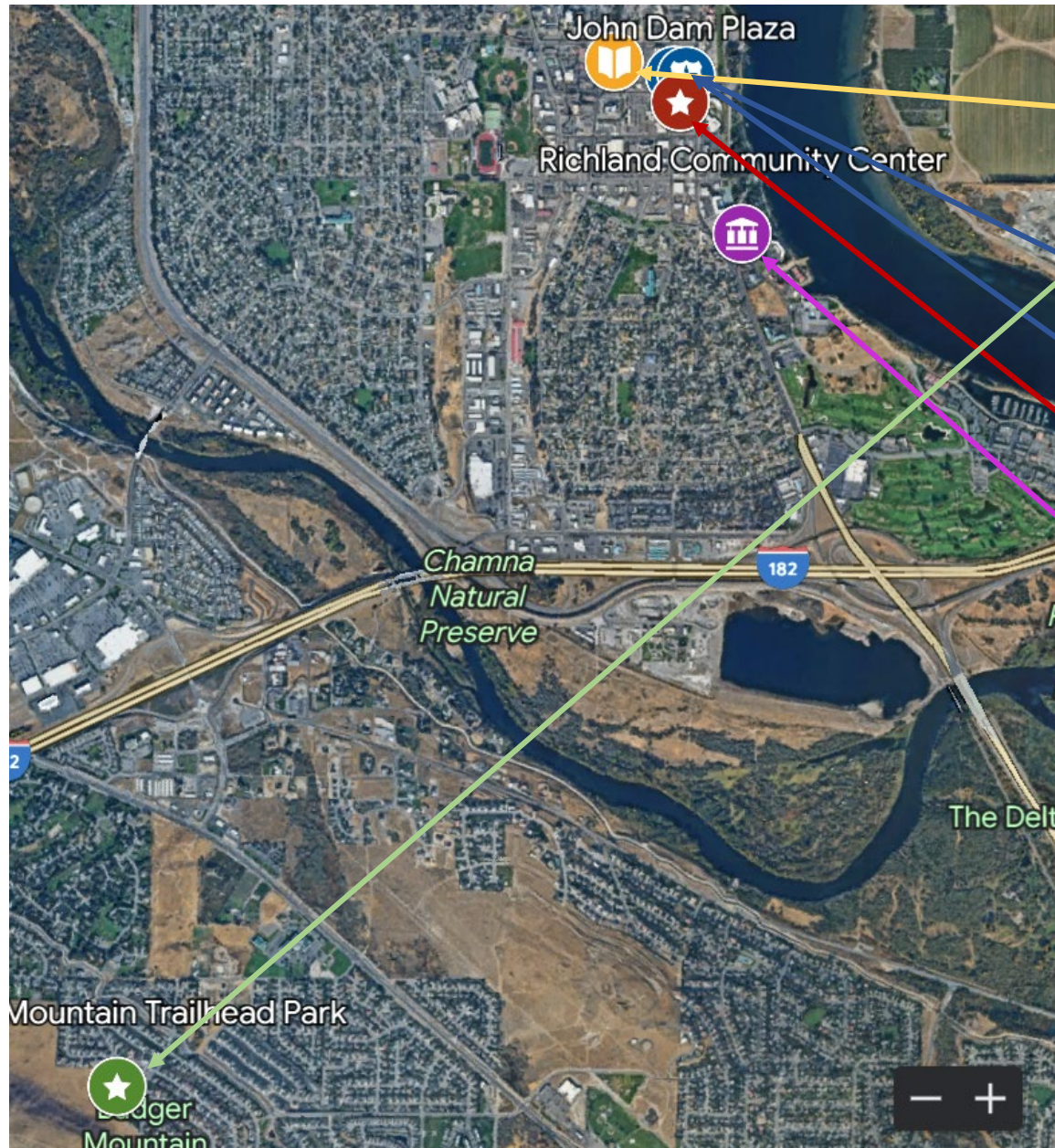
January, 2008	Methow Valley News, Twisp, Washington
Oct. 11, 2007	The Wenatchee World, Wenatchee, Washington
Sept. 26, 2007	Methow Valley News, Twisp, Washington
March 28, 2007	Methow Valley News, Twisp, Washington
January, 2007	Public Art for Beijing Olympics, Theses (ISBN 7-5074-1819-7)
January, 2007	Public Art for Beijing Olympics, City Sculpture Proposals (ISBN 7-5074-1794-8)
May 21, 2006	Channel 9 KCTS, "About Us", Portraits in Art, Seattle, Washington
April, 2006	Union Bulletin, Walla Walla, Washington
April 12, 2006	Channel Town Press, La Conner, Washington
November 24, 2005	Channel 9 KCTS, "About Us", Portraits in Art, Seattle, Washington
July 26, 2005	Methow Valley News, Twisp, Washington
June 22, 2005	Methow Valley News, Twisp, Washington
Fall 2004	Methow Valley Arts Magazine, Twisp, Washington
Sept. 22, 2004	Methow Valley News, Twisp, Washington
August 6, 2004	The Seattle Times, Seattle, Washington
June 25, 2004	The Seattle Times, Seattle, Washington
April, 2003	Methow Arts Alliance, Twisp, Washington
Mar/Apr 2003	HEPHAISTOS, International Magazine, Immenstadt, Germany
Jan/Feb 2002	HEPHAISTOS, International Magazine, Immenstadt, Germany
April, 2001	Methow Valley News, Twisp, Washington
April 22, 1986	KOMO 4 News
June, 1985	Arts Line, Seattle, Washington, Cover
January, 1982	Metalsmith Magazine
April, 1981	The Commercial Appeal, Memphis, Tennessee
April 29, 1981	Courier Express, Buffalo, New York
April 30, 1981	Niagara Gazette, Niagara Falls, New York
May 15, 1981	The Commercial Appeal, Memphis, Tennessee
June 3, 1981	The Jackson Sun, Jackson, Tennessee
June 21, 1981	Evening News, Buffalo, New York
June 26, 1981	Empire State Press, Scarsdale, New York
July 2, 1981	Niagara Gazette, Niagara, New York
August, 1981	Backstage Artpark, Lewiston, New York
August 16, 1981	Buffalo Courier Express
October, 1976	Crafts Horizons



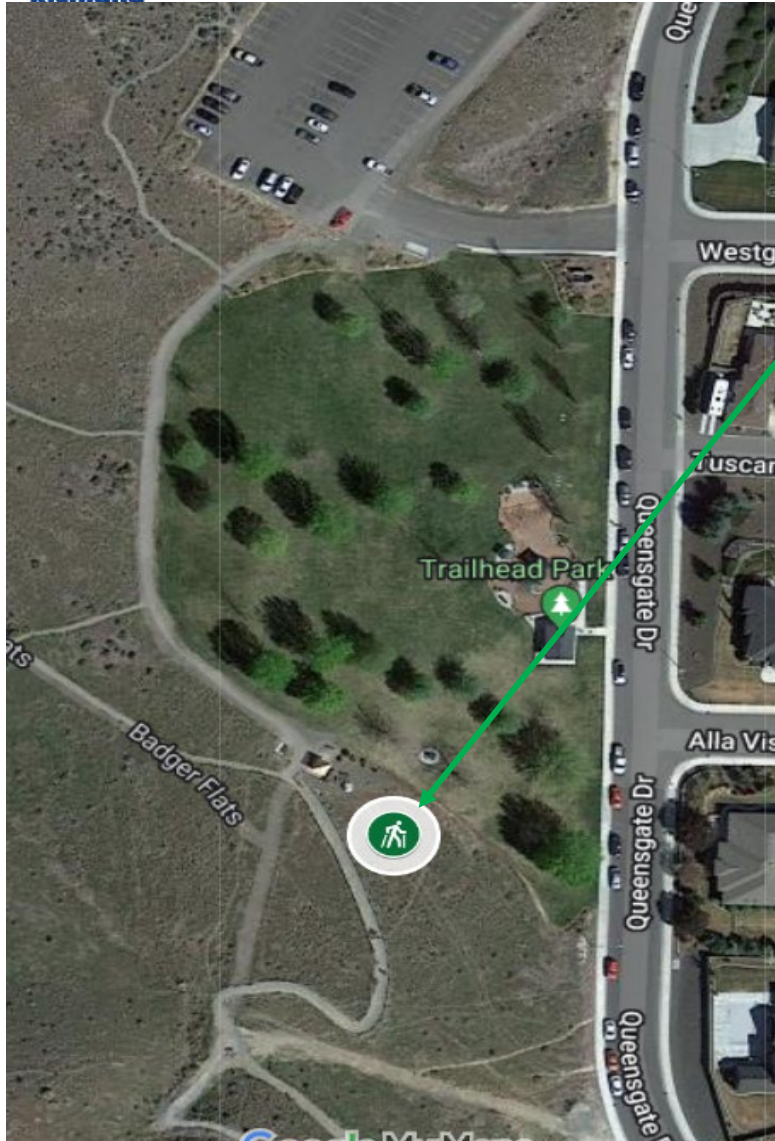
Bernard Hosey Art Donation Alternate Locations.

Laura Hester

Parks and Public Facilities Director



-  Richland Public Library
-  Badger Mountain Trailhead Park
-  RPD Station A
-  RPD Station B
-  John Dam Plaza
-  Richland Community Center



Badger Mountain Trailhead Park

Proposed BH: "On The Edge"

Location: The Trailhead Park is one of the most popular hiking spots in the whole of Tri-Cities

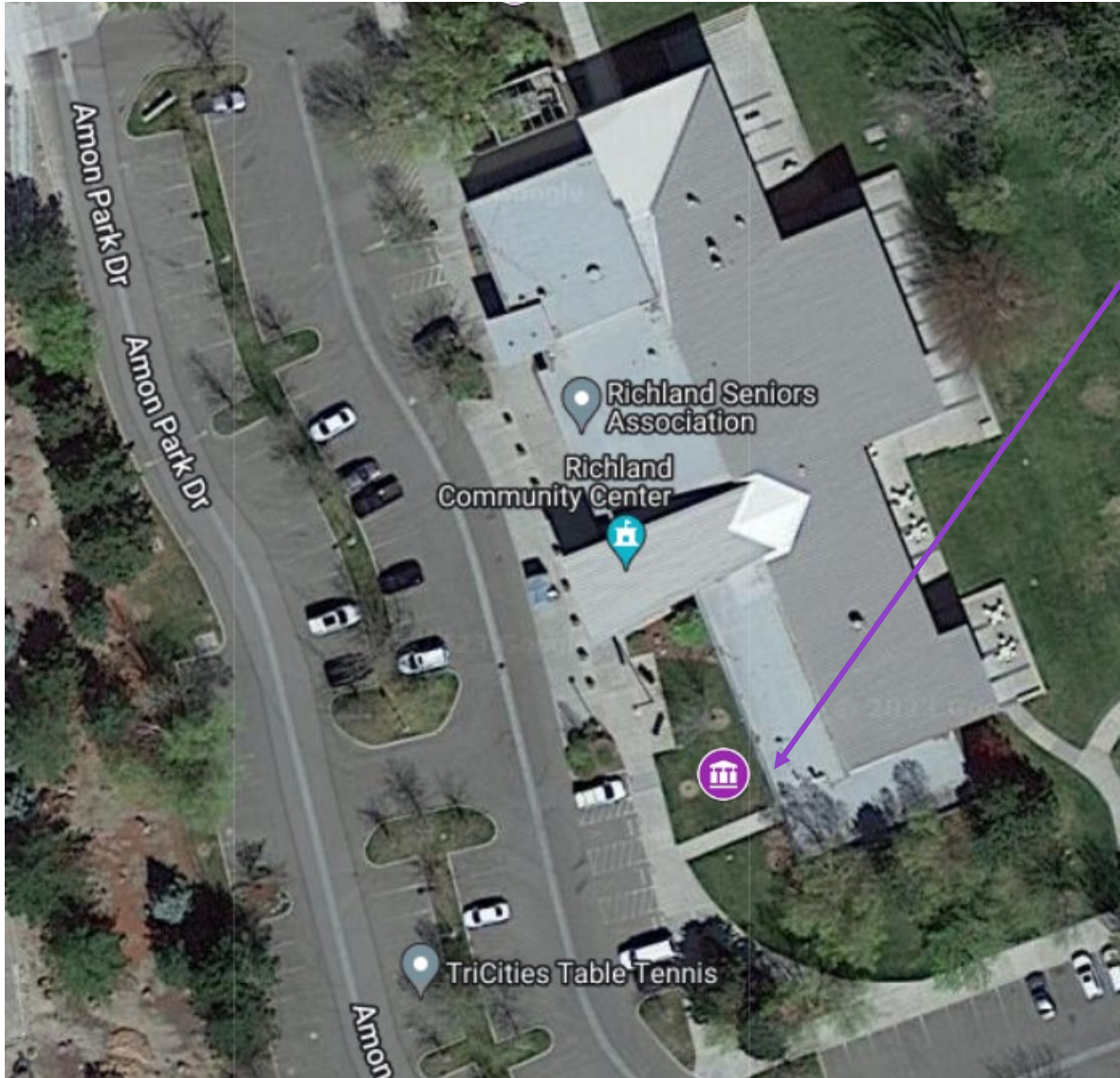
Current Art: None

46.23787, -119.30786









Richland Community Center

Sculpture: "On the Threshold of Liberty"

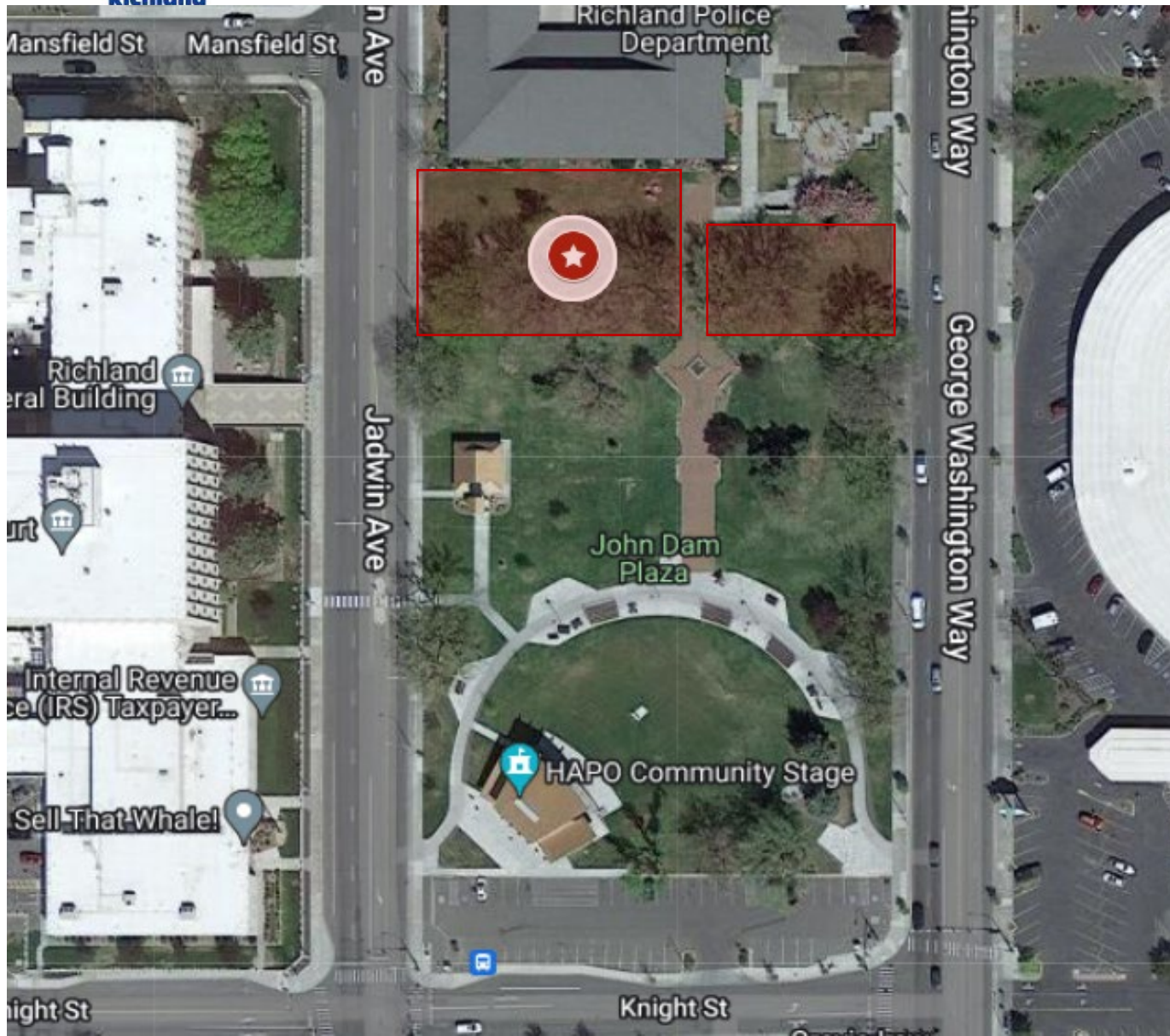
Southwest of RCC between building and parking.

Current art nearby: none within sight

46.27265, -119.27105







John Dam Plaza

Sculptures: either/both

This urban park is already home to two other sculptures. Placement would consider use of the space for special events and favors the north end of the park.

46.27805, -119.27472



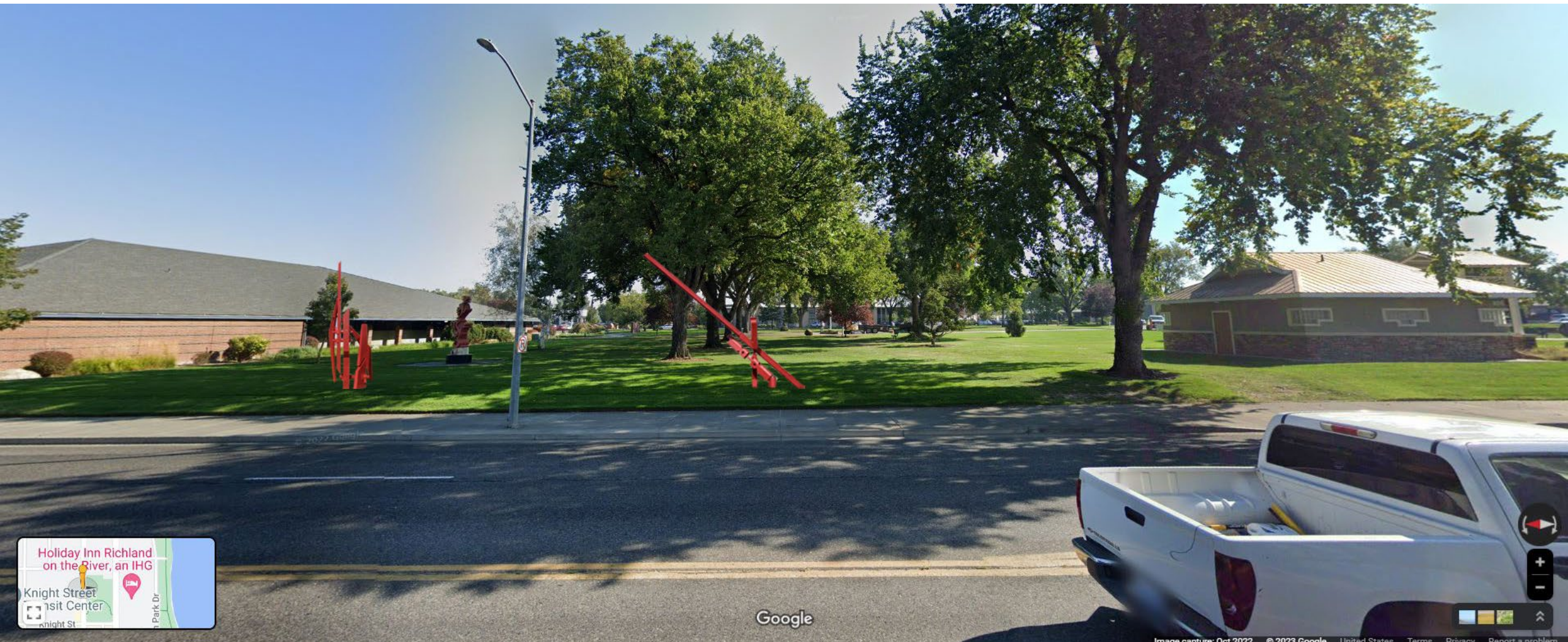


John Dam Plaza – From George Washington Way:





John Dam Plaza – From Jadwin Avenue:





RPD Station A

Sculpture: either
Northwest corner of property.
Current art at site: none

46.27915, -119.27505



RPD Station B

Sculpture: either
Northeast corner of property. Set back between
the parking lot and fenced lot.
Current art at site: none

46.27914, -119.27436





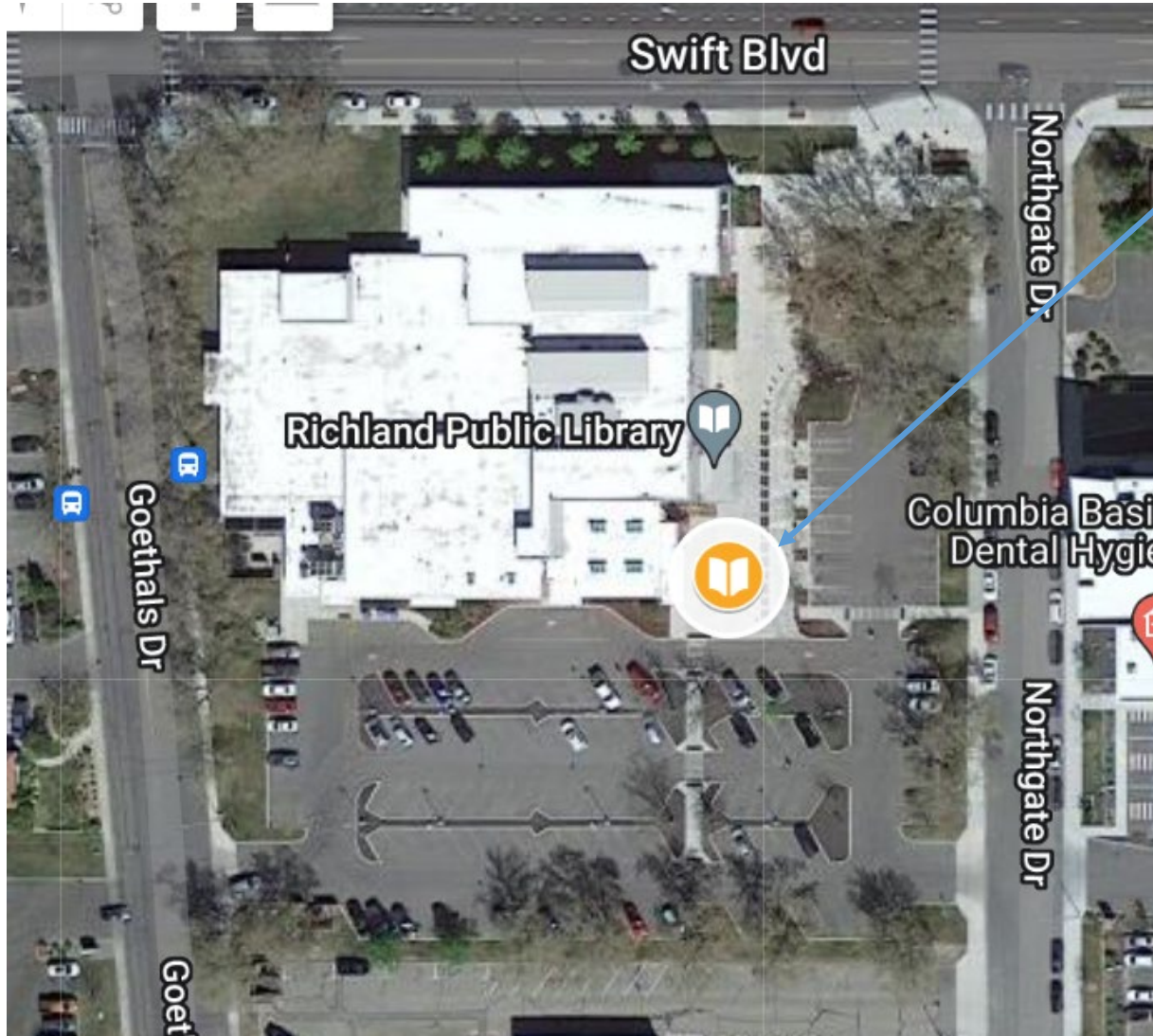
Richland Police Dept – From George Washington Way:





Richland Police Dept – From Jadwin Avenue:





Richland Public Library

Sculpture: "On the Threshold of Liberty"

Location: Garden bed closest to building/book drop. Current vegetation includes a healthy ~12' Ginkgo tree and sparse low-lying flowers.

46.27972, -119.27863





Thank you

Question?



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 9/5/2023

Agenda Category: Resolutions - Adoption

Core Focus Area 5 - Maximize Community Amenities

Subject:

Resolution No. 2023-141, Accepting the Donation of an Art Sculpture Titled "On the Threshold of Liberty" by Artist Bernard Hosey

Department/Office
Parks & Public Facilities

Ordinance/Resolution Number:
2023-141

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 2023-141, authorizing the City Manager to accept the donation of an art sculpture titled "On the Threshold of Liberty" by artist Bernard Hosey.

Summary:

In March of 2023, Judith Shulman reached out to multiple public agencies in Eastern Washington, providing the opportunity to accept donated sculptures from her private collection of Bernard Hosey art. She provided background information on the artist and a short video showcasing the pieces in her inventory, currently located in Walla Walla, WA. The opportunity was brought to the Richland Arts Commission for consideration. The pieces of interest to the City were "On the Threshold of Liberty", "On the Edge", and "Round and Round".

On June 27, 2023, Parks & Public Facilities Director Laura Hester presented the Arts Commission's recommendations to the Richland City Council, to include possible placement of "On the Threshold of Liberty" and "On the Edge" in the Queensgate Roundabouts. City Council provided input and requested alternative locations to be considered for the sculptures aside from the Queensgate Roundabouts.

On August 2, 2023, the Richland Arts Commission recommended the placement of "Round and Round" at Lee Landing in Howard Amon Park. The Arts Commission also favorably recommended accepting Ms. Shulman's donation of the other two (2) sculptures with ultimate placement to be determined.

At a subsequent meeting on August 16, 2023, the Arts Commission favorably recommended that City Council accept the donation of "On the Threshold of Liberty" for recommended placement at the Richland Public Library.

Ms. Shulman has confirmed that her donation of all three sculptures is unrestricted with the understanding that the City will endeavor to display the sculptures in locations where they will be visually accessible to the public with credit (i.e. a plaque) attributing the work to the artist. The City will retain absolute discretion to remove, relocate, store or sell the sculptures for any reason at any time; provided, however, that whenever the sculptures are displayed they will be displayed with attribution to the artist, Bernard Hosey. Information related to the artist and the sculptures under consideration is included with the staff report for Resolution No. 2023-140 also on tonight's agenda.

Staff recommends adoption of Resolution No. 2023-141.

Fiscal Impact: None.

Attachments:

I. Resolution No. 2023-141

RESOLUTION NO. 2023-141

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,
ACCEPTING THE DONATION OF AN ART SCULPTURE TITLED
“ON THE THRESHOLD OF LIBERTY” BY ARTIST BERNARD
HOSEY.**

WHEREAS, pursuant to Chapter 2.17 RMC, the City of Richland created an Arts Commission comprised of citizen volunteers serving in an advisory capacity to provide expertise on visual arts, as well as to encourage and support art in Richland to improve quality of life, strengthen economic development, and revitalize the community; and

WHEREAS, the City holds a diverse and growing collection of public art placed in publicly accessible locations throughout the City; and

WHEREAS, in 2020, through use of an online survey, the Richland Arts Commission received favorable public feedback and support for large-scale sculptures and art in public spaces; and

WHEREAS, in March 2023, Ms. Judith Shulman of Walla Walla, Washington presented the City with an opportunity to accept donated sculpture art from her private collection created by the late sculptor Bernard Hosey; and

WHEREAS, the Richland Arts Commission favorably recommends acceptance of the large-scale one-of-a-kind sculpture titled “On the Threshold of Liberty” with recommended placement at the Richland Public Library.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City hereby accepts Ms. Judith Shulman’s unrestricted donation of the late artist Bernard Hosey’s sculpture “On the Threshold of Liberty” into the City’s growing collection of public art.

BE IT FURTHER RESOLVED that a letter of acceptance shall be issued to the donor pursuant to Chapter 3.09 RMC.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 5th day of September, 2023.

Terry Christensen, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 9/5/2023

Agenda Category: Resolutions - Adoption

Core Focus Area 6 - Enhance Neighborhood & Community Safety

Subject:

Resolution No. 2023-142, Authorizing an Interlocal Agreement with the City of Kennewick and County of Benton for the 2023 Byrne Justice Assistance Grant

Department/Office
Police

Ordinance/Resolution Number:
2023-142

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 2023-142, authorizing the City Manager to sign and execute an interlocal agreement with the City of Kennewick and the County of Benton for distribution of funds from the 2023 Byrne Justice Assistance Grant (JAG) Program.

Summary:

The 2023 Byrne Justice Assistance Grant (JAG) Program Interlocal Agreement is between Kennewick, Richland, and Benton County. The City of Kennewick has agreed to be the applicant and fiscal agent for the JAG Program funding and has been awarded \$43,925. The City of Richland's share of the JAG Program funding is \$10,981 which will be used for LIDAR (Light Detection and Ranging) readers for the Traffic Safety Unit.

Staff recommends approval of Resolution No. 2023-142.

Fiscal Impact:

New revenues in the amount of \$10,981 will be received by the City and used to purchase LIDAR readers to assist with speeding enforcement.

Attachments:

1. Resolution No. 2023-142
2. Proposed 2023 JAG Interlocal Agreement

RESOLUTION NO. 2023-142

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,
AUTHORIZING AN INTERLOCAL AGREEMENT WITH BENTON
COUNTY AND THE CITY OF KENNEWICK FOR THE 2023
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT
(JAG) PROGRAM FUNDS.**

WHEREAS, the City of Kennewick is the applicant and fiscal agent of the regional 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Program funds; and

WHEREAS, the total funding award is \$43,925, which will be allocated between Benton County and the cities of Kennewick and Richland; and

WHEREAS, Richland's share of the program funding is \$10,981; and

WHEREAS, Benton County and the cities of Kennewick and Richland desire to enter into an interlocal agreement to allocate the distribution of funds from the City of Kennewick to the City of Richland and Benton County; and

WHEREAS, the best interests of the City and the public are served by entering into the proposed interlocal agreement for receipt of Byrne JAG Program funds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute an interlocal agreement with the City of Kennewick and the County of Benton for distribution of the 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Program funds.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 5th day of September, 2023.

Terry Christensen, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

**THE STATE OF WASHINGTON
COUNTY OF BENTON**

KNOW ALL BY THESE PRESENT

**INTERLOCAL AGREEMENT
BETWEEN
THE CITY OF KENNEWICK, WA
THE CITY OF RICHLAND, WA
AND
COUNTY OF BENTON, WA**

2023 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

This Agreement is made and entered into this _____ day of _____, 2023, by and between The County of Benton, acting by and through its governing body, the Benton County Commissioners (hereinafter referred to as COUNTY) and the City of Kennewick, acting by and through its governing body, the Kennewick City Council (hereinafter referred to as KENNEWICK), and Richland, acting by and through its governing body, the Richland City Council (hereinafter referred to as RICHLAND), all three of Benton County, State of Washington, witnesseth:

WHEREAS, this Agreement is made under the authority of RCW 39.34 and,

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and,

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of all parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this Agreement; and,

WHEREAS, the total award to KENNEWICK, RICHLAND and COUNTY is \$43,925, which will be shared between KENNEWICK, RICHLAND, and COUNTY, as they are certified as disparate, therefore requiring one application and award to be shared between all three jurisdictions; and,

WHEREAS, KENNEWICK, RICHLAND and COUNTY believe it to be in their best interests to reallocate the JAG funds.

NOW THEREFORE, KENNEWICK, RICHLAND and COUNTY agree as follows:

Section 1.

KENNEWICK is the fiscal agent for this grant as only one jurisdiction can make application for the funds. KENNEWICK agrees to pay RICHLAND a total of \$10,981 and COUNTY a total of \$6,589 of JAG funds from the 2023 award.

Section 2.

COUNTY agrees to use \$6,589 for ballistic helmets and infrared laser lights.

Section 3.

RICHLAND agrees to use \$10,981 for LIDAR (Light Detection and Ranging) readers for the Traffic Safety Unit.

Section 4.

KENNEWICK agrees to use \$26,355 to purchase police radios.

Section 5.

RICHLAND and COUNTY agree to submit timely quarterly reports to KENNEWICK, the grantee/fiscal agency, by the fifth calendar day at the end of each quarter (January 5, April 5, July 5 and October 5), consistent with, and for the purpose of compliance with the reporting requirements for the JAG program.

Section 6.

Nothing in the performance of this Agreement shall impose any liability on KENNEWICK for claims against COUNTY or RICHLAND, or on COUNTY or RICHLAND for claims against KENNEWICK.

Section 7.

Any party hereto may terminate this Agreement upon one hundred and twenty (120) days notice in writing either personally delivered or mailed postage-prepaid by certified mail, return receipt requested, to the other party's contract representative listed in Section 13 for the purposes of giving notice under this paragraph. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination. Termination of this Agreement by any party shall not affect or diminish authority exercised prior to delivery of required notice of termination.

Section 8.

Each party to this Agreement shall be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 9.

The parties to this Agreement do not intend for any third party to obtain any right by virtue of this Agreement.

Section 10.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

Section 11.

The term of this Agreement shall be from the date of signing through September 30, 2026.

Section 12.

By signing below, the signor certifies that he or she has the authority to sign this Agreement on behalf of the party, and the party agrees to the terms of this Agreement.

Section 13.

Each party shall have a contract representative. Each party may change its representative upon providing written notice to the other party. The parties' representatives are as follows:

Benton County: Sheriff Tom Croskrey
City of Richland: Chief Brigit Clary
City of Kennewick: Chief Chris Guerrero

Section 14.

The parties agree that this Agreement is the complete expression of its terms and conditions. Any oral or written representations or understanding not incorporated in this Agreement are specifically excluded.

City of Kennewick, Washington

BILL MCKAY, Mayor

ATTEST:

TERRI WRIGHT, City Clerk

APPROVED AS TO FORM:
Contract Authorization

LISA BEATON, City Attorney

Draft

City of Richland, Washington

JON AMUNDSON, City Manager

ATTEST:

JENNIFER ROGERS, City Clerk

APPROVED AS TO FORM:
Contract Authorization

HEATHER KINTZLEY, City Attorney

Draft

County of Benton, Washington

Chairman of Benton County
Commission

APPROVED AS TO FORM:

Deputy Prosecuting Attorney

Draft



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 9/5/2023

Agenda Category: Items - Approval

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Appointments to the Economic Development Committee: Brad Bricker, Eileen Griffin, and Kenneth Spencer, Jr.

Department/Office
City Clerk

Ordinance/Resolution Number:

Document Type:
General Business Item

Recommended Motion:

Reappoint Brad Bricker to Position No. 2, Kenneth Spencer, Jr. to Position No. 6, and Eileen Griffin to Position No. 7 on the Economic Development Committee.

Summary:

The Economic Development Committee (EDC) positions currently held by Brad Bricker (Position No. 2), Kenneth Spencer, Jr. (Position No. 6), Eileen Griffin (Position No. 7), and Kimberly Fair (Position No. 8) will expire on September 30, 2023. Council Liaison Jones, EDC Vice-Chair Morasch, and EDC Member Hughes considered five (5) candidates and recommend the following appointments:

Brad Bricker to Position No. 2
Kenneth Spencer, Jr. to Position No. 6
Eileen Griffin to Position No. 7

Recruitment efforts to fill Position No. 8 will be ongoing. Ms. Fair did not seek reappointment.

The terms for all positions are three (3) years, commencing October 1, 2023 and ending September 30, 2026.

Candidate application packets are on file in the City Clerk's Office.

Fiscal Impact: None.

Attachments:

I. EDC Appointment Memo



ECONOMIC DEVELOPMENT COMMITTEE

MEMORANDUM

TO: Richland City Council

THROUGH: Richland City Clerk

FROM: Adam Morasch, Economic Development Committee Vice-Chair

DATE: August 28, 2023

SUBJECT: Economic Development Committee Vacancy

After reviewing the applicant packets, Councilmember Jones, Committee Member Hughes and I recommend the reappointment of incumbents Bricker, Spencer and Griffin for the Economic Development Committee positions shown below.

The candidates recommended for appointment are:

Position #2: Hanford Related Industry/Research

Vacated by:

Brad Bricker

Selected Candidate:

Brad Bricker

Position #6: At Large

Vacated by:

Kenneth Spencer, Jr.

Selected Candidate:

Kenneth Spencer, Jr.

Position #7: At Large

Vacated by:

Eileen Griffin

Selected Candidate:

Eileen Griffin

If you have any questions, please feel free to contact me.


Adam Morasch, Vice-Chairman
Economic Development Committee



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 9/5/2023

Agenda Category: Items of Business

Core Focus Area 3 - Increase Economic Vitality

Subject:

Ordinance No. 2023-21, Annexing Approximately 1,641 Acres Known as the Northwest Advanced Clean Energy Park (formerly the North Horn Rapids Industrial Park) - First Reading

Department/Office
Development Services

Ordinance/Resolution Number:
2023-21

Document Type:
Ordinance

Recommended Motion:

Give first reading, by title only, to Ordinance No. 2023-21, annexing approximately 1,641 acres to be known as the Northwest Advanced Clean Energy Park into the corporate boundaries of the City of Richland.

Summary:

Ordinance No. 2023-21 considers the annexation of approximately 1,641 acres of land in north Richland owned by the City of Richland, the Port of Benton, and Energy Northwest.

Council will hold a public hearing tonight and deliberate thereafter whether to accept the proposed annexation area into the city limits. To date, no negative comments against the proposed annexation have been received by the City, and the process has progressed without any issues.

Staff recommends approval of Ordinance No. 2023-21 on first reading, by title only.

Fiscal Impact:

The approval of the annexation alone will not create a fiscal impact to the City. Future investment in public infrastructure will have a fiscal impact and development of the annexed property will result in an additional revenue in the form of land sales, sales taxes, and property taxes.

Attachments:

1. Ordinance No. 2023-21
2. Staff Report re: Northwest Advanced Clean Energy Park Annexation

WHEN RECORDED RETURN TO:

Richland City Clerk's Office
625 Swift Boulevard, MS-07
Richland, WA 99352

ORDINANCE NO. 2023-21

AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, ANNEXING APPROXIMATELY 1,641 ACRES, TO BE KNOWN AS THE NORTHWEST ADVANCED CLEAN ENERGY PARK (FORMERLY THE NORTH HORN RAPIDS INDUSTRIAL PARK), LOCATED WITHIN PORTIONS OF SECTIONS 3, 4, 9, 10, 15 & 16, TOWNSHIP 10 NORTH, RANGE 28 EAST AND PORTIONS OF SECTIONS 33 & 34, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, PROVIDING FOR ASSUMPTION OF EXISTING CITY INDEBTEDNESS, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF RICHLAND.

WHEREAS, the City received a notice of intent to annex from the City of Richland's Economic Development Office representing owners of real property described as Assessor's Tax Parcel Nos. 1-1008-100-0001-003, 1-1008-100-0001-004, 1-0308-400-0001-000, 1-3418-300-0001-000, 1-0308-100-0001-000 and 1-3418-300-0002-000, the value of which constituted 100% of the proposed annexation area and so qualified to commence annexation proceedings for annexation into the City of Richland; and

WHEREAS, on September 6, 2022, a meeting was held between the initiating party of this annexation and the Richland City Council, at which time the Council adopted Resolution No. 2022-111, accepting the notice of intention to commence annexation proceedings for the real property legally described in **Exhibit A** attached hereto, subject to simultaneous adoption of the Comprehensive Plan for the proposed annexation area, and the assumption of the appropriate share of all existing City indebtedness; and

WHEREAS, Resolution No. 2022-111 further authorized and directed the Richland Planning Commission to develop and forward a recommendation to the Richland City Council as to the most appropriate zoning designation for the area proposed to be annexed; and

WHEREAS, the Richland Planning Commission held a public hearing on January 25, 2023 to consider an appropriate zoning designation for the proposed annexation area, and recommended adoption of Heavy Manufacturing (M-2) zoning for the property; and

WHEREAS, on February 21, 2023, Richland City Council adopted Resolution No. 2023-24, authorizing the circulation of an annexation petition for annexation of the real property legally described in **Exhibit A** attached hereto; and

WHEREAS, a petition was circulated and signed by the property owners representing 100% of the assessed value of the proposed annexation area, thereby exceeding the state requirement that owners representing at least sixty percent (60%) of the value of the proposed annexation area petition the City for annexation, with such value determined according to the assessed valuation for general taxation; and

WHEREAS, the Richland City Council held a public hearing to consider the annexation on September 5, 2023, which hearing was duly noticed by the City Clerk through publication in a newspaper of general circulation and through the mailing of notice to all property owners within the annexation area, specifying the time and place of the hearing and inviting interested persons to appear and voice approval or disapproval of the annexation; and

WHEREAS, the matter was duly considered by the Richland City Council, and the Council has determined that the annexation would be of general benefit to the residents of the City of Richland.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. The real property legally described in **Exhibit A** attached hereto is hereby annexed to the City of Richland and is hereby declared to be within the corporate limits of the City of Richland, Benton County, Washington (the “Annexed Area”).

Section 2. The Richland Comprehensive Plan adopted October 3, 2017 by passage of Ordinance No. 45-17, as amended, shall serve as the comprehensive plan for the Annexed Area. All property within the annexation shall be designated as “Industrial” under the land use map that is part of the Richland Comprehensive Plan.

Section 3. It is hereby found, as an exercise of the City’s police power, that the best zoning for the properties included in the Annexed Area shall be Heavy Manufacturing (M-2) as depicted on **Exhibit B**, attached hereto, when consideration is given to the interest of the general public.

Section 4. The property within the Annexed Area shall be assessed and taxed at the same rate and on the same basis as other property within the City, including assessments or taxes in payment for all or of any portion of the outstanding indebtedness of the City, approved by the voters, contracted, or incurred prior to, or existing at the date of annexation.

Section 5. Title 23 of the City of Richland Municipal Code and the Official Zoning Map of the City as adopted by Section 23.08.040 of said title are hereby amended by creating new Sectional Map No. 25, which is one of a series of maps constituting said Official Zoning Map, as shown on the attached **Exhibit B** bearing the number 25 together with the number and date of passage of this Ordinance, and by this reference made a part of this Ordinance and of the Official Zoning Map of the City.

Section 6. The City Clerk is directed to file a copy of this annexation with the Board of Commissioners of Benton County and the State of Washington in the manner required by law. The City Clerk is also directed to file with the Auditor of Benton County, Washington, a copy of this Ordinance, and shall attach the amended sectional map, as necessary, and an amended Annexation map, all duly certified by the City Clerk as true copies.

Section 7. As authorized and required by RCW 35.13.280, the City shall negotiate a new franchise with the solid waste collection service provider currently serving the Annexed Area on terms that are acceptable to the City and that comply with the City's Solid Waste Management Plan.

Section 8. This Ordinance shall take effect on the day following its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the _____ day of September, 2023.

Terry Christensen, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

First Reading: _____

Second Reading: _____

Date Published: _____

Exhibit A to Ordinance No. 2023-21
Legal Description for 1,643-Acre Northwest Advanced Clean Energy Park Annexation
(Formerly the North Horn Rapids Industrial Park)

The 1,643-acre Northwest Advanced Clean Energy Park annexation consists of the following:

APN NO. 110081000001003

PORTIONS OF SECTIONS 9, 10, 15, & 16 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED AF#2015-029457, RECORDS OF SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPID ROAD, 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN QUITCLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. WASHINGTON FROM WHICH NATIONAL GEODETICS SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST A DISTANCE OF 280.40 FEET, THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD A DISTANCE OF 1900.00 FEET, THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1885.00 FEET, THENCE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 554.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1126.00 FEET; THENCE SOUTH 0° 46' 34" WEST A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1450.00 FEET; THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 927.25 FEET TO A POINT AT INTERSECTION WITH THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY FROM WHICH A BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTERLINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.35 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE AND ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINK FENCE POST; THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, NORTH 89° 13' 09" WEST A DISTANCE OF 786.09 FEET TO THE POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A

QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE ON SAID EAST BOUNDARY LINE NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL; THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BONNEVILLE POWER ADMINISTRATION POWER LINE, FROM WITH THE SECTION CORNER OF 8, 9, 16, AND 17 BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16 BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 31' 33" EAST A DISTANCE OF 4554.95 FEET; THENCE SOUTH 89° 28' 27" EAST A DISTANCE OF 1614.26 FEET TO AN ANGLE POINT IN TRACT 38, AS DESCRIBED IN A QUITCLAIM DEED AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE ALONG A COMMON LINE BETWEEN SAID TRACT 37 AND TRACT 38, SOUTH 45° 00' 00" EAST A DISTANCE OF 1765.31 FEET; THENCE LEAVING AND COMMON LINE SOUTH A DISTANCE OF 4368.15 FEET BACK TO THE POINT OF BEGINNING. (BOUNDARY LINE ADJUSTMENT PER AF#2016-003066, 2/03/2016)

AND

APN NO. 110081000001004

PORTIONS OF SECTIONS 10 AND 15 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED AF#2015-029457, RECORDS OF SAID COUNTY AND STATE MORE PARTICULARLY DESCRIBED AS FOLLOW; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH RANGE 28 EAST, W.M. WASHINGTON FROM WHICH NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST A DISTANCE OF 280.40 FEET, SAID POINT IS THE TRUE POINT OF BEGINNING; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, A DISTANCE OF 1900.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 554.00 FEET; THENCE NORTH A DISTANCE OF 4368.15 FEET TO A POINT ON THE EASTERLY LINE OF SAID TRACT 38, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE SOUTH 45° 00' 00" EAST A DISTANCE OF 1534.69 FEET; THENCE SOUTH A DISTANCE OF 550.00 FEET; THENCE EAST A DISTANCE OF 400.00 FEET; THENCE SOUTH 50° 11' 52" EAST A DISTANCE OF 732.35 FEET; THENCE EAST A DISTANCE OF 420.00 FEET TO A POINT ON THE 30.00 FOOT LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE AND THE SOUTHERLY MOST

CORNER OF TRACT 38; THENCE LEAVING THE BOUNDARY LINE OF SAID TRACT 38 AND ON SAID 30.00 FOOT OFFSET LINE SOUTH 0° 30' 19" WEST A DISTANCE OF 3850.01 FEET; THENCE SOUTH 01° 36' 41" WEST A DISTANCE OF 332.68 FEET BACK TO THE POINT OF BEGINNING; (BOUNDARY LINE ADJUSTMENT PER AF#2016-003065, 2/03/2016).

AND

APN NO. 103084000001000

THAT PORTION OF THE FOLLOWING DESCRIBED PARCEL NOT LYING IN THE PILT AREA (SECTION 34, TOWNSHIP 11 NORTH, RANGE 28 EAST). PORTIONS OF SECTIONS 3, 4, 9, AND 10 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.W. AND PORTIONS OF SECTIONS 33 AND 34 TOWNSHIP 11 NORTH, RANGE 28 EAST W.M. BENTON COUNTY, WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED, AF#2015-029457, RECORDS OF SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAYMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH, RANGE 28 W.M. WASHINGTON FROM WHICH THE NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST OF 280.40 FEET; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS A DISTANCE OF 1900.00 FEET. THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 0° 46' 51" EAST, A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 5540.00 FEET; THENCE CONTINUING PARALLEL WITH SAID RIGHT OF WAY LINK, NORTH 89° 13'09" WEST A DISTANCE OF 1126.00 FEET; THENCE SOUTH 0° 46' 34" A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 1450.00, THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE, THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 927.25 FEET TO A POINT AT INTERSECTION WITH THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY, FROM WHICH THE BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTER LINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.55 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINK FENCE POST, THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY

LINE OF SAID HORN RAPIDS ROAD NORTH 89° 13' 09" WEST A DISTANCE OF 786.09 FEET TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE ON SAID EAST BOUNDARY LINE NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL, THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BONNEVILLE POWER ADMINISTRATION POWER LINE FROM WHICH THE SECTION CORNER OF 8, 9, 16, AND 17, BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16 BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE NORTH 0° 31' 33" EAST A DISTANCE OF 4554.95 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 0° 31' 33" EAST A DISTANCE OF 9258.75 FEET TO THE ANGLE POINT OF A FENCE IN SECTION 33, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M. WASHINGTON, MARKING THE EASTERLY BOUNDARY OF THE HANFORD PATROL TRAINING ACADEMY FIRING RANGE; THENCE NORTH 87° 12' 50" EAST A DISTANCE OF 5345.21 FEET TO THE 30.00 FOOT OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), FROM WHICH NGS CONTROL STATION N523 BEARS NORTH 5° 05' 29" WEST A DISTANCE OF 2263.85 FEET; THENCE ON SAID 30.00 FOOT OFFSET LINE SOUTH 0° 06' 20" WEST A DISTANCE OF 1996.00 FEET; THENCE LEAVING SAID 30.00 FOOT OFFSET LINE WEST A DISTANCE OF 3805.99 FEET; THENCE SOUTH A DISTANCE OF 3436.39 FEET TO A POINT COMMON BETWEEN SAID TRACTS 37 AND 38. THENCE CONTINUING SOUTH A DISTANCE OF 4100.00 FEET TO AN ANGLE POINT IN TRACT 38, AS DESCRIBED IN QUIT CLAIM DEED, AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON. THENCE LEAVING SAID ANGLE POINT NORTH 89° 28' 27" WEST A DISTANCE OF 1614.26 FEET BACK TO THE POINT OF BEGINNING. (BOUNDARY LINE ADJUSTMENT PER AF#2016-003065, 4/25/2016). *****LINKED WITH A SALES RESTRICTION TO 134183000001000 THAT PORTION IN THE PILT AREA*****

AND

APN NO. 134183000001000

THAT PORTION OF THE FOLLOWING DESCRIBED PARCEL LYING IN THE PILT AREA (SECTION 34, TOWNSHIP 11 NORTH, RANGE 28 EAST). PORTIONS OF SECTIONS 3, 4, 9, AND 10 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.W. AND PORTIONS OF SECTIONS 33 AND 34 TOWNSHIP 11 NORTH, RANGE 28 EAST W.M. BENTON COUNTY, WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED, AF#2015-029457, RECORDS OF SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM

THE WESTERLY EDGE OF PAYMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH, RANGE 28 W.M. WASHINGTON FROM WHICH THE NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST OF 280.40 FEET; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS A DISTANCE OF 1900.00 FEET. THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 0° 46' 51" EAST, A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 5540.00 FEET; THENCE CONTINUING PARALLEL WITH SAID RIGHT OF WAY LINK, NORTH 89° 13'09" WEST A DISTANCE OF 1126.00 FEET; THENCE SOUTH 0° 46' 34" A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 1450.00, THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE, THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 927.25 FEET TO A POINT AT INTERSECTION WITH THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY, FROM WHICH THE BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTER LINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.55 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINK FENCE POST, THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD NORTH 89° 13' 09" WEST A DISTANCE OF 786.09 FEET TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE ON SAID EAST BOUNDARY LINE NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL, THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BONNEVILLE POWER ADMINISTRATION POWER LINE FROM WHICH THE SECTION CORNER OF 8, 9, 16, AND 17, BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16 BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE NORTH 0° 31' 33" EAST A DISTANCE OF 4554.95 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 0° 31' 33" EAST A DISTANCE OF 9258.75 FEET TO THE ANGLE POINT OF A FENCE IN SECTION 33, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M. WASHINGTON, MARKING THE EASTERLY BOUNDARY OF THE HANFORD PATROL TRAINING ACADEMY FIRING RANGE; THENCE NORTH 87° 12' 50" EAST A DISTANCE OF 5345.21 FEET TO THE 30.00 FOOT OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S),

FROM WHICH NGS CONTROL STATION N523 BEARS NORTH 5° 05' 29" WEST A DISTANCE OF 2263.85 FEET; THENCE ON SAID 30.00 FOOT OFFSET LINE SOUTH 0° 06' 20" WEST A DISTANCE OF 1996.00 FEET; THENCE LEAVING SAID 30.00 FOOT OFFSET LINE WEST A DISTANCE OF 3805.99 FEET; THENCE SOUTH A DISTANCE OF 3436.39 FEET TO A POINT COMMON BETWEEN SAID TRACTS 37 AND 38. THENCE CONTINUING SOUTH A DISTANCE OF 4100.00 FEET TO AN ANGLE POINT IN TRACT 38, AS DESCRIBED IN QUIT CLAIM DEED, AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON. THENCE LEAVING SAID ANGLE POINT NORTH 89° 28' 27" WEST A DISTANCE OF 1614.26 FEET BACK TO THE POINT OF BEGINNING. (BOUNDARY LINE ADJUSTMENT PER AF#2016-003065, 4/25/2016). *****LINKED WITH A SALES RESTRICTION TO 103084000001000 THAT PORTION NOT LYING IN THE PILT AREA*****

AND

APN NO. 103081000001000

SECTION 10, TOWNSHIP 10 NORTH, RANGE 28 EAST: A PARCEL OF LAND SITUATED IN A PORTION OF TOWNSHIP 10 NORTH, RANGE 28 EAST, AND TOWNSHIP 11 NORTH, AND RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD, 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED, RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. WASHINGTON, FROM WHICH NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST A DISTANCE OF 280.40 FEET; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, A DISTANCE OF 1900.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 00° 46' 51" EAST, A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1680.00 FEET; THENCE SOUTH 0° 46' 34" WEST, A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE, THENCE ON SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1450.00 FEET; THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 927.25 FEET TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY FROM WHICH A BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTER LINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.35 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST, A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE AND ON

THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY, NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINK FENCE POST, THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY, MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, NORTH 89° 13' 09" WEST, A DISTANCE OF 786.09 FEET TO THE POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE ON SAID EAST BOUNDARY LINE, NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL, THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF THE BONNEVILLE POWER ADMINISTRATION POWER LINE, FROM WHICH THE SECTION CORNER OF 8, 9, 16, AND 17 BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16, BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE NORTH 0° 31' 33" EAST A DISTANCE OF 13,813.70 FEET TO THE ANGLE POINT OF A FENCE IN SECTION 33, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M. WASHINGTON MARKING THE EASTERLY BOUNDARY OF THE HANFORD PATROL TRAINING ACADEMY FIRING RANGE, THENCE NORTH 87° 12' 50" EAST A DISTANCE OF 5345.21 FEET TO THE 30.00 FOOT OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), FROM WHICH NGS CONTROL STATION N523 BEARS NORTH 5° 5' 29" WEST A DISTANCE OF 2263.85 FEET; THENCE SOUTH 0° 06' 20" WEST ON SAID 30.00 FOOT OFFSET LINE, A DISTANCE OF 5433.00 FEET TO A POINT IDENTICAL WITH THE NORTHEAST CORNER OF TRACT 38, THENCE LEAVING SAID 30.00 FOOT OFFSET LINE AND ON A LINE IDENTICAL WITH THE BOUNDARY OF TRACT 38 THE FOLLOWING COURSES; WEST A DISTANCE OF 3799.66 FEET; THENCE SOUTH A DISTANCE 4100.00 FEET, THENCE SOUTH 45° 00' 00" EAST A DISTANCE OF 3300.00 FEET, THENCE SOUTH A DISTANCE OF 550.00 FEET, THENCE EAST A DISTANCE OF 400.00 FEET, THENCE SOUTH 50° 11' 52" EAST A DISTANCE OF 732.35 FEET, THENCE EAST A DISTANCE OF 420.00 FEET TO THE POINT ON THE 30.00 OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE AND THE SOUTHERLY MOST CORNER OF TRACT 38, THENCE LEAVING THE BOUNDARY LINE OF SAID TRACT 38 AND ON SAID 30.00 FOOT OFFSET LINE, SOUTH 0° 30' 19" WEST, A DISTANCE OF 3850.01 FEET, THENCE SOUTH 1° 36' 41" WEST A DISTANCE OF 332.68 FEET TO THE POINT OF BEGINNING. SAID PARCEL IS SUBJECT TO ANY AND ALL EASEMENTS OR RIGHTS OF WAYS OF RECORD OR IMPLIED. (BOUNDARY LINE ADJUSTMENT PER AF#2015-029457, 9/30/2015). EXCEPT ANY PORTION LYING IN THE FOLLOWING DESCRIBED PARCEL: PORTIONS OF SECTIONS 9, 10, 15, & 16 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED AF#2015-029457, RECORDS OF SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPID

ROAD, 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN QUITCLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. WASHINGTON FROM WHICH NATIONAL GEODETICS SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST A DISTANCE OF 280.40 FEET, THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD A DISTANCE OF 1900.00 FEET, THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1885.00 FEET, THENCE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 554.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1126.00 FEET; THENCE SOUTH 0° 46' 34" WEST A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1450.00 FEET; THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OR 927.25 FEET TO A POINT AT INTERSECTION WIT THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY FROM WHICH A BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTERLINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.35 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE AND ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINE FENCE POST; THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, NORTH 89° 13' 09" WEST A DISTANCE OF 786.09 FEET TO THE POINT OF INTERSECTION WITH THE AST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE ON SAID EAST BOUNDARY LINE NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL; THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BONNEVILLE POWER ADMINISTRATION POWER LINE, FROM WITH THE SECTION CORNER OF 8, 9, 16, AND 17 BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16 BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 31' 33" EAST A DISTANCE OF 4554.95 FEET; THENCE SOUTH 89° 28' 27" EAST A DISTANCE

OF 1614.26 FEET TO AN ANGLE POINT IN TRACT 38, AS DESCRIBED IN A QUITCLAIM DEED AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE ALONG A COMMON LINE BETWEEN SAID TRACT 37 AND TRACT 38, SOUTH 45° 00' 00" EAST A DISTANCE OF 1765.31 FEET; THENCE LEAVING AND COMMON LINE SOUTH A DISTANCE OF 4368.15 FEET BACK TO THE POINT OF BEGINNING. (BOUNDARY LINE ADJUSTMENT PER AF#2016-003066, 2/03/2016): ALSO EXCEPT ANY PORTION LYING IN THE FOLLOWING DESCRIBED PARCEL; PORTIONS OF SECTIONS 10 AND 15 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED AF#2015-029457, RECORDS OF SAID COUNTY AND STATE MORE PARTICULARLY DESCRIBED AS FOLLOW; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH RANGE 28 EAST, W.M. WASHINGTON FROM WHICH NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST A DISTANCE OF 280.40 FEET, SAID POINT IS THE TRUE POINT OF BEGINNING; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, A DISTANCE OF 1900.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 554.00 FEET; THENCE NORTH A DISTANCE OF 4368.15 FEET TO A POINT ON THE EASTERLY LINE OF SAID TRACT 38, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE SOUTH 45° 00' 00" EAST A DISTANCE OF 1534.69 FEET; THENCE SOUTH A DISTANCE OF 550.00 FEET; THENCE EAST A DISTANCE OF 400.00 FEET; THENCE SOUTH 50° 11' 52" EAST A DISTANCE OF 732.35 FEET; THENCE EAST A DISTANCE OF 420.00 FEET TO A POINT ON THE 30.00 FOOT LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE AND THE SOUTHERLY MOST CORNER OF TRACT 38; THENCE LEAVING THE BOUNDARY LINE OF SAID TRACT 38 AND ON SAID 30.00 FOOT OFFSET LINE SOUTH 0° 30' 19" WEST A DISTANCE OF 3850.01 FEET; THENCE SOUTH 01° 36' 41" WEST A DISTANCE OF 332.68 FEET BACK TO THE POINT OF BEGINNING; (BOUNDARY LINE ADJUSTMENT PER AF#2016-003065, 2/03/2016). ALSO EXCEPT ANY PORTION LYING IN THE FOLLOWING DESCRIBED PARCEL: PORTIONS OF SECTIONS 3, 4, 9, AND 10 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.W. AND PORTIONS OF SECTIONS 33 AND 34 TOWNSHIP 11 NORTH, RANGE 28 EAST W.M. BENTON COUNTY, WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED, AF#2015-029457, RECORDS OF SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED RECORDED IN AF#621762, RECORDS

OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAYMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH, RANGE 28 W.M. WASHINGTON FROM WHICH THE NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST OF 280.40 FEET; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS A DISTANCE OF 1900.00 FEET. THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 0° 46' 51" EAST, A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 5540.00 FEET; THENCE CONTINUING PARALLEL WITH SAID RIGHT OF WAY LINK, NORTH 89° 13' 09" WEST A DISTANCE OF 1126.00 FEET; THENCE SOUTH 0° 46' 34" A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 1450.00, THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE, THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 927.25 FEET TO A POINT AT INTERSECTION WITH THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY, FROM WHICH THE BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTER LINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.55 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINK FENCE POST, THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD NORTH 89° 13' 09" WEST A DISTANCE OF 786.09 FEET TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE ON SAID EAST BOUNDARY LINE NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL, THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BONNEVILLE POWER ADMINISTRATION POWER LINE FROM WHICH THE SECTION CORNER OF 8, 9, 16, AND 17, BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16 BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE NORTH 0° 31' 33" EAST A DISTANCE OF 4554.95 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 0° 31' 33" EAST A DISTANCE OF 9258.75 FEET TO THE ANGLE POINT OF A FENCE IN SECTION 33, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M. WASHINGTON, MARKING THE EASTERLY BOUNDARY OF THE HANFORD PATROL TRAINING ACADEMY FIRING RANGE; THENCE NORTH 87° 12' 50" EAST A DISTANCE OF 5345.21 FEET TO THE 30.00 FOOT OFFSET LINE WEST OF THE

WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), FROM WHICH NGS CONTROL STATION N523 BEARS NORTH 5° 05' 29" WEST A DISTANCE OF 2263.85 FEET; THENCE ON SAID 30.00 FOOT OFFSET LINE SOUTH 0° 06' 20" WEST A DISTANCE OF 1996.00 FEET; THENCE LEAVING SAID 30.00 FOOT OFFSET LINE WEST A DISTANCE OF 3805.99 FEET; THENCE SOUTH A DISTANCE OF 3436.39 FEET TO A POINT COMMON BETWEEN SAID TRACTS 37 AND 38. THENCE CONTINUING SOUTH A DISTANCE OF 4100.00 FEET TO AN ANGLE POINT IN TRACT 38, AS DESCRIBED IN QUIT CLAIM DEED, AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON. THENCE LEAVING SAID ANGLE POINT NORTH 89° 28' 27" WEST A DISTANCE OF 1614.26 FEET BACK TO THE POINT OF BEGINNING. (BOUNDARY LINE ADJUSTMENT PER AF#2016-003065, 4/25/2016). LESS ANY PORTION LYING IN SECTIONS 33, 34, TOWNSHIP 11 NORTH, RANGE 28 EAST (THAT PORTION LYING IN THE PILT AREA). LINKED WITH A SALES RESTRICTION TO 134183000002000.

AND

APN NO. 134183000002000

SECTION 34, TOWNSHIP 11 NORTH, RANGE 28 EAST: ANY PORTION OF THE FOLLOWING DESCRIBED PARCEL THAT LIES IN SECTIONS 33, AND 34, TOWNSHIP 11 NORTH, RANGE 28 EAST: A PARCEL OF LAND SITUATED IN A PORTION OF TOWNSHIP 10 NORTH, RANGE 28 EAST, AND TOWNSHIP 11 NORTH, AND RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD, 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED, RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. WASHINGTON, FROM WHICH NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST A DISTANCE OF 280.40 FEET; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, A DISTANCE OF 1900.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 00° 46' 51" EAST, A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1680.00 FEET; THENCE SOUTH 0° 46' 34" WEST, A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE, THENCE ON SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1450.00 FEET; THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 927.25 FEET TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY FROM WHICH A BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTER LINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS

SOUTH 86° 51' 44" WEST A DISTANCE OF 585.35 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST, A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE AND ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY, NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINK FENCE POST, THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY, MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, NORTH 89° 13' 09" WEST, A DISTANCE OF 786.09 FEET TO THE POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE ON SAID EAST BOUNDARY LINE, NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL, THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF THE BONNEVILLE POWER ADMINISTRATION POWER LINE, FROM WHICH THE SECTION CORNER OF 8, 9, 16, AND 17 BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16, BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE NORTH 0° 31' 33" EAST A DISTANCE OF 13,813.70 FEET TO THE ANGLE POINT OF A FENCE IN SECTION 33, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M. WASHINGTON MARKING THE EASTERLY BOUNDARY OF THE HANFORD PATROL TRAINING ACADEMY FIRING RANGE, THENCE NORTH 87° 12' 50" EAST A DISTANCE OF 5345.21 FEET TO THE 30.00 FOOT OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), FROM WHICH NGS CONTROL STATION N523 BEARS NORTH 5° 5' 29" WEST A DISTANCE OF 2263.85 FEET; THENCE SOUTH 0° 06' 20" WEST ON SAID 30.00 FOOT OFFSET LINE, A DISTANCE OF 5433.00 FEET TO A POINT IDENTICAL WITH THE NORTHEAST CORNER OF TRACT 38, THENCE LEAVING SAID 30.00 FOOT OFFSET LINE AND ON A LINE IDENTICAL WITH THE BOUNDARY OF TRACT 38 THE FOLLOWING COURSES; WEST A DISTANCE OF 3799.66 FEET; THENCE SOUTH A DISTANCE 4100.00 FEET, THENCE SOUTH 45° 00' 00" EAST A DISTANCE OF 3300.00 FEET, THENCE SOUTH A DISTANCE OF 550.00 FEET, THENCE EAST A DISTANCE OF 400.00 FEET, THENCE SOUTH 50° 11' 52" EAST A DISTANCE OF 732.35 FEET, THENCE EAST A DISTANCE OF 420.00 FEET TO THE POINT ON THE 30.00 OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE AND THE SOUTHERLY MOST CORNER OF TRACT 38, THENCE LEAVING THE BOUNDARY LINE OF SAID TRACT 38 AND ON SAID 30.00 FOOT OFFSET LINE, SOUTH 0° 30' 19" WEST, A DISTANCE OF 3850.01 FEET, THENCE SOUTH 1° 36' 41" WEST A DISTANCE OF 332.68 FEET TO THE POINT OF BEGINNING. SAID PARCEL IS SUBJECT TO ANY AND ALL EASEMENTS OR RIGHTS OF WAYS OF RECORD OR IMPLIED. (BOUNDARY LINE ADJUSTMENT PER AF#2015-029457, 9/30/2015). LESS ANY PORTION OF THE FOLLOWING DESCRIBED PARCEL: THAT PORTION OF THE FOLLOWING DESCRIBED PARCEL LYING IN THE PILT AREA (SECTION 34, TOWNSHIP 11 NORTH, RANGE 28 EAST). PORTIONS OF SECTIONS 3, 4, 9, AND 10 OF TOWNSHIP 10 NORTH, RANGE 28

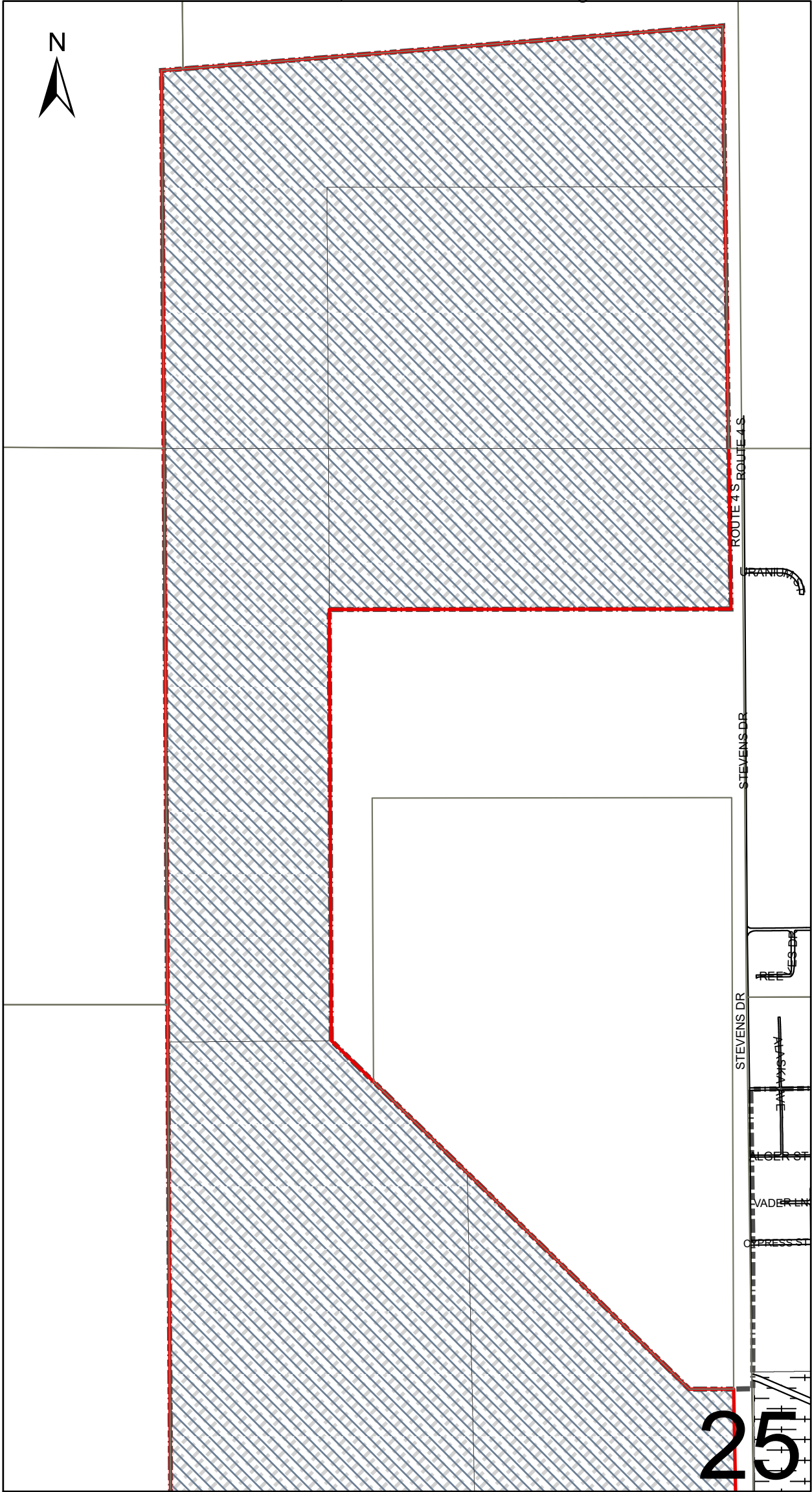
EAST, W.W. AND PORTIONS OF SECTIONS 33 AND 34 TOWNSHIP 11 NORTH, RANGE 28 EAST W.M. BENTON COUNTY, WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED, AF#2015-029457, RECORDS OF SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAYMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH, RANGE 28 W.M. WASHINGTON FROM WHICH THE NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST OF 280.40 FEET; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS A DISTANCE OF 1900.00 FEET. THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 0° 46' 51" EAST, A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 5540.00 FEET; THENCE CONTINUING PARALLEL WITH SAID RIGHT OF WAY LINK, NORTH 89° 13' 09" WEST A DISTANCE OF 1126.00 FEET; THENCE SOUTH 0° 46' 34" A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 1450.00, THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE, THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 927.25 FEET TO A POINT AT INTERSECTION WITH THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY, FROM WHICH THE BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTER LINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.55 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINK FENCE POST, THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD NORTH 89° 13' 09" WEST A DISTANCE OF 786.09 FEET TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE ON SAID EAST BOUNDARY LINE NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL, THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BONNEVILLE POWER ADMINISTRATION POWER LINE FROM WHICH THE SECTION CORNER OF 8, 9, 16, AND 17, BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH

THE CORNER OF SECTIONS 9, 10, 15, AND 16 BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE NORTH 0° 31' 33" EAST A DISTANCE OF 4554.95 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 0° 31' 33" EAST A DISTANCE OF 9258.75 FEET TO THE ANGLE POINT OF A FENCE IN SECTION 33, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M. WASHINGTON, MARKING THE EASTERLY BOUNDARY OF THE HANFORD PATROL TRAINING ACADEMY FIRING RANGE; THENCE NORTH 87° 12' 50" EAST A DISTANCE OF 5345.21 FEET TO THE 30.00 FOOT OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), FROM WHICH NGS CONTROL STATION N523 BEARS NORTH 5° 05' 29" WEST A DISTANCE OF 2263.85 FEET; THENCE ON SAID 30.00 FOOT OFFSET LINE SOUTH 0° 06' 20" WEST A DISTANCE OF 1996.00 FEET; THENCE LEAVING SAID 30.00 FOOT OFFSET LINE WEST A DISTANCE OF 3805.99 FEET; THENCE SOUTH A DISTANCE OF 3436.39 FEET TO A POINT COMMON BETWEEN SAID TRACTS 37 AND 38. THENCE CONTINUING SOUTH A DISTANCE OF 4100.00 FEET TO AN ANGLE POINT IN TRACT 38, AS DESCRIBED IN QUIT CLAIM DEED, AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON. THENCE LEAVING SAID ANGLE POINT NORTH 89° 28' 27" WEST A DISTANCE OF 1614.26 FEET BACK TO THE POINT OF BEGINNING. (BOUNDARY LINE ADJUSTMENT PER AF#2016-003065, 4/25/2016). ***** LINKED WITH A SALES RESTRICTION TO PARCEL 103081000001000 THAT PORTION THAT DOES NOT LIE IN THE PILT AREA*****

This description includes the following **County Parcel Identification Numbers**:

110081000001003
110081000001004
103084000001000
134183000001000
103081000001000
134183000002000

EXHIBIT B to Ordinance No. 2023-21 Approved __/__/23
Annexation of 1,641 Acres and M-2 Zoning



STAFF REPORT

TO: CITY COUNCIL
FILE NO.: ANX2022-101

PREPARED BY: MIKE STEVENS
MEETING DATE: SEPTEMBER 5, 2023

GENERAL INFORMATION:

APPLICANT: CITY OF RICHLAND ECONOMIC DEVELOPMENT DEPARTMENT ON BEHALF OF THE CITY OF RICHLAND, PORT OF BENTON AND ENERGY NORTHWEST (ANX2022-101).

REQUEST: CONSIDERATION OF A PROPOSED ANNEXATION OF APPROXIMATELY 1,643 ACRES.

LOCATION: THE PROPERTIES ARE DESCRIBED AS ASSESSOR'S TAX PARCEL NOS. 110081000001003, 110081000001004, 103084000001000, 134183000001000, 103081000001000 AND 134183000002000 IN SECTIONS 3, 4, 9, 10, 15 & 16, TOWNSHIP 10 NORTH, RANGE 28 EAST W.M., BENTON COUNTY, WASHINGTON AND SECTIONS 33 AND 34, TOWNSHIP 11 NORTH, RANGE 28 EAST. W.M., BENTON COUNTY, WASHINGTON.

REASON FOR REQUEST:

The City is currently considering the annexation of approximately 1,643 acres of land previously owned by the US Dept. of Energy and provided to the City of Richland, Port of Benton and Energy Northwest. City Council authorized the annexation process to begin through the adoption of Resolution No. 2022-111, which directed the Planning Commission to consider what zoning would be appropriate for this site. On January 25, 2023 the Planning Commission conducted a public hearing and determined that due to the proposed use of the property in question the best zoning designation would be Heavy Manufacturing (M-2).

SITE DATA

Size: Approximately 1,643 acres.

Ownership: The proposed annexation site is approximately 1,643 acres in size and is currently owned by the City of Richland, Port of Benton and Energy Northwest.

Current Use: The proposed annexation site is currently undeveloped.

Comprehensive Plan: The site is within the City of Richland's adopted Urban Growth Area (UGA) boundary and is designated as Industrial (I) based on the Richland Comprehensive Plan.

Utilities: City water, city sewer and city electrical services are available in the vicinity to serve the proposed annexation area. A Capital Facilities Analysis was performed for the area in 2016. A copy of this analysis is included as an attachment to this report.

Existing County Zoning: Light Industrial.

SURROUNDING LAND USES

Properties located south of the proposed annexation area that are within the City of Richland are zoned Heavy Manufacturing (M-2) and Medium Industrial (I-M). Properties located to the west and to the north, which are located within unincorporated Benton County are currently zoned Light Industrial and Unclassified (Hanford Nuclear Reservation). Properties located east of the site within the City of Richland are owned by the U.S. Department of Energy and are zoned Business Research Park (BR-P).

PROPOSED ZONING

There are only two zoning districts that can be applied to the property that would implement the Industrial land use designation of the proposed annexation area: Medium Industrial (I-M) and Heavy Manufacturing (M-2). When this land was given to the City, Port of Benton and Energy Northwest, it was done so under the condition that the area be zoned for heavy industrial use. As a result, staff and the Planning Commission recommend that the site be zoned Heavy Manufacturing (M-2).

ANALYSIS

As indicated above, the Planning Commission had no choice but to recommend one of the two industrial zoning districts for the site. Staff strongly recommended that the Planning Commission recommend that the site be zoned Heavy Manufacturing (M-2) to the City Council as that will effectuate the intent of the Comprehensive Plan Land Use Map designation as well as result in a zoning designation that has been intended for the site. The M-2 zoning also helps effectuate the North Horn Rapids Master Plan that was adopted in May, 2017. A copy of the North Horn Rapids Master Plan is included as an attachment to this report.

SUMMARY

Application of the Heavy Manufacturing (M-2) zoning represents the most appropriate zoning designation for the proposed annexation area as it would be consistent with the City's Comprehensive Plan and existing development pattern within the proposed annexation area and consistent with the intent of the properties being given to the various entities.

Annexation of the 1,643 acres of land will ultimately result in additional commercial/industrial development that will result in higher property taxes and additional sales taxes being directed back to the city. The proposed annexation has been the plan for this property since it was originally given to the different entities in 2015. Creation of the North Horn Rapids Master Plan and Capital Facilities Analysis were done in preparation of the area being annexed.

FINDINGS OF FACT

1. The site is within the City of Richland's Urban Growth Area boundary as those boundaries were established with the adoption of the Benton County Comprehensive Plan in 1998 and subsequent periodic updates;
2. The City's comprehensive plan designates the proposed annexation area as suitable for industrial uses, especially those which fall under the Heavy Manufacturing (M-2) classification;
3. There are only two zoning districts that can be applied to the property that would implement the Industrial land use classification of the area;
4. The Heavy Manufacturing (M-2) zoning classification allows industrial uses and/or activities that are best located away from residentially owned areas, which this site represents.
5. The Medium Industrial (I-M) zoning classification allows industrial uses and/or activities that are less intense in regard to impacts to residential areas.
6. The approximately 1,643 acres of land subject to the proposed annexation request are currently undeveloped;
7. Properties located south of the proposed annexation area that are within the City of Richland are zoned Medium Industrial (I-M) and Heavy Manufacturing (M-2);
8. Properties located to the west and to the north, which are located within unincorporated Benton County are currently zoned Light Industrial and Unclassified (Hanford Nuclear Reservation).
9. The Richland Planning Commission conducted a public hearing on January 25, 2023 to determine which zoning district best represents the overall interests of the city. The Heavy Manufacturing district (M-2) has been recommended to the City Council.
10. The Benton County Assessor's Office certified that 100% of the property ownership was subject to the annexation petition/application.

11. The Richland City Council conducted a public hearing on September 5, 2023 to hear the merits of the annexation request and provide first reading of the annexation ordinance.
12. The Richland City Council approved second reading of the annexation ordinance on September 19, 2023.

CONCLUSIONS OF LAW:

1. Based on the above findings of fact, assignment of Heavy Manufacturing (M-2) zoning would be in the best interest of the City of Richland.
2. The Richland City Council's legislative powers provides the authority for the Council to approve/deny the annexation request.

RECOMMENDATION

Staff recommends the City Council approve the requested annexation, assign the Heavy Manufacturing (M-2) zoning district and concur with the findings and conclusions set forth in Staff Report (ANX2022-101).

ATTACHMENTS

1. Annexation Application/Request Letter
2. Resolution No. 2022-111
3. Chapter 23.26 of the Richland Municipal Code – Industrial Zoning
4. Maps
5. Resolution No. 2023-24
6. Resolution No. 2023-107
7. North Horn Rapids Master Plan - 2017
8. Capital Facilities Analysis – 2016
9. Comments Received

Attachment 1



City of Richland
Development Services

625 Swift Blvd. MS-35
Richland, WA 99352
☎ (509) 942-7794
☎ (509) 942-7764

Application for Annexation

Note: A Pre-Application meeting is required prior to submittal of an application.

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: City of Richland, Port of Benton, Energy Northwest

Address: North Horn Rapids Industrial Park

Phone: 509.942.7591

Email: darrasmith@ci.richland.wa.us

APPLICANT INFORMATION (if different)

☐ Contact Person

Company: City of Richland - Office of Business & Economic Development

UBI#

Contact: Darin Arrasmith, Planner

Address: 625 Swift Blvd., MS-19

Phone: 509.942.7591

Email: darrasmith@ci.richland.wa.us

DESCRIPTION OF REQUEST

The City of Richland's Office of Business & Economic Development is seeking to annex approximately 1,643 acres of land comprising the North Horn Rapids Industrial Park. The land is located north of Horn Rapids Road and is within the City of Richland's Urban Growth Area, and involves six properties owned, respectively, by the City of Richland, Port of Benton and Energy Northwest.

PROPERTY INFORMATION

Parcel #: [See attached Notice of Intent]

Legal Description: [See attached Record Survey No. 5069]

Current Comp. Plan: Industrial

Requested Zoning: Heavy Manuf. M-2

Size of Property: 1,643 acres

Domestic Water Supply: ☐ City ☐ Private Well

Sewage Disposal: ☐ City ☐ Septic

Irrigation Source: ☐ City ☐ Private Well ☐ Columbia Irrig. District ☐ Kennewick Irrig. District ☐ BMID

APPLICATION MUST INCLUDE

1. Completed application and filing fee
2. A "Notice of Intent" form requesting annexation to the City of Richland
3. Full legal description of the proposed annexation area
4. A map showing all of the following: general vicinity of proposed annexation in relation to the City of Richland, the proposed boundaries of the annexation, and all public roads near the annexation area
5. Other information as determined by the Administrator

ANSWER QUESTIONS BELOW AS COMPLETELY AS POSSIBLE – USE ADDITIONAL SHEET(S) IF NECESSARY

Why are you requesting annexation into the City of Richland?

The Intent of annexing the North Horn Rapids Industrial Park is to locate the entire site under City jurisdiction as planned development of the industrial park will be dependent on City services such as water, sewer and electrical power.

What use, building or structure is intended for the property?

The North Horn Rapids Industrial Park is a planned industrial area envisioned as an employment center with industrial, manufacturing and research & development related land uses. It is intended that the industrial park will provide the necessary land base for industrial sites ranging in 150-500 acres in size.

What changes have occurred in the area that justify the requested annexation?

Both the City of Richland and Port of Benton are receiving greater interest for large industrial development projects that the City's Horn Rapids Industrial Park cannot accommodate. By annexing the North Horn Rapids Industrial Park, the City and Port of Benton will be able to improve and market the site for mega-industrial projects.

Are there any other properties in your neighborhood that could be part of your annexation request? If so, have you spoken to the owners about joining your annexation request?

The majority of the neighboring property surrounding the North Horn Rapids Industrial Park is owned by the U.S. Dept. of Energy, is vacant, and there are no current or immediate plans for development of these areas. A portion of the property along the east side of the North Horn Rapids Industrial Park has already been annexed into the City of Richland.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the submittals.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: Amanda Wallner

Applicant Signature:  Date 4/19/22



Thursday, April 14, 2022

Mr. Mike Stevens, Planning Manager
City of Richland Development Services Dept.
625 Swift Boulevard, MS-35
Richland, Washington 99352

RE: CITY OF RICHLAND OFFICE OF BUSINESS AND ECONOMIC DEVELOPMENT – SUBMITTAL OF
APPLICATION FOR ANNEXATION OF NORTH HORN RAPIDS INDUSTRIAL PARK

Dear Mr. Stevens:

Please accept this Notice of Intent from the City's Office of Business and Economic Development as a formal request to annex 1,643 acres of land owned (respectively) by the City of Richland, the Port of Benton and Energy Northwest within the North Horn Rapids Industrial Park. The property is located north of Horn Rapids Road and is within the City of Richland's Urban Growth Area, and consists of six parcels identified as follows:

- 1) 1-1008-100-0001-003 – 581.20 acres (City of Richland)
- 2) 1-1008-100-0001-004 – 257.70 acres (Port of Benton)
- 3) 1-0308-400-0001-000 – 219.36 acres (Port of Benton)
- 4) 1-3418-300-0001-000 – 285.20 acres (Port of Benton)
- 5) 1-0308-100-0001-000 – 155.84 acres (Energy Northwest)
- 6) 1-3418-300-0002-000 – 144.16 acres (Energy Northwest)

The Record Survey of the North Horn Rapids Industrial Park properties is attached.

If you have any questions or comments, you may contact the Office of Economic Development at (509) 942-7583.

Sincerely,

Amanda Wallner
Economic Development Manager
Office of Economic Development

Cc: file

HANFORD PATROL TRAINING ACADEMY

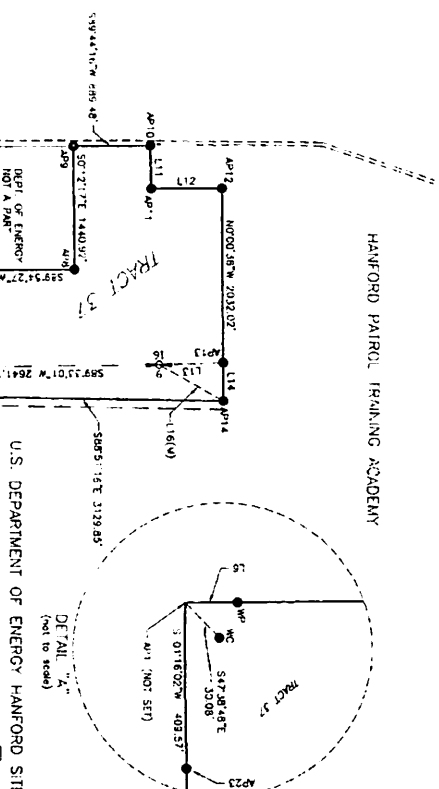


TABLE 1		
LINE	DESCRIPTION	LENGTH
1	0221.50 W	177.97
2	5456.91 S 2 E	380.32
3	5-9-60 15 W	423.61
4	5657.99 S 15 W	579.08
5	11-03-2 E	403.59
6	0697.66 S 2 E	77.68
7	5087.95 S W	760.32
8	11-03-1 W	580.45
9	0602.70 E	164.67
10	07-01-2 E	124.06
11	11-03-3 W	503.20
12	0697.33 W	823.01
13	0607.92 E	742.91
14	11-03-0 E	346.42
15	5-9-61 15 W	449.93
16	0602.55 S 2 E	559.72
17	5087-10 W	380.76

ORIGINAL

RECORD SURVEY

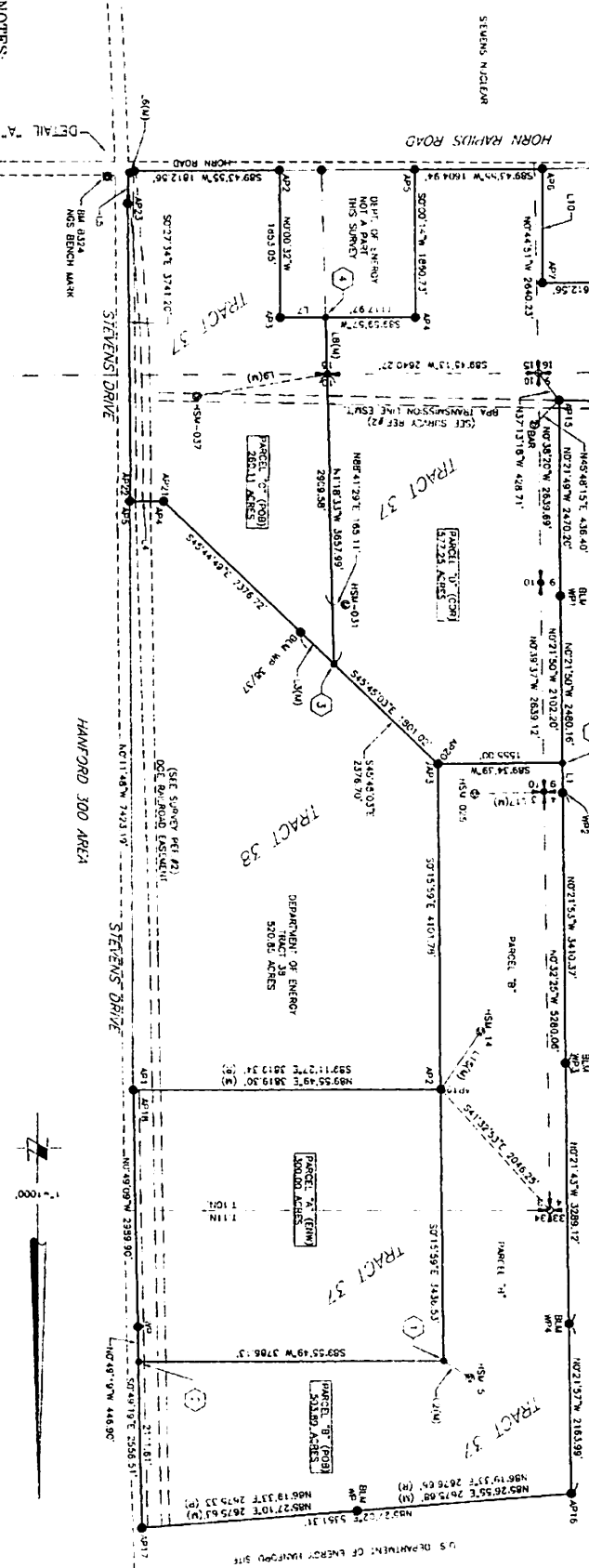
PORTIONS OF SECTIONS 3, 4, 9, 10, 15 & 16
TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M.
AND PORTIONS OF SECTIONS 33 & 34
TOWNSHIP 11 NORTH RANGE 28 EAST, W. M.
BENTON COUNTY, WASHINGTON

(SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTIONS & SURVEYORS NARRATIVE)

SURVEY REFERENCES

1. BLM DEPENDENT RESURVEY OF TOWNSHIPS 10 AND 11 NORTH, RANGE 24 EAST, 11W ACCORDING TO THE SPECIAL PLAN SHEET APPROVED REE & CO. INC. IN 1971. THE BLM OFFICE OF CALIFORNIA, FORTY-NINTH AND FORTIETH AVENUE, FORT COCKER, CALIFORNIA 95926.
2. FIRST AMENDMENT OF QUICLAUD DEED, RECORDED IN AUDITOR'S FILE NO. 2018-022889, RECORDS IN BUTTE COUNTY, MARIETTA.

U.S. DEPARTMENT OF ENERGY HANFORD SITE



NOTES:

- [illegible]

MONUMENT LEGEND

- DENOTES SET J 3/72 BRASS CAP IN 4" DIAL X 24" CONCRETE PINE CINDER STAMPED AS SHOWN ON SHEET 2
- DENOTES FOUND BULB ALUM. MONUMENT AS DESCRIBED IN OFFICIAL BULB FIELD NOTES PER REFERENCE NO. 1
- DENOTES USGS GEODESIC CONTROL MONUMENT AS DESCRIBED IN OFFICIAL BULB FIELD NOTES.
- ✚ DENOTES BULB BRASS CAP SECTION CORNER FOLIO PER SQUARE REFERENCE NO. 1
- ✚ DENOTES BULB BRASS CAP 1/4 SECTION CORNER FOLIO PER SQUARE REFERENCE NO. 1



SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF THE PORT OF BEVINGTON AND CITY OF BEVINGTON IN AUGUST 2018.

9/26/18
DATE

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 1ST DAY OF October 2018 A.D. AT 21
 UNITS: PAST 9 A.M. AND RECORDED IN VOLUME 1 OF SUMMERS.
5069 AT THE OFFICE OF RECORDS SUPERVISOR

2018-029107	REC: 9/14/18 BWC
FEE NUMBER	
RECORD SUPPLY NUMBER	5069
CLIENT	BRENDA CHILTON <i>for Reli (hus)</i> BENTON COUNTY AUDITOR

PORT OF BENTON

TRIDEC PARCELS

LAND TRANSFER SURVEY

DRN. BY	CBN	SCALE: 1" = 1000'	F. B. MO. TSC-E	SHEET
APPROVED			ACID VER -2017	

APPROVED	DATE	FILE	OF
CBM	01/22/17	35117.dwg	2

人 工 智 能

100

RECORD SURVEY

PORTIONS OF SECTIONS 3, 4, 9, 10, 15 & 16
TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M.
AND PORTIONS OF SECTIONS 33 & 34
TOWNSHIP 11 NORTH RANGE 28 EAST, W.M.
BENTON COUNTY, WASHINGTON

SURVEYOR'S NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO MECHANICALLY TEST THE LOCAL DESIGNS AND MONUMENTS ESTABLISHED BY THE BLM IN 1981 AND THE 2018 BLM PERSONNEL INVENTORY OF PLANTS AND ANIMALS. THE SURVEY WILL BE CONDUCTED BY THE BLM PERSONNEL IN THE BLM OFFICE OF COASTAL SURVEY, PORTLAND, OREGON.

EXISTING SURVEY MONUMENTS ESTABLISHED BY THE BLM SURVEY REFERENCED ABOVE ARE 3-1/2" DIAMETER ALUMINUM CAPS ENGRAVED ON A 2-7/8" DIAMETER ALUMINUM OR REBAR/SPACER. NEW SURVEY MONUMENTS ESTABLISHED BY THE SURVEY ARE 3-1/2" DIAMETER CAPS ON 1/2" DIAMETER REBAR ENGRAVED BY A BLM STILL LEVELING POS.

NEW SURVEY MOVEMENTS ESTABLISHED BY THIS SURVEY ARE:
5/8" DIAMETER REBAR MINESSED BY A 6' STEEL FENCE POST

[illegible]

ORIGINAL

SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS DESCRIBED IN FIRST AMENDMENT OF QUILCUM DEED RECORDED IN AUDITOR'S FILE NO. 2018-023862. RECORDS OF BEHSON COUNTY

IN

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 1st DAY OF October, 2013 A.D. AT el
 MINUTES PAST 9 A. M. AND RECORDED IN VOLUME 1 OF SURVEYS.
 PAGE 509, AT THE REQUEST OF ROGERS SURVEYING.

BRENDA CHILTON by Robert Harris
BENSON COUNTY AUDITOR Deputy

2018-029107
FEE NUMBER

RECORD SURVEY NUMBER	5669	REV: 9/14/10 BAC
CUSTOMER	PART OF BENNON	

TRIDEC PARCELS PROJECT	35
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DOE LAND TRANSFER SURVEY

APPROVED	CBW	DATE	01/22/17	FILE:	35117.dwg	OF
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T3-001 PG 2 of 2

James B. Warner
JAMES B. WARNER USA0042
DATE 9/26/18

RST
ROGERS
SURVEYING INC., P.S.
1465 COLUMBIA PARK TRAIL
MILLINGTON, TN 38555
PHONE (506) 763-4141
FAX: (609) 763-6984
www.rogerssurveying.com

CLIENT	PORT OF BENTON	JOE
		35117
PROJECT	TRIDEC PARCELS	
	DOE LAND TRANSFER SURVEY	
DRN. BY	SCALE 1" = 1000'	F. B. NO. RS-6
UBBY		ACED VES - 2017
APPROVED GBN	DATE 01/22/17	FILE: 35117.dwg
		SHEET 2
		OF 2

Attachment 2

RESOLUTION NO. 2022-111

A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON, ACCEPTING A REQUEST FOR ANNEXATION OF 1,643 ACRES, TO BE KNOWN AS THE NORTH HORN RAPIDS INDUSTRIAL PARK, LOCATED WITHIN PORTIONS OF SECTIONS 3, 4, 9, 10, 15 & 16, TOWNSHIP 10 NORTH, RANGE 28 EAST AND PORTIONS OF SECTIONS 33 & 34, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON.

WHEREAS, the City received a written request for the annexation of 1,643 acres located in what will be known as the North Horn Rapids Industrial Park from the City of Richland Development Services Department; and

WHEREAS, on August 16, 2022, Richland City Council was presented with the request for annexation and passed Resolution No. 2022-104, establishing September 6, 2022 as the date for Council to meet with the proponent of the annexation; and

WHEREAS, as required by RCW 35.13.125, Richland City Council met with the annexation proponent on September 6, 2022 and reviewed the proposed annexation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland as follows:

Section 1. The City of Richland hereby accepts the request for annexation subject to the following conditions:

1. That the annexation be accepted as proposed.
2. That simultaneous adoption of the City's Comprehensive Plan for the proposed annexation is required.
3. That the City requires the assumption of an appropriate share of all existing City indebtedness by the area to be annexed.
4. That adequate health/safety infrastructure and/or improvements required by the Richland Municipal Code are installed at owner expense to serve any existing structures.

Section 2. The Richland Planning Commission is hereby directed to review the proposal and forward a recommendation to City Council as to the most appropriate zoning designation(s) for the area proposed for annexation.

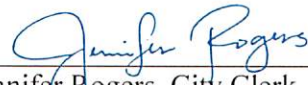
BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

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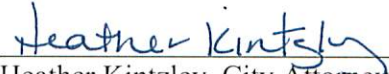
ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 6th day of September, 2022.


Michael Alvarez, Mayor

Attest:


Jennifer Rogers, City Clerk

Approved as to Form:


Heather Kintzley, City Attorney

Chapter 23.26 INDUSTRIAL ZONING DISTRICTS

Sections:

[23.26.010 Purpose of industrial use districts.](#)

[23.26.020 Industrial performance standards and special requirements.](#)

[23.26.025 Enforcement of performance standards.](#)

[23.26.030 Industrial use districts permitted land uses.](#)

[23.26.040 Site requirements for industrial use districts.](#)

[23.26.050 Parking standards for industrial use districts.](#)

[23.26.060 Landscaping standards for industrial districts.](#)

23.26.010 Purpose of industrial use districts.

A. The medium industrial use district (I-M) is a zone providing for limited manufacturing, assembly, warehousing and distribution operations and retail and wholesale sales of products manufactured on the premises or products allied thereto; and administrative and research and development facilities for science-related activities and commercial uses that are supportive and compatible with other uses allowed in the district. Regulations are intended to prevent frictions between uses within the district, and also to protect nearby residential districts. This zoning classification is intended to be applied to some portions of the city that are designated industrial under the city of Richland comprehensive plan.

B. The heavy manufacturing district (M-2) is intended primarily for heavy manufacturing and closely related uses. To avoid burdensome regulations on heavy manufacturing, regulations for this district are intended to provide protection principally against effects harmful to other districts. This zoning classification is intended to be applied to some portions of the city that are designated industrial under the city of Richland comprehensive plan. [Ord. 28-05 § 1.02].

23.26.020 Industrial performance standards and special requirements.

A. I-M – Medium Industrial and M-2 – Heavy Manufacturing. The maximum permissible limits of the detrimental effects specified in this chapter shall be as defined in this section:

1. Smoke. The emission of smoke or particulate matter of a density greater than No. 2 on the Ringlemann Chart as published by the U.S. Bureau of Mines is prohibited, except that Ringlemann No. 3 will be permitted for three minutes during any eight-hour period for the purpose of building fires or soot blowing.

2. Dust and Other Particulate Matter. The total net rate of emission from all sources within the boundaries of a lot in the I-M or M-2 district shall not exceed one pound per acre of lot area during any one hour. The emission from all sources within any lot area of particulate matter containing more than 10 percent by weight of particles having a diameter larger than 44 microns is prohibited. Dust and other types of air pollution carried by a wind from such sources as storage yards, piled materials, yards, roads, etc., shall be included in particulate matter measurements and limitations, and shall be kept to a minimum by appropriate screening, design, landscaping, paving, oiling, sprinkling, or other acceptable means. Measurements shall be taken at the source of the emission.

3. Method of Measuring Emission of Particulate Matter from All Sources. Determination of the total net rate of emission of all particulate matter within the boundaries of any lot shall be made as follows:

- a. Determine maximum emission in pounds per hour from each source of emission and divide this figure by acres of lot area, obtaining the gross hourly rate of emission in pounds per acre.
- b. For each gross hourly rate of emission, deduct the height of emission correction factor from the following table, interpolating as necessary for heights not given:

ALLOWANCE FOR HEIGHT OF EMISSION	
Height of Emission Above Grade (feet)	Correction Pounds per Hour per Acre
50	0.01
100	0.06
150	0.10
200	0.16
300	0.30
400	0.50

The result is the net hourly rate of emission in pounds per acre from each source of emission.

Adding together individual net rates of emission gives the total net rate of emission from all sources of emission within the boundaries of the lot.

4. Noise. In the I-M and M-2 districts, the sound pressure level resulting from any activity shall not exceed the maximum decibel level set forth in Chapter 173-60 WAC, Maximum Environmental Noise Levels for Class C Industrial Zones.

5. Vibration. Every use shall be so operated that the ground vibration inherently and recurrently generated from equipment other than vehicles is not perceptible without instruments at any point on or beyond any lot line of the property on which the use is located.

6. Odor. All measurements of odor for purposes of this standard shall be made according to the "dilution method" as prescribed in ASTM D1391-57. The following odor restrictions apply to this medium industrial use district:

- a. At the district boundary, the odor from any source within the district must not exceed one odor unit per cubic foot, as measured by the procedures in ASTM D1391-57.
- b. Within the district, the odor from any source within a given property or lot must not exceed 10 odor units per cubic foot at the boundary of the property, again measured by the procedures in ASTM D1391-57, except that uses existing prior to the effective date of the ordinance codified in this chapter shall be required to comply with only this subsection (A)(6)(b).

For the purposes of estimating the dilution of odors by the atmosphere between their point of origin and either the property boundary or the district boundary, the method of Pasquill ("The Estimation of the Dispersion of Windborne Material," Meteorol. Mag., 90, 1063, 33-49, 1961) as modified by Gifford ("Uses of Routine Meteorological Observations for Estimating Atmospheric Dispersion," Nuclear Safety, 2, 47-51, 1961) shall be used.

The atmospheric conditions to be assumed for this calculation are:

- i. Stability Category F, moderately stable air;
- ii. Surface wind speed of one meter/second (about two mph).

A procedure and necessary graphs for making this estimate are given in D. Bruce Turner's "Workbook of Atmospheric Dispersion Estimates," Dept. HEW, Environmental Health Series, Public Health Service Publication No. 999-AP-26, Revised 1969.

7. Toxic and Noxious Gases. No emission which would be demonstrably injurious to human health, animals or plant life common to the region, on the ground at or beyond any lot line on which the use is located will be permitted. Where such emission could be produced as a result of accident or equipment malfunction, adequate safeguards standard for safe operation in the industry involved shall be taken. This shall not be construed to prohibit spraying of pesticides on public or private property.

8. Heat, Glare and Humidity (Steam). In the I-M or M-2 districts any activity producing humidity in the form of steam or moist air, or producing heat or glare shall be carried on in such a manner that the heat, glare or humidity is not perceptible at any lot line on which the use is located. Building materials with high light

reflective qualities shall not be used in the construction of buildings in such a manner that reflected sunlight will throw intense glare on areas surrounding the I-M or M-2 district. Artificial lighting shall be hooded or shaded so that direct light of high intensity lamps will not result in glare when viewed from areas surrounding the I-M or M-2 district.

9. Industrial Wastes. The disposal of industrial wastes shall be subject to the regulations of the state Health Department and shall comply with the requirements of the Washington Pollution Control Commission.

10. Fire and Explosive Hazards. The storage, manufacture, use, or processing of flammable liquids or materials which produce flammable or explosive vapors or gases shall be permitted in accordance with the regulations of the fire prevention code and the building code of the city of Richland. [Ord. 28-05 § 1.02; Ord. 04-09; Ord. 32-11 § 7].

23.26.025 Enforcement of performance standards.

It is the intent of this section that:

A. If in the opinion of the administrative official a violation of the performance standards in RMC [23.26.020](#) has occurred, the administrative official shall send a written notice of the violation to the owners of the property and the manager of the operation involved by certified mail. The manager or responsible person shall have 30 days to correct the violation, unless in the opinion of the administrative official there is imminent peril to the life and property of persons adjacent to the alleged violation, in which case the violation shall be corrected immediately.

B. Where determinations of violation can be made by the administrative official using equipment normally available to the city or obtainable without extraordinary expense, such determination shall be so made before notice of violation is issued.

C. Where technical complexity or extraordinary expense make it unreasonable for the city to maintain the personnel or equipment necessary to make the determination of violation, then the city shall call in properly qualified experts to make the determination. If expert findings indicate a violation of the performance standards, the costs of the determination shall be assessed against the properties or persons responsible for the violation in addition to the other penalties prescribed by this title. If no violation is found, cost of the determination shall be paid entirely by the city. [Ord. 28-05 § 1.02].

23.26.030 Industrial use districts permitted land uses.

In the following chart, land use classifications are listed on the vertical axis. Zoning districts are listed on the horizontal axis.

A. If the symbol "P" appears in the box at the intersection of the column and row, the use is permitted, subject to the general requirements and performance standards required in that zoning district.

B. If the symbol “S” appears in the box at the intersection of the column and row, the use is permitted subject to the special use permit provisions contained in Chapter 23.46 RMC.

C. If the symbol “A” appears in the box at the intersection of the column and the row, the use is permitted as an accessory use, subject to the general requirements and performance standards required in the zoning district.

D. If a number appears in the box at the intersection of the column and the row, the use is subject to the general conditions and special provisions indicated in the corresponding note.

E. If no symbol appears in the box at the intersection of the column and the row, the use is prohibited in that zoning district.

Land Use	I-M	M-2
Automotive, Marine and Heavy Equipment Uses		
Automotive Repair – Major	P	P
Automotive Repair – Minor	P	
Automotive Repair – Specialty Shop	P	
Automobile Service Station	P	
Automobile Wrecking		S ¹
Boat Building	P	P
Bottling Plants	P	P
Car Wash – Automatic or Self-Service	P ²	A
Equipment Rentals	P	
Farm Equipment and Supplies Sales	P	S
Gas/Fuel Station	P	S
Heavy Equipment Sales and Repair	P	P
Marine Repair	P	P
Towing, Vehicle Impound Lots	P ³	
Truck Rentals	P	
Truck Stop – Diesel Fuel Sales	P	P
Truck Terminal	P	P
Vehicle Sales	P	
Warehousing, Wholesale Use	P	P

Business and Personal Services		
Animal Shelter	S ⁴	
Contractors' Offices and Shops	P	
General Service Businesses	P	P
Health/Fitness Facility	P	A
Health/Fitness Center	P	
Laundry/Dry Cleaning, Commercial	P	
Laundry/Dry Cleaning, Retail	P	
Mini-Warehouse	P ⁵	
Mailing Service	P	
Personal Loan Business	P	
Personal Services Businesses	P	
Photo Processing, Copying and Printing Services	P	
Telemarketing Services	P	
Food Service		
Cafeterias	A	A
Delicatessen	A	A
Drinking Establishments	P	P
Restaurants/Sit Down	P	
Restaurants/Drive-Through	P ⁶	A ⁶
Restaurants/Lounge	P	
Restaurants/Take Out	P	
Restaurants with Entertainment/Dancing Facilities	P	
Wineries	P	
Industrial/Manufacturing Uses		
Airport, Industrial	P	
Excavating, Processing, Removal of Topsoil, Sand, Gravel, Rock or Similar Natural Deposits	S ⁷	S ⁷
Junkyard		S

Laundry and Cleaning Plants	P	P
General Manufacturing Uses	P	P
Heavy Manufacturing Uses		P
Light Manufacturing Uses	P	P
Research, Development and Testing Facilities	P	P
Warehousing, Storage and Distribution	P	P
Wholesale Facilities and Operations	P	P
Office Uses		
Financial Institutions	P	
Medical, Dental and Other Clinics	P	
Office – Consulting Services	P	
Office – Corporate	P	
Office – General	P	
Office – Research and Development	P	P
Public/Quasi-Public Uses		
General Park Operations and Maintenance Activities	P	P
Passive Open Space Use	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ⁸	P ⁸
Public Agency Buildings	P ⁸	P ⁸
Public Agency Facilities	P ⁸	P ⁸
Public Parks	P	
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P
Trail Head Facilities	P	P
Trails for Equestrian, Pedestrian, or Nonmotorized Vehicle Use	P	P
Recreational Uses		
Commercial Recreation, Outdoor	S ⁹	
Residential Uses		

Accessory Dwelling Unit	A	
Day Care Center	S ¹⁰	
Dwelling Units for a Resident Watchman or Custodian	A	A
Emergency Housing	S	S
Emergency Shelters	S	S
Hotels or Motels	S	S
Permanent Supportive Housing	S	S
Temporary Residence	p ¹¹	p ¹¹
Transitional Housing	S	S
Retail Uses		
Adult Use Establishments	p ¹²	
Airport, Commercial	P	
Parking Lot or Structure	P	P
Miscellaneous Uses		
Bus Station	P	
Bus Terminal	P	
Bus Transfer Station	P	P
Community Festivals and Street Fairs	P	P
Farming of Land	P	P
Macro-Antennas	P	P
Monopole	p ¹³	p ¹³
On-Site Hazardous Waste Treatment and Storage	P	P
Outdoor Storage	p ¹⁴	p ¹⁴
Storage in an Enclosed Building	P	P

1. RMC 23.42.290
2. RMC 23.42.270
3. RMC 23.42.320
4. RMC 23.42.040

5. RMC 23.42.170
6. RMC 23.42.047
7. RMC 23.42.070
8. RMC 23.42.200
9. RMC 23.42.175
10. RMC 23.42.080
11. RMC 23.42.110
12. RMC 23.42.030
13. Chapter 23.62 RMC
14. RMC 23.42.180

[Ord. 28-05 § 1.02; Ord. 04-09; Ord. 13-11 § 1.01; Ord. 32-11 § 8; Ord. 07-19 § 7; Ord. 60-19 § 1; Ord. 2022-19 § 5].

23.26.040 Site requirements for industrial use districts.

In the following chart, development standards are listed on the vertical axis. Zoning districts are listed on the horizontal axis. The number appearing in the box at the intersection of the column and row represents the dimensional standard that applies to that zoning district.

Standard	I-M	M-2
Minimum Lot Area	None	None
Minimum Front Yard Setback	0 feet ¹	0 feet ¹
Minimum Side Yard Setback	None	None
Minimum Rear Yard Setback	None	None
Maximum Building Height – Main Building	55 feet ²	None

-
1. No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.
 2. Except as otherwise provided in this section, the maximum building height in the I-M district shall be 55 feet:
 - a. Any building or structure located within 300 feet of any residential use district shall be limited to 24 feet in height.
 - b. Any building further than 300 feet but less than 600 feet from districts described in note (2)(a) of this section shall not exceed 55 feet in height.
 - c. Except as provided in notes (2)(a) and (b) of this section, buildings may exceed the maximum height in accordance with the provisions of RMC 23.38.090.

[Ord. 28-05 § 1.02; Ord. 04-09; amended during 2011 recodification; Ord. 32-11 § 9].

23.26.050 Parking standards for industrial use districts.

Off-street parking space shall be provided in all industrial zones in compliance with the requirements of Chapter 23.54 RMC. [Ord. 28-05 § 1.02].

23.26.060 Landscaping standards for industrial districts.

A. In the I-M and M-2 zoning districts, perimeter landscaping shall be required of all new industrial facilities and developments proposed in accordance with RMC 23.54.160.

B. In the I-M or M-2 zoning districts, any use adjacent to a residential or PPF – parks and public facilities use district shall provide sight screening as follows:

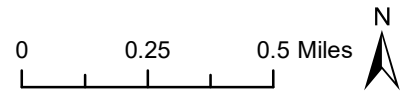
1. In the case of buildings, structures, or parking lots, a six-foot-high sight-obscuring fence or evergreen planting shall be provided along the entire length of the use.
2. Required sight-screening fences shall be of masonry, wood, or slatted chain link construction and shall be maintained in a good condition. Required sight-screening plantings shall be installed so that such plantings can reasonably be expected to provide the desired screening within three years of planting, and shall be constantly maintained in a healthy, growing condition. [Ord. 28-05 § 1.02].

VICINITY MAP
ANX2022-101

[illegible]

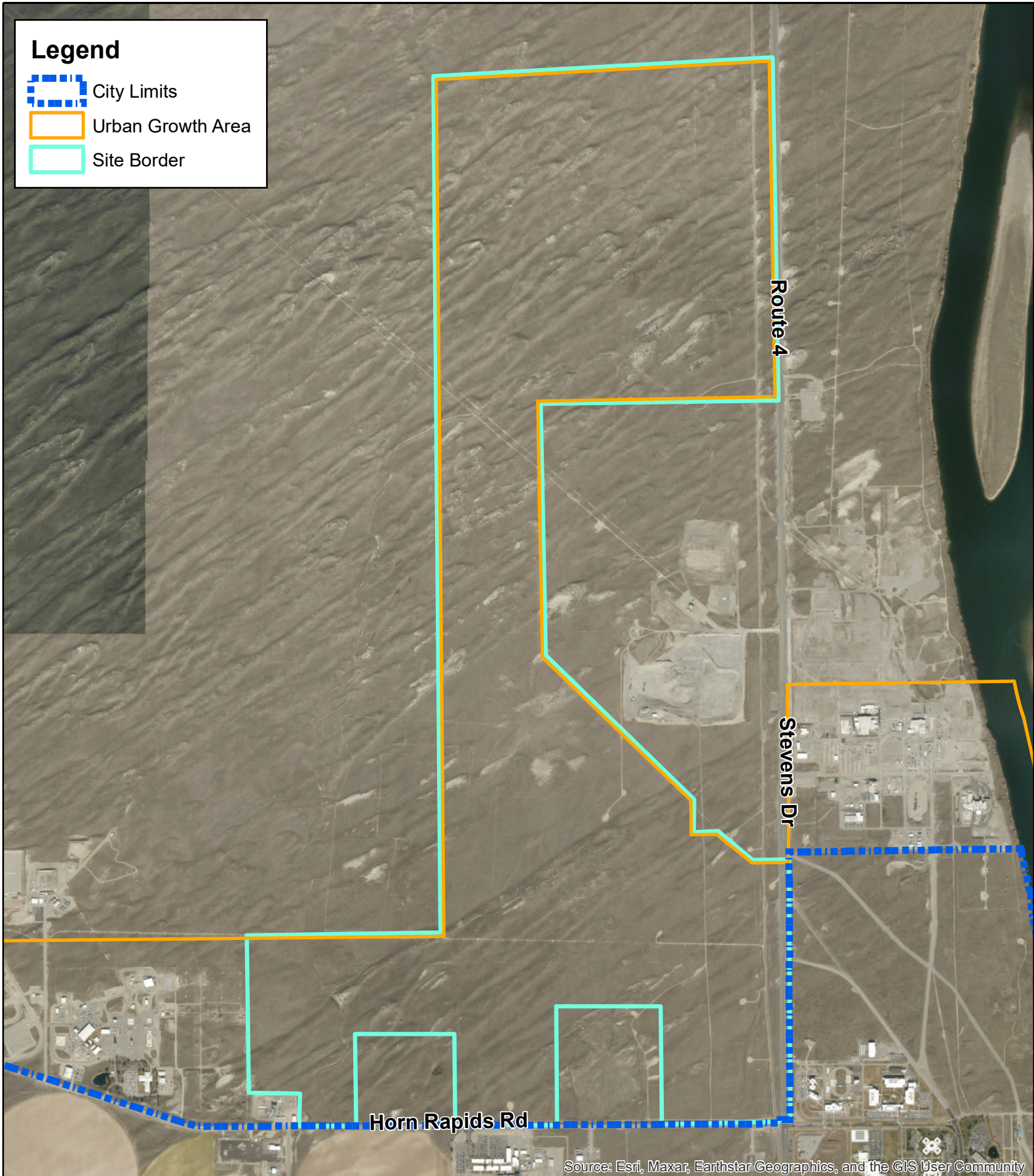
Vicinity Map

Item: North Horn Rapids Industrial Park Annexation
Applicant: City of Richland Economic Development Division
File #: ANX2022-101

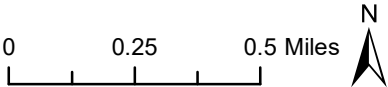


Legend

-  City Limits
-  Urban Growth Area
-  Site Border



Land Use Map



Legend

City Limits

Urban Growth Area

Site Border

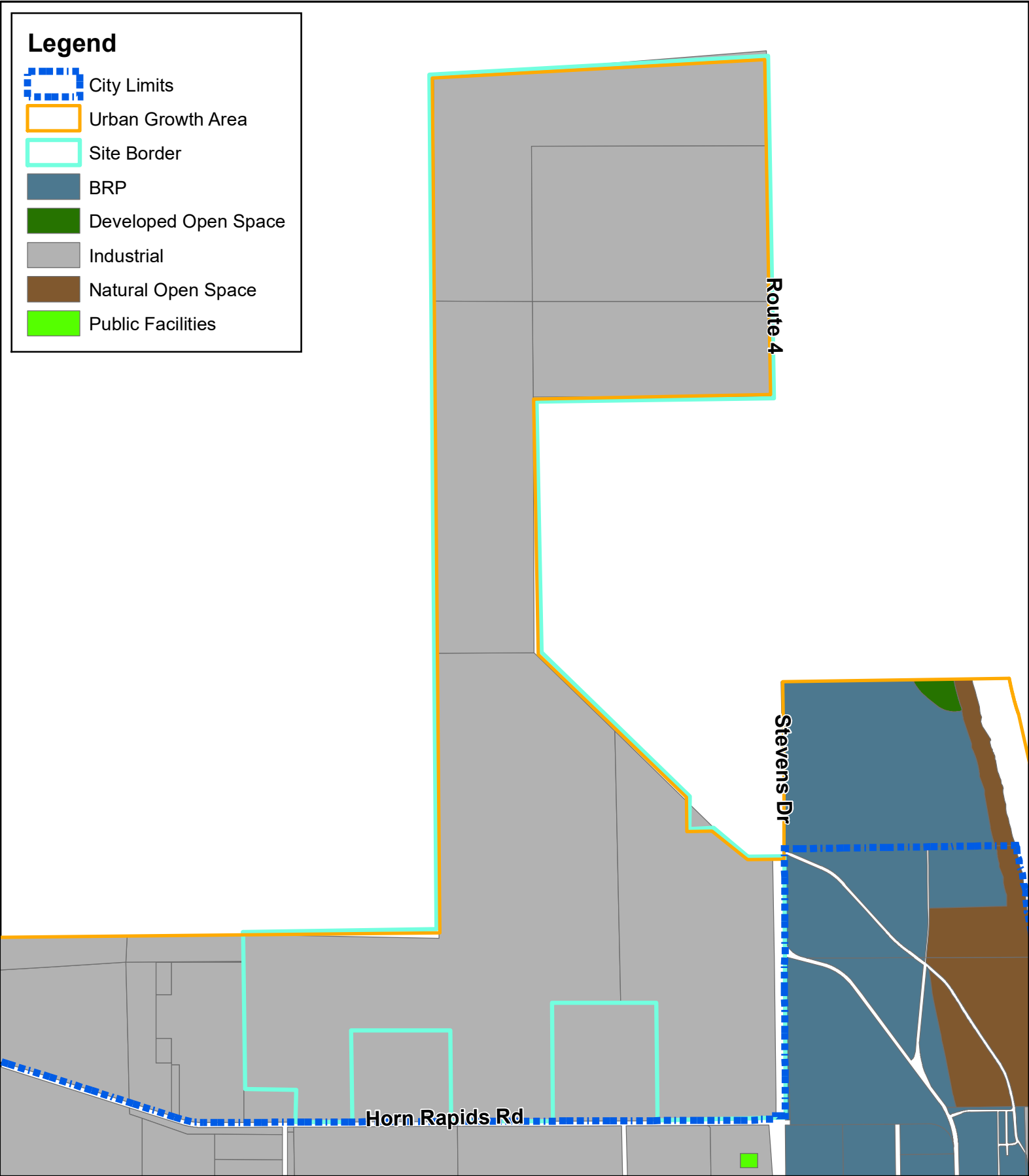
BRP

Developed Open Space

Industrial

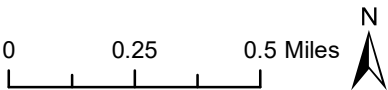
Natural Open Space

Public Facilities



Zoning Map

Item: North Horn Rapids Industrial Park Annexation
Applicant: City of Richland Economic Development Division
File #: ANX2022-101



Legend

City Limits

Urban Growth Area

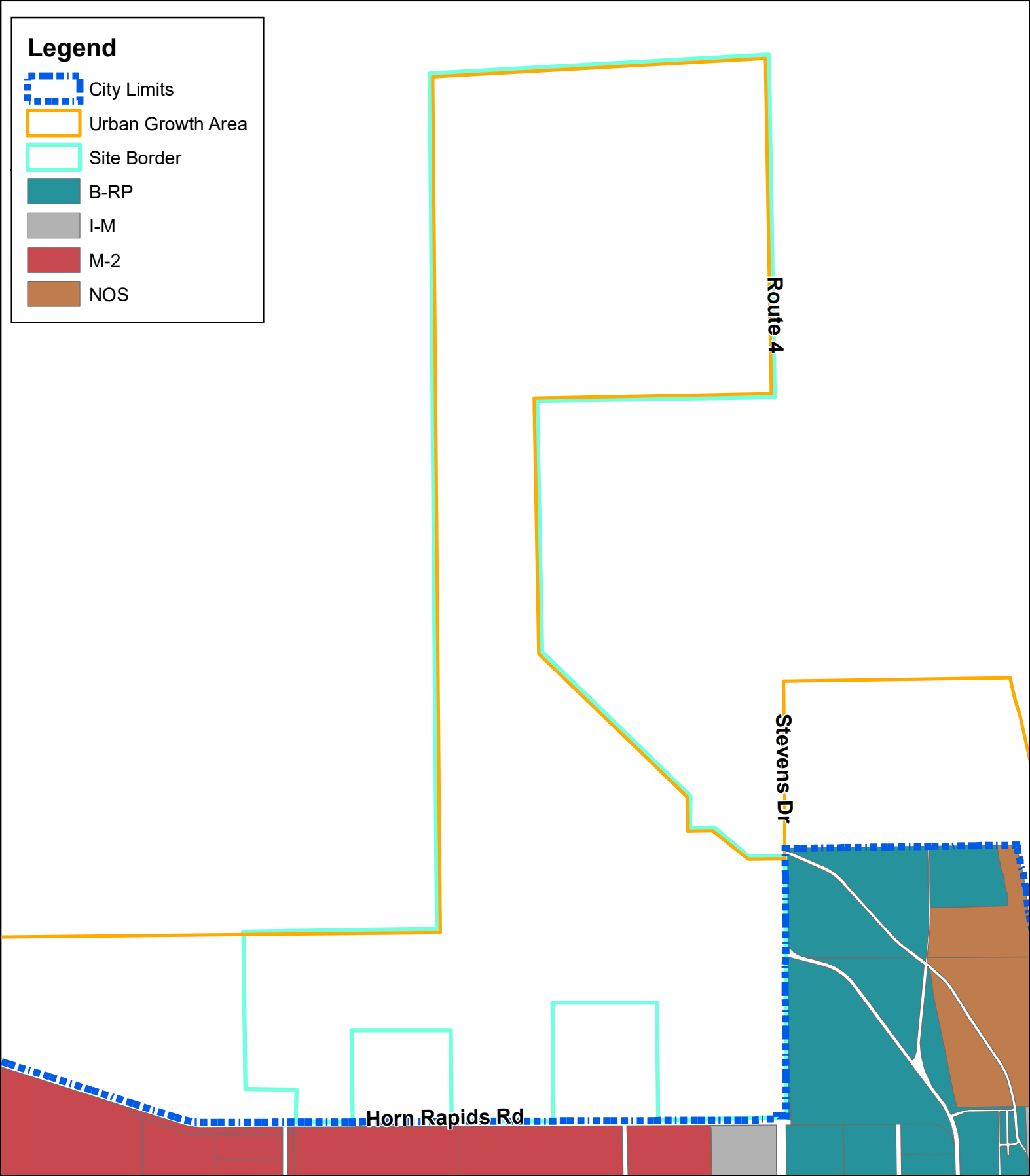
Site Border

B-RP

I-M

M-2

NOS



Attachment 5

RESOLUTION NO. 2023-24

A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON, AUTHORIZING CIRCULATION OF A PETITION PROPOSING ANNEXATION OF APPROXIMATELY 1,643 ACRES LOCATED WITHIN PORTIONS OF SECTIONS 3, 4, 9, 10, 15 & 16, TOWNSHIP 10 NORTH, RANGE 28 EAST AND PORTIONS OF SECTIONS 33 & 34, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON.

WHEREAS, Richland City Council has, through adoption of Resolution No. 2022-111 on September 6, 2022, accepted a request for the annexation of 1,643 acres to be known as the North Horn Rapids Industrial Park; and

WHEREAS, the Richland Planning Commission held a public hearing on January 25, 2023 to consider appropriate zoning designations for the proposed annexation area, thus fulfilling the directives included in Resolution No. 2022-111.

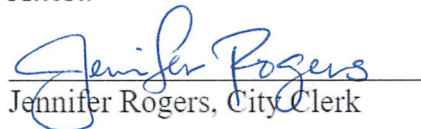
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that circulation of the attached petition calling for the annexation of 1,643 acres to be known as the North Horn Rapids Industrial Park is hereby authorized.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

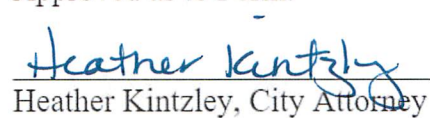
ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 21st day of February, 2023.


Terry Christensen, Mayor

Attest:


Jennifer Rogers, City Clerk

Approved as to Form:


Heather Kintzley, City Attorney

**PETITION FOR ANNEXATION
TO CITY OF RICHLAND, WASHINGTON**

Proposed Annexation Name: **1,643-Acres: North Horn Rapids Industrial Park**

The Honorable Mayor and City Council:

WE, the undersigned, who are the owners of not less than sixty percent (60%) in value, according to the assessed valuation for general taxation, of the real property geographically depicted on the map attached hereto as Attachment 1 and legally described in Attachment 2 attached hereto, lying contiguous to the City of Richland, Washington, do hereby petition that such territory be annexed to and made a part of the City of Richland under the provisions of RCW 35.13.130 et. seq. A list of all assessors' tax parcel numbers of the parcels within the proposed annexation area, the record owner of each parcel, and the assessed value of each parcel is set forth in Attachment 3.

Prior to the circulation of this petition, a meeting was held on the sixth day of September, 2022, between the initiating parties of this annexation and the Council of the City of Richland, at which time the Council passed Resolution No. 2022-111, accepting the notice of intention to commence annexation proceedings for the real property geographically depicted on the map attached hereto as Attachment 1 and legally described in Attachment 2 attached hereto. Resolution No. 2022-111 also (1) required that the annexation be accepted as proposed; (2) required the simultaneous adoption of the City's Comprehensive Plan to serve as the Comprehensive Plan for the proposed annexation area; (3) required the assumption of an appropriate share of all existing indebtedness of the City by the area to be annexed upon annexation authorized; and (4) directed the planning commission to propose and forward a recommendation to the city council as to the most appropriate zoning designation for the area proposed to be annexed.

On January 25, 2023, the Richland Planning Commission conducted a public meeting and recommended that M-2 (Heavy Manufacturing) zoning was the most appropriate zoning designation for the proposed annexation area. On February 21, 2023, the Council passed a resolution authorizing the circulation of an annexation petition for annexation of the real property geographically depicted on the map attached hereto as Attachment 1 and legally described in Attachment 2 attached hereto.

WHEREFORE, petitioners pray that the City Council of the City of Richland, Washington entertain this petition, fix a date for a public hearing hereon, and cause notice of the hearing to be published in one or more issues of a newspaper of general circulation in the City, and to post the notice in three public places within the area proposed for annexation specifying the time and place of the hearing and inviting all interested persons to appear and voice approval or disapproval of the annexation.

INSTRUCTIONS FOR SIGNING PETITION

The following conditions should be noted for those signing the petition as owners of property:

1. Each signature shall be executed in ink or indelible pencil and shall be followed by the name of the signer, the date of signing, and the property description of the property within the proposed annexation owned by the signor.
2. The signature of a record owner, as determined by the records of the county auditor, shall be sufficient without the signature of his or her spouse;
3. In the case of mortgaged property, the signature of the mortgagor shall be sufficient, without the signature of his or her spouse;
4. In the case of property purchased on contract, the signature of the contract purchaser, as shown by the records of the county auditor, shall be deemed sufficient, without the signature of his or her spouse;
5. Any officer of a corporation owning land within the area involved, who is duly authorized to execute deeds or encumbrances on behalf of the corporation, may sign under oath on behalf of such corporation, and shall attach to the petition a certified excerpt from the bylaws of such corporation showing such authority.
6. When property stands in the name of a deceased person or any person for whom a guardian has been appointed, the signature of the executor, administrator, or guardian, as the equivalent to the signature of the owner of the property; and
7. When a parcel of property is owned by multiple owners, the signature of an owner designated by the multiple owners is sufficient.

WARNING

Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor. See RCW 35.21.005.

Assessor's Parcel Numbers: 110081000001003

Property Owners: City of Richland

Site Address: No Address Currently Assigned by the City of Richland

Signature: By: _____ **Date:** _____

Name of Person Signing: _____

Signature: By: _____ **Date:** _____

Name of Person Signing: _____

Assessor's Parcel Numbers: 110081000001004, 103084000001000 and 134183000001000

Property Owners: Port of Benton

Site Address: No Address Currently Assigned by the City of Richland

Signature: By: _____ **Date:** _____

Name of Person Signing: _____

Signature: By: _____ **Date:** _____

Name of Person Signing: _____

Assessor's Parcel Numbers: 103081000001000 and 134183000002000

Property Owners: Energy Northwest

Site Address: No Address Currently Assigned by the City of Richland

Signature: By: _____ **Date:** _____

Name of Person Signing: _____

Signature: By: _____ **Date:** _____

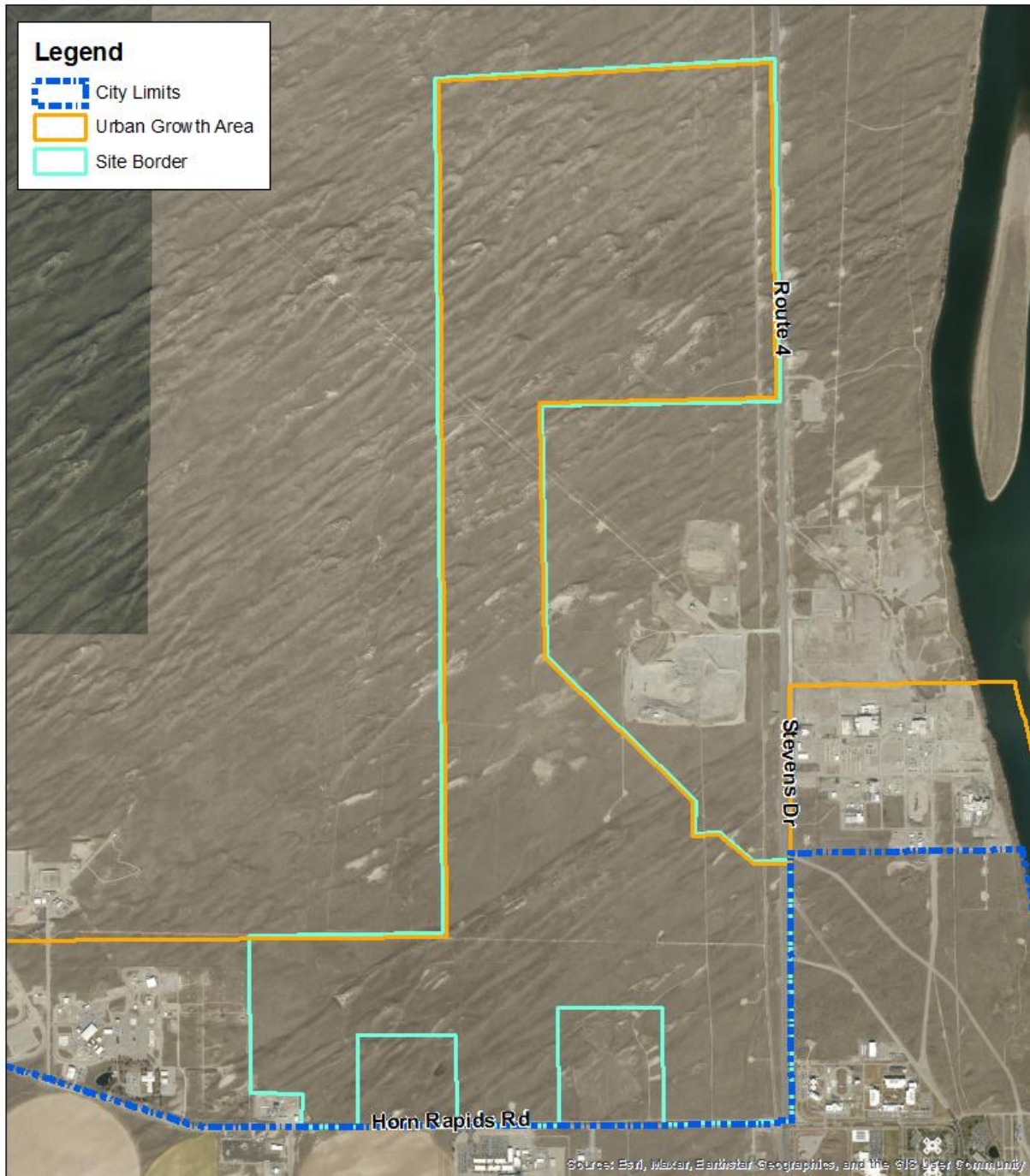
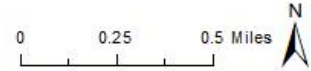
Name of Person Signing: _____

ATTACHMENT 1

Proposed 1,643-Acre North Horn Rapids Industrial Park Annexation

Vicinity Map

Item: North Horn Rapids Industrial Park Annexation
Applicant: City of Richland Economic
Development Division
File #: ANX2022-101



ATTACHMENT 2

Legal Description for Proposed 1,643-Acre North Horn Rapids Industrial Park Annexation

The 1,643-Acre North Horn Rapids Industrial Park annexation consists of the following:

APN NO. 110081000001003

PORTIONS OF SECTIONS 9, 10, 15, & 16 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED AF#2015-029457, RECORDS OF SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPID ROAD, 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN QUITCLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. WASHINGTON FROM WHICH NATIONAL GEODETICS SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST A DISTANCE OF 280.40 FEET, THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD A DISTANCE OF 1900.00 FEET, THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1885.00 FEET, THENCE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 554.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1126.00 FEET; THENCE SOUTH 0° 46' 34" WEST A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1450.00 FEET; THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OR 927.25 FEET TO A POINT AT INTERSECTION WIT THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY FROM WHICH A BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTERLINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.35 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE AND ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINE FENCE POST; THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, NORTH 89° 13' 09" WEST A DISTANCE OF 786.09 FEET TO THE POINT OF INTERSECTION WITH THE AST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A

QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE ON SAID EAST BOUNDARY LINE NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL; THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BONNEVILLE POWER ADMINISTRATION POWER LINE, FROM WITH THE SECTION CORNER OF 8, 9, 16, AND 17 BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16 BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 31' 33" EAST A DISTANCE OF 4554.95 FEET; THENCE SOUTH 89° 28' 27" EAST A DISTANCE OF 1614.26 FEET TO AN ANGLE POINT IN TRACT 38, AS DESCRIBED IN A QUITCLAIM DEED AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE ALONG A COMMON LINE BETWEEN SAID TRACT 37 AND TRACT 38, SOUTH 45° 00' 00" EAST A DISTANCE OF 1765.31 FEET; THENCE LEAVING AND COMMON LINE SOUTH A DISTANCE OF 4368.15 FEET BACK TO THE POINT OF BEGINNING. (BOUNDARY LINE ADJUSTMENT PER AF#2016-003066, 2/03/2016)

AND

APN NO. 110081000001004

PORTIONS OF SECTIONS 10 AND 15 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED AF#2015-029457, RECORDS OF SAID COUNTY AND STATE MORE PARTICULARLY DESCRIBED AS FOLLOW; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH RANGE 28 EAST, W.M. WASHINGTON FROM WHICH NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST A DISTANCE OF 280.40 FEET, SAID POINT IS THE TRUE POINT OF BEGINNING; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, A DISTANCE OF 1900.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 554.00 FEET; THENCE NORTH A DISTANCE OF 4368.15 FEET TO A POINT ON THE EASTERLY LINE OF SAID TRACT 38, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE SOUTH 45° 00' 00" EAST A DISTANCE OF 1534.69 FEET; THENCE SOUTH A DISTANCE OF 550.00 FEET; THENCE EAST A DISTANCE OF 400.00 FEET; THENCE SOUTH 50° 11' 52" EAST A DISTANCE OF 732.35 FEET; THENCE EAST A DISTANCE OF 420.00 FEET TO A POINT ON THE 30.00 FOOT LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE AND THE SOUTHERLY MOST

CORNER OF TRACT 38; THENCE LEAVING THE BOUNDARY LINE OF SAID TRACT 38 AND ON SAID 30.00 FOOT OFFSET LINE SOUTH 0° 30' 19" WEST A DISTANCE OF 3850.01 FEET; THENCE SOUTH 01° 36' 41" WEST A DISTANCE OF 332.68 FEET BACK TO THE POINT OF BEGINNING; (BOUNDARY LINE ADJUSTMENT PER AF#2016-003065, 2/03/2016).

And

APN NO. 103084000001000

THAT PORTION OF THE FOLLOWING DESCRIBED PARCEL NOT LYING IN THE PILT AREA (SECTION 34, TOWNSHIP 11 NORTH, RANGE 28 EAST). PORTIONS OF SECTIONS 3, 4, 9, AND 10 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.W. AND PORTIONS OF SECTIONS 33 AND 34 TOWNSHIP 11 NORTH, RANGE 28 EAST W.M. BENTON COUNTY, WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED, AF#2015-029457, RECORDS OF SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAYMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH, RANGE 28 W.M. WASHINGTON FROM WHICH THE NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST OF 280.40 FEET; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS A DISTANCE OF 1900.00 FEET. THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 0° 46' 51" EAST, A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 5540.00 FEET; THENCE CONTINUING PARALLEL WITH SAID RIGHT OF WAY LINK, NORTH 89° 13'09" WEST A DISTANCE OF 1126.00 FEET; THENCE SOUTH 0° 46' 34" A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 1450.00, THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE, THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 927.25 FEET TO A POINT AT INTERSECTION WITH THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY, FROM WHICH THE BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTER LINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.55 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINK FENCE POST, THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY

MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD NORTH 89° 13' 09" WEST A DISTANCE OF 786.09 FEET TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE ON SAID EAST BOUNDARY LINE NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL, THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BONNEVILLE POWER ADMINISTRATION POWER LINE FROM WHICH THE SECTION CORNER OF 8, 9, 16, AND 17, BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16 BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE NORTH 0° 31' 33" EAST A DISTANCE OF 4554.95 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 0° 31' 33" EAST A DISTANCE OF 9258.75 FEET TO THE ANGLE POINT OF A FENCE IN SECTION 33, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M. WASHINGTON, MARKING THE EASTERLY BOUNDARY OF THE HANFORD PATROL TRAINING ACADEMY FIRING RANGE; THENCE NORTH 87° 12' 50" EAST A DISTANCE OF 5345.21 FEET TO THE 30.00 FOOT OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), FROM WHICH NGS CONTROL STATION N523 BEARS NORTH 5° 05' 29" WEST A DISTANCE OF 2263.85 FEET; THENCE ON SAID 30.00 FOOT OFFSET LINE SOUTH 0° 06' 20" WEST A DISTANCE OF 1996.00 FEET; THENCE LEAVING SAID 30.00 FOOT OFFSET LINE WEST A DISTANCE OF 3805.99 FEET; THENCE SOUTH A DISTANCE OF 3436.39 FEET TO A POINT COMMON BETWEEN SAID TRACTS 37 AND 38. THENCE CONTINUING SOUTH A DISTANCE OF 4100.00 FEET TO AN ANGLE POINT IN TRACT 38, AS DESCRIBED IN QUIT CLAIM DEED, AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON. THENCE LEAVING SAID ANGLE POINT NORTH 89° 28' 27" WEST A DISTANCE OF 1614.26 FEET BACK TO THE POINT OF BEGINNING. (BOUNDARY LINE ADJUSTMENT PER AF#2016-003065, 4/25/2016). *****LINKED WITH A SALES RESTRICTION TO 134183000001000 THAT PORTION IN THE PILT AREA*****

AND

APN NO. 134183000001000

THAT PORTION OF THE FOLLOWING DESCRIBED PARCEL LYING IN THE PILT AREA (SECTION 34, TOWNSHIP 11 NORTH, RANGE 28 EAST). PORTIONS OF SECTIONS 3, 4, 9, AND 10 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.W. AND PORTIONS OF SECTIONS 33 AND 34 TOWNSHIP 11 NORTH, RANGE 28 EAST W.M. BENTON COUNTY, WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED, AF#2015-029457, RECORDS OF SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD 40.00 FEET DISTANT NORTH FROM AND PARALLEL

WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAYMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH, RANGE 28 W.M. WASHINGTON FROM WHICH THE NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST OF 280.40 FEET; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS A DISTANCE OF 1900.00 FEET. THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 0° 46' 51" EAST, A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 5540.00 FEET; THENCE CONTINUING PARALLEL WITH SAID RIGHT OF WAY LINK, NORTH 89° 13' 09" WEST A DISTANCE OF 1126.00 FEET; THENCE SOUTH 0° 46' 34" A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 1450.00, THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE, THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 927.25 FEET TO A POINT AT INTERSECTION WITH THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY, FROM WHICH THE BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTER LINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.55 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINK FENCE POST, THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD NORTH 89° 13' 09" WEST A DISTANCE OF 786.09 FEET TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE ON SAID EAST BOUNDARY LINE NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL, THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BONNEVILLE POWER ADMINISTRATION POWER LINE FROM WHICH THE SECTION CORNER OF 8, 9, 16, AND 17, BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16 BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE NORTH 0° 31' 33" EAST A DISTANCE OF 4554.95 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 0° 31' 33" EAST A DISTANCE OF 9258.75 FEET TO THE ANGLE POINT OF A FENCE IN SECTION 33, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M. WASHINGTON, MARKING THE EASTERLY BOUNDARY OF THE HANFORD PATROL TRAINING ACADEMY FIRING RANGE; THENCE

NORTH 87° 12' 50" EAST A DISTANCE OF 5345.21 FEET TO THE 30.00 FOOT OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), FROM WHICH NGS CONTROL STATION N523 BEARS NORTH 5° 05' 29" WEST A DISTANCE OF 2263.85 FEET; THENCE ON SAID 30.00 FOOT OFFSET LINE SOUTH 0° 06' 20" WEST A DISTANCE OF 1996.00 FEET; THENCE LEAVING SAID 30.00 FOOT OFFSET LINE WEST A DISTANCE OF 3805.99 FEET; THENCE SOUTH A DISTANCE OF 3436.39 FEET TO A POINT COMMON BETWEEN SAID TRACTS 37 AND 38. THENCE CONTINUING SOUTH A DISTANCE OF 4100.00 FEET TO AN ANGLE POINT IN TRACT 38, AS DESCRIBED IN QUIT CLAIM DEED, AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON. THENCE LEAVING SAID ANGLE POINT NORTH 89° 28' 27" WEST A DISTANCE OF 1614.26 FEET BACK TO THE POINT OF BEGINNING. (BOUNDARY LINE ADJUSTMENT PER AF#2016-003065, 4/25/2016). *****LINKED WITH A SALES RESTRICTION TO 103084000001000 THAT PORTION NOT LYING IN THE PILT AREA*****

AND

APN NO. 103081000001000

SECTION 10, TOWNSHIP 10 NORTH, RANGE 28 EAST: A PARCEL OF LAND SITUATED IN A PORTION OF TOWNSHIP 10 NORTH, RANGE 28 EAST, AND TOWNSHIP 11 NORTH, AND RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD, 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED, RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. WASHINGTON, FROM WHICH NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST A DISTANCE OF 280.40 FEET; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, A DISTANCE OF 1900.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 00° 46' 51" EAST, A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1680.00 FEET; THENCE SOUTH 0° 46' 34" WEST, A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE, THENCE ON SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1450.00 FEET; THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 927.25 FEET TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY FROM WHICH A BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTER LINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.35 FEET, AND AN IRON ROD MARKING

THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST, A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE AND ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY, NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINK FENCE POST, THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY, MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, NORTH 89° 13' 09" WEST, A DISTANCE OF 786.09 FEET TO THE POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE ON SAID EAST BOUNDARY LINE, NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL, THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF THE BONNEVILLE POWER ADMINISTRATION POWER LINE, FROM WHICH THE SECTION CORNER OF 8, 9, 16, AND 17 BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16, BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE NORTH 0° 31' 33" EAST A DISTANCE OF 13,813.70 FEET TO THE ANGLE POINT OF A FENCE IN SECTION 33, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M. WASHINGTON MARKING THE EASTERLY BOUNDARY OF THE HANFORD PATROL TRAINING ACADEMY FIRING RANGE, THENCE NORTH 87° 12' 50" EAST A DISTANCE OF 5345.21 FEET TO THE 30.00 FOOT OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), FROM WHICH NGS CONTROL STATION N523 BEARS NORTH 5° 5' 29" WEST A DISTANCE OF 2263.85 FEET; THENCE SOUTH 0° 06' 20" WEST ON SAID 30.00 FOOT OFFSET LINE, A DISTANCE OF 5433.00 FEET TO A POINT IDENTICAL WITH THE NORTHEAST CORNER OF TRACT 38, THENCE LEAVING SAID 30.00 FOOT OFFSET LINE AND ON A LINE IDENTICAL WITH THE BOUNDARY OF TRACT 38 THE FOLLOWING COURSES; WEST A DISTANCE OF 3799.66 FEET; THENCE SOUTH A DISTANCE 4100.00 FEET, THENCE SOUTH 45° 00' 00" EAST A DISTANCE OF 3300.00 FEET, THENCE SOUTH A DISTANCE OF 550.00 FEET, THENCE EAST A DISTANCE OF 400.00 FEET, THENCE SOUTH 50° 11' 52" EAST A DISTANCE OF 732.35 FEET, THENCE EAST A DISTANCE OF 420.00 FEET TO THE POINT ON THE 30.00 OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE AND THE SOUTHERLY MOST CORNER OF TRACT 38, THENCE LEAVING THE BOUNDARY LINE OF SAID TRACT 38 AND ON SAID 30.00 FOOT OFFSET LINE, SOUTH 0° 30' 19" WEST, A DISTANCE OF 3850.01 FEET, THENCE SOUTH 1° 36' 41" WEST A DISTANCE OF 332.68 FEET TO THE POINT OF BEGINNING. SAID PARCEL IS SUBJECT TO ANY AND ALL EASEMENTS OR RIGHTS OF WAYS OF RECORD OR IMPLIED. (BOUNDARY LINE ADJUSTMENT PER AF#2015-029457, 9/30/2015). EXCEPT ANY PORTION LYING IN THE FOLLOWING DESCRIBED PARCEL: PORTIONS OF SECTIONS 9, 10, 15, & 16 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED AF#2015-029457, RECORDS OF SAID

COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPID ROAD, 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN QUITCLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. WASHINGTON FROM WHICH NATIONAL GEODETICS SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST A DISTANCE OF 280.40 FEET, THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD A DISTANCE OF 1900.00 FEET, THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1885.00 FEET, THENCE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 554.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1126.00 FEET; THENCE SOUTH 0° 46' 34" WEST A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1450.00 FEET; THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OR 927.25 FEET TO A POINT AT INTERSECTION WIT THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY FROM WHICH A BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTERLINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.35 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE AND ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINE FENCE POST; THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, NORTH 89° 13' 09" WEST A DISTANCE OF 786.09 FEET TO THE POINT OF INTERSECTION WITH THE AST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE ON SAID EAST BOUNDARY LINE NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL; THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BONNEVILLE POWER ADMINISTRATION POWER LINE, FROM WITH THE SECTION CORNER OF 8, 9, 16, AND 17 BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16 BEARS SOUTH 36° 47' 49" EAST A

DISTANCE OF 431.05 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 31' 33" EAST A DISTANCE OF 4554.95 FEET; THENCE SOUTH 89° 28' 27" EAST A DISTANCE OF 1614.26 FEET TO AN ANGLE POINT IN TRACT 38, AS DESCRIBED IN A QUITCLAIM DEED AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE ALONG A COMMON LINE BETWEEN SAID TRACT 37 AND TRACT 38, SOUTH 45° 00' 00" EAST A DISTANCE OF 1765.31 FEET; THENCE LEAVING AND COMMON LINE SOUTH A DISTANCE OF 4368.15 FEET BACK TO THE POINT OF BEGINNING. (BOUNDARY LINE ADJUSTMENT PER AF#2016-003066, 2/03/2016): ALSO EXCEPT ANY PORTION LYING IN THE FOLLOWING DESCRIBED PARCEL; PORTIONS OF SECTIONS 10 AND 15 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED AF#2015-029457, RECORDS OF SAID COUNTY AND STATE MORE PARTICULARLY DESCRIBED AS FOLLOW; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH RANGE 28 EAST, W.M. WASHINGTON FROM WHICH NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST A DISTANCE OF 280.40 FEET, SAID POINT IS THE TRUE POINT OF BEGINNING; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, A DISTANCE OF 1900.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 554.00 FEET; THENCE NORTH A DISTANCE OF 4368.15 FEET TO A POINT ON THE EASTERLY LINE OF SAID TRACT 38, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE SOUTH 45° 00' 00" EAST A DISTANCE OF 1534.69 FEET; THENCE SOUTH A DISTANCE OF 550.00 FEET; THENCE EAST A DISTANCE OF 400.00 FEET; THENCE SOUTH 50° 11' 52" EAST A DISTANCE OF 732.35 FEET; THENCE EAST A DISTANCE OF 420.00 FEET TO A POINT ON THE 30.00 FOOT LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE AND THE SOUTHERLY MOST CORNER OF TRACT 38; THENCE LEAVING THE BOUNDARY LINE OF SAID TRACT 38 AND ON SAID 30.00 FOOT OFFSET LINE SOUTH 0° 30' 19" WEST A DISTANCE OF 3850.01 FEET; THENCE SOUTH 01° 36' 41" WEST A DISTANCE OF 332.68 FEET BACK TO THE POINT OF BEGINNING; (BOUNDARY LINE ADJUSTMENT PER AF#2016-003065, 2/03/2016). ALSO EXCEPT ANY PORTION LYING IN THE FOLLOWING DESCRIBED PARCEL: PORTIONS OF SECTIONS 3, 4, 9, AND 10 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.W. AND PORTIONS OF SECTIONS 33 AND 34 TOWNSHIP 11 NORTH, RANGE 28 EAST W.M. BENTON COUNTY, WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED, AF#2015-029457, RECORDS OF SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS

ROAD 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAYMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH, RANGE 28 W.M. WASHINGTON FROM WHICH THE NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST OF 280.40 FEET; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS A DISTANCE OF 1900.00 FEET. THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 0° 46' 51" EAST, A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 5540.00 FEET; THENCE CONTINUING PARALLEL WITH SAID RIGHT OF WAY LINK, NORTH 89° 13' 09" WEST A DISTANCE OF 1126.00 FEET; THENCE SOUTH 0° 46' 34" A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 1450.00, THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE, THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 927.25 FEET TO A POINT AT INTERSECTION WITH THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY, FROM WHICH THE BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTER LINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.55 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINK FENCE POST, THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD NORTH 89° 13' 09" WEST A DISTANCE OF 786.09 FEET TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE ON SAID EAST BOUNDARY LINE NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL, THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BONNEVILLE POWER ADMINISTRATION POWER LINE FROM WHICH THE SECTION CORNER OF 8, 9, 16, AND 17, BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16 BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE NORTH 0° 31' 33" EAST A DISTANCE OF 4554.95 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 0° 31' 33" EAST A DISTANCE OF 9258.75 FEET TO THE ANGLE POINT OF A FENCE IN SECTION 33, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M. WASHINGTON, MARKING THE EASTERLY BOUNDARY OF THE

HANFORD PATROL TRAINING ACADEMY FIRING RANGE; THENCE NORTH 87° 12' 50" EAST A DISTANCE OF 5345.21 FEET TO THE 30.00 FOOT OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), FROM WHICH NGS CONTROL STATION N523 BEARS NORTH 5° 05' 29" WEST A DISTANCE OF 2263.85 FEET; THENCE ON SAID 30.00 FOOT OFFSET LINE SOUTH 0° 06' 20" WEST A DISTANCE OF 1996.00 FEET; THENCE LEAVING SAID 30.00 FOOT OFFSET LINE WEST A DISTANCE OF 3805.99 FEET; THENCE SOUTH A DISTANCE OF 3436.39 FEET TO A POINT COMMON BETWEEN SAID TRACTS 37 AND 38. THENCE CONTINUING SOUTH A DISTANCE OF 4100.00 FEET TO AN ANGLE POINT IN TRACT 38, AS DESCRIBED IN QUIT CLAIM DEED, AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON. THENCE LEAVING SAID ANGLE POINT NORTH 89° 28' 27" WEST A DISTANCE OF 1614.26 FEET BACK TO THE POINT OF BEGINNING. (BOUNDARY LINE ADJUSTMENT PER AF#2016-003065, 4/25/2016). LESS ANY PORTION LYING IN SECTIONS 33, 34, TOWNSHIP 11 NORTH, RANGE 28 EAST (THAT PORTION LYING IN THE PILT AREA). LINKED WITH A SALES RESTRICTION TO 134183000002000.

AND;

APN NO. 134183000002000

SECTION 34, TOWNSHIP 11 NORTH, RANGE 28 EAST: ANY PORTION OF THE FOLLOWING DESCRIBED PARCEL THAT LIES IN SECTIONS 33, AND 34, TOWNSHIP 11 NORTH, RANGE 28 EAST: A PARCEL OF LAND SITUATED IN A PORTION OF TOWNSHIP 10 NORTH, RANGE 28 EAST, AND TOWNSHIP 11 NORTH, AND RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD, 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED, RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. WASHINGTON, FROM WHICH NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST A DISTANCE OF 280.40 FEET; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, A DISTANCE OF 1900.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 00° 46' 51" EAST, A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1680.00 FEET; THENCE SOUTH 0° 46' 34" WEST, A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE, THENCE ON SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1450.00 FEET; THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 927.25 FEET TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF

THE COLD TEST FACILITY FROM WHICH A BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTER LINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.35 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST, A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE AND ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY, NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINK FENCE POST, THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY, MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, NORTH 89° 13' 09" WEST, A DISTANCE OF 786.09 FEET TO THE POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE ON SAID EAST BOUNDARY LINE, NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL, THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF THE BONNEVILLE POWER ADMINISTRATION POWER LINE, FROM WHICH THE SECTION CORNER OF 8, 9, 16, AND 17 BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16, BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE NORTH 0° 31' 33" EAST A DISTANCE OF 13,813.70 FEET TO THE ANGLE POINT OF A FENCE IN SECTION 33, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M. WASHINGTON MARKING THE EASTERLY BOUNDARY OF THE HANFORD PATROL TRAINING ACADEMY FIRING RANGE, THENCE NORTH 87° 12' 50" EAST A DISTANCE OF 5345.21 FEET TO THE 30.00 FOOT OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), FROM WHICH NGS CONTROL STATION N523 BEARS NORTH 5° 5' 29" WEST A DISTANCE OF 2263.85 FEET; THENCE SOUTH 0° 06' 20" WEST ON SAID 30.00 FOOT OFFSET LINE, A DISTANCE OF 5433.00 FEET TO A POINT IDENTICAL WITH THE NORTHEAST CORNER OF TRACT 38, THENCE LEAVING SAID 30.00 FOOT OFFSET LINE AND ON A LINE IDENTICAL WITH THE BOUNDARY OF TRACT 38 THE FOLLOWING COURSES; WEST A DISTANCE OF 3799.66 FEET; THENCE SOUTH A DISTANCE 4100.00 FEET, THENCE SOUTH 45° 00' 00" EAST A DISTANCE OF 3300.00 FEET, THENCE SOUTH A DISTANCE OF 550.00 FEET, THENCE EAST A DISTANCE OF 400.00 FEET, THENCE SOUTH 50° 11' 52" EAST A DISTANCE OF 732.35 FEET, THENCE EAST A DISTANCE OF 420.00 FEET TO THE POINT ON THE 30.00 OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE AND THE SOUTHERLY MOST CORNER OF TRACT 38, THENCE LEAVING THE BOUNDARY LINE OF SAID TRACT 38 AND ON SAID 30.00 FOOT OFFSET LINE, SOUTH 0° 30' 19" WEST, A DISTANCE OF 3850.01 FEET, THENCE SOUTH 1° 36' 41" WEST A DISTANCE OF 332.68 FEET TO THE POINT OF BEGINNING. SAID PARCEL IS SUBJECT TO ANY AND ALL EASEMENTS OR RIGHTS OF WAYS OF RECORD OR IMPLIED. (BOUNDARY LINE ADJUSTMENT PER AF#2015-029457, 9/30/2015). LESS ANY PORTION OF THE FOLLOWING DESCRIBED PARCEL: THAT PORTION OF THE FOLLOWING DESCRIBED

PARCEL LYING IN THE PILT AREA (SECTION 34, TOWNSHIP 11 NORTH, RANGE 28 EAST). PORTIONS OF SECTIONS 3, 4, 9, AND 10 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.W. AND PORTIONS OF SECTIONS 33 AND 34 TOWNSHIP 11 NORTH, RANGE 28 EAST W.M. BENTON COUNTY, WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED, AF#2015-029457, RECORDS OF SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAYMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH, RANGE 28 W.M. WASHINGTON FROM WHICH THE NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST OF 280.40 FEET; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS A DISTANCE OF 1900.00 FEET. THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 0° 46' 51" EAST, A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 5540.00 FEET; THENCE CONTINUING PARALLEL WITH SAID RIGHT OF WAY LINK, NORTH 89° 13' 09" WEST A DISTANCE OF 1126.00 FEET; THENCE SOUTH 0° 46' 34" A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 1450.00, THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE, THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 927.25 FEET TO A POINT AT INTERSECTION WITH THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY, FROM WHICH THE BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTER LINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.55 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINK FENCE POST, THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD NORTH 89° 13' 09" WEST A DISTANCE OF 786.09 FEET TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE ON SAID EAST BOUNDARY LINE NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL, THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BONNEVILLE POWER ADMINISTRATION POWER LINE FROM WHICH THE SECTION CORNER OF 8, 9, 16, AND 17, BEARS SOUTH 77° 36'

49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16 BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE NORTH 0° 31' 33" EAST A DISTANCE OF 4554.95 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 0° 31' 33" EAST A DISTANCE OF 9258.75 FEET TO THE ANGLE POINT OF A FENCE IN SECTION 33, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M. WASHINGTON, MARKING THE EASTERLY BOUNDARY OF THE HANFORD PATROL TRAINING ACADEMY FIRING RANGE; THENCE NORTH 87° 12' 50" EAST A DISTANCE OF 5345.21 FEET TO THE 30.00 FOOT OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), FROM WHICH NGS CONTROL STATION N523 BEARS NORTH 5° 05' 29" WEST A DISTANCE OF 2263.85 FEET; THENCE ON SAID 30.00 FOOT OFFSET LINE SOUTH 0° 06' 20" WEST A DISTANCE OF 1996.00 FEET; THENCE LEAVING SAID 30.00 FOOT OFFSET LINE WEST A DISTANCE OF 3805.99 FEET; THENCE SOUTH A DISTANCE OF 3436.39 FEET TO A POINT COMMON BETWEEN SAID TRACTS 37 AND 38. THENCE CONTINUING SOUTH A DISTANCE OF 4100.00 FEET TO AN ANGLE POINT IN TRACT 38, AS DESCRIBED IN QUIT CLAIM DEED, AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON. THENCE LEAVING SAID ANGLE POINT NORTH 89° 28' 27" WEST A DISTANCE OF 1614.26 FEET BACK TO THE POINT OF BEGINNING. (BOUNDARY LINE ADJUSTMENT PER AF#2016-003065, 4/25/2016). ***** LINKED WITH A SALES RESTRICTION TO PARCEL 103081000001000 THAT PORTION THAT DOES NOT LIE IN THE PILT AREA*****

This description includes the following **County Parcel Identification Numbers:**

110081000001003
110081000001004
103084000001000
134183000001000
103081000001000
134183000002000

Attachment 6

RESOLUTION NO. 2023-107

A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON, SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE PROPOSED ANNEXATION OF APPROXIMATELY 1,643 ACRES TO BE KNOWN AS THE NORTH HORN RAPIDS INDUSTRIAL PARK, LOCATED WITHIN PORTIONS OF SECTIONS 3, 4, 9, 10, 15 & 16, TOWNSHIP 10 NORTH, RANGE 28 EAST AND PORTIONS OF SECTIONS 33 & 34, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON.

WHEREAS, a petition for annexation to the City of Richland has been received from the owners representing one hundred percent (100%) of valuation for the annexation of the described property, attached hereto as **Exhibit A**; and

WHEREAS, RCW 35.13.130 sets forth requirements that an annexation petition must be signed by the owners of not less than sixty percent (60%) in value, according to the assessed valuation for general taxation, of the property for which annexation is petitioned; and

WHEREAS, such petition was duly certified by the Benton County Auditor on May 18, 2023.

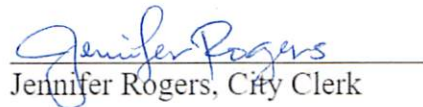
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the regularly scheduled City Council meeting on **September 5, 2023** is hereby established as the date on which Council will conduct a public hearing to consider the annexation petition.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a special meeting on the 6th day of July, 2023.


Terry Christensen, Mayor

Attest:


Jennifer Rogers, City Clerk

Approved as to Form:

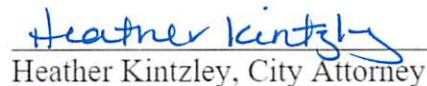

Heather Kintzley, City Attorney

EXHIBIT A

Legal Description for Proposed 1,643-Acre North Horn Rapids Industrial Park Annexation

The 1,643-Acre North Horn Rapids Industrial Park annexation consists of the following:

APN NO. 110081000001003

PORTIONS OF SECTIONS 9, 10, 15, & 16 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED AF#2015-029457, RECORDS OF SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPID ROAD, 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN QUITCLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. WASHINGTON FROM WHICH NATIONAL GEODETICS SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST A DISTANCE OF 280.40 FEET, THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD A DISTANCE OF 1900.00 FEET, THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1885.00 FEET, THENCE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 554.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1126.00 FEET; THENCE SOUTH 0° 46' 34" WEST A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1450.00 FEET; THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OR 927.25 FEET TO A POINT AT INTERSECTION WIT THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY FROM WHICH A BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTERLINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.35 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE AND ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINE FENCE POST; THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, NORTH 89° 13' 09" WEST A DISTANCE OF 786.09 FEET TO THE POINT OF INTERSECTION WITH THE AST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE ON SAID EAST BOUNDARY LINE NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL; THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BONNEVILLE POWER ADMINISTRATION POWER LINE, FROM WITH THE

SECTION CORNER OF 8, 9, 16, AND 17 BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16 BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 31' 33" EAST A DISTANCE OF 4554.95 FEET; THENCE SOUTH 89° 28' 27" EAST A DISTANCE OF 1614.26 FEET TO AN ANGLE POINT IN TRACT 38, AS DESCRIBED IN A QUITCLAIM DEED AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE ALONG A COMMON LINE BETWEEN SAID TRACT 37 AND TRACT 38, SOUTH 45° 00' 00" EAST A DISTANCE OF 1765.31 FEET; THENCE LEAVING AND COMMON LINE SOUTH A DISTANCE OF 4368.15 FEET BACK TO THE POINT OF BEGINNING. (BOUNDARY LINE ADJUSTMENT PER AF#2016-003066, 2/03/2016)

AND

APN NO. 110081000001004

PORTIONS OF SECTIONS 10 AND 15 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED AF#2015-029457, RECORDS OF SAID COUNTY AND STATE MORE PARTICULARLY DESCRIBED AS FOLLOW; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH RANGE 28 EAST, W.M. WASHINGTON FROM WHICH NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST A DISTANCE OF 280.40 FEET, SAID POINT IS THE TRUE POINT OF BEGINNING; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, A DISTANCE OF 1900.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 554.00 FEET; THENCE NORTH A DISTANCE OF 4368.15 FEET TO A POINT ON THE EASTERLY LINE OF SAID TRACT 38, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE SOUTH 45° 00' 00" EAST A DISTANCE OF 1534.69 FEET; THENCE SOUTH A DISTANCE OF 550.00 FEET; THENCE EAST A DISTANCE OF 400.00 FEET; THENCE SOUTH 50° 11' 52" EAST A DISTANCE OF 732.35 FEET; THENCE EAST A DISTANCE OF 420.00 FEET TO A POINT ON THE 30.00 FOOT LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE AND THE SOUTHERLY MOST CORNER OF TRACT 38; THENCE LEAVING THE BOUNDARY LINE OF SAID TRACT 38 AND ON SAID 30.00 FOOT OFFSET LINE SOUTH 0° 30' 19" WEST A DISTANCE OF 3850.01 FEET; THENCE SOUTH 01° 36' 41" WEST A DISTANCE OF 332.68 FEET BACK TO THE POINT OF BEGINNING; (BOUNDARY LINE ADJUSTMENT PER AF#2016-003065, 2/03/2016).

And

APN NO. 103084000001000

THAT PORTION OF THE FOLLOWING DESCRIBED PARCEL NOT LYING IN THE PILT AREA (SECTION 34, TOWNSHIP 11 NORTH, RANGE 28 EAST). PORTIONS OF SECTIONS 3, 4, 9, AND 10 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.W. AND PORTIONS OF SECTIONS 33 AND 34 TOWNSHIP 11 NORTH, RANGE 28 EAST W.M. BENTON COUNTY, WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED, AF#2015-029457, RECORDS OF SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAYMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH, RANGE 28 W.M. WASHINGTON FROM WHICH THE NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST OF 280.40 FEET; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS A DISTANCE OF 1900.00 FEET. THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 0° 46' 51" EAST, A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 5540.00 FEET; THENCE CONTINUING PARALLEL WITH SAID RIGHT OF WAY LINK, NORTH 89° 13' 09" WEST A DISTANCE OF 1126.00 FEET; THENCE SOUTH 0° 46' 34" A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 1450.00, THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE, THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 927.25 FEET TO A POINT AT INTERSECTION WITH THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY, FROM WHICH THE BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTER LINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.55 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINK FENCE POST, THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD NORTH 89° 13' 09" WEST A DISTANCE OF 786.09 FEET TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE ON SAID EAST BOUNDARY LINE NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL, THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BONNEVILLE POWER ADMINISTRATION POWER LINE FROM WHICH THE SECTION CORNER OF 8, 9, 16, AND 17, BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16 BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE NORTH 0° 31' 33" EAST A DISTANCE OF 4554.95 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 0° 31' 33" EAST A DISTANCE OF 9258.75 FEET TO THE ANGLE POINT OF A FENCE IN SECTION 33,

TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M. WASHINGTON, MARKING THE EASTERLY BOUNDARY OF THE HANFORD PATROL TRAINING ACADEMY FIRING RANGE; THENCE NORTH 87° 12' 50" EAST A DISTANCE OF 5345.21 FEET TO THE 30.00 FOOT OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), FROM WHICH NGS CONTROL STATION N523 BEARS NORTH 5° 05' 29" WEST A DISTANCE OF 2263.85 FEET; THENCE ON SAID 30.00 FOOT OFFSET LINE SOUTH 0° 06' 20" WEST A DISTANCE OF 1996.00 FEET; THENCE LEAVING SAID 30.00 FOOT OFFSET LINE WEST A DISTANCE OF 3805.99 FEET; THENCE SOUTH A DISTANCE OF 3436.39 FEET TO A POINT COMMON BETWEEN SAID TRACTS 37 AND 38. THENCE CONTINUING SOUTH A DISTANCE OF 4100.00 FEET TO AN ANGLE POINT IN TRACT 38, AS DESCRIBED IN QUIT CLAIM DEED, AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON. THENCE LEAVING SAID ANGLE POINT NORTH 89° 28' 27" WEST A DISTANCE OF 1614.26 FEET BACK TO THE POINT OF BEGINNING. (BOUNDARY LINE ADJUSTMENT PER AF#2016-003065, 4/25/2016). *****LINKED WITH A SALES RESTRICTION TO 134183000001000 THAT PORTION IN THE PILT AREA*****

AND

APN NO. 134183000001000

THAT PORTION OF THE FOLLOWING DESCRIBED PARCEL LYING IN THE PILT AREA (SECTION 34, TOWNSHIP 11 NORTH, RANGE 28 EAST). PORTIONS OF SECTIONS 3, 4, 9, AND 10 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.W. AND PORTIONS OF SECTIONS 33 AND 34 TOWNSHIP 11 NORTH, RANGE 28 EAST W.M. BENTON COUNTY, WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED, AF#2015-029457, RECORDS OF SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH, RANGE 28 W.M. WASHINGTON FROM WHICH THE NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST OF 280.40 FEET; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS A DISTANCE OF 1900.00 FEET. THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 0° 46' 51" EAST, A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 5540.00 FEET; THENCE CONTINUING PARALLEL WITH SAID RIGHT OF WAY LINK, NORTH 89° 13'09" WEST A DISTANCE OF 1126.00 FEET; THENCE SOUTH 0° 46' 34" A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 1450.00, THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE, THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 927.25 FEET TO A POINT AT INTERSECTION WITH THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY, FROM WHICH THE BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTER LINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.55 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE ON THE

EAST BOUNDARY LINE OF SAID COLD TEST FACILITY NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINK FENCE POST, THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD NORTH 89° 13' 09" WEST A DISTANCE OF 786.09 FEET TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE ON SAID EAST BOUNDARY LINE NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL, THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BONNEVILLE POWER ADMINISTRATION POWER LINE FROM WHICH THE SECTION CORNER OF 8, 9, 16, AND 17, BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16 BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE NORTH 0° 31' 33" EAST A DISTANCE OF 4554.95 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 0° 31' 33" EAST A DISTANCE OF 9258.75 FEET TO THE ANGLE POINT OF A FENCE IN SECTION 33, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M. WASHINGTON, MARKING THE EASTERLY BOUNDARY OF THE HANFORD PATROL TRAINING ACADEMY FIRING RANGE; THENCE NORTH 87° 12' 50" EAST A DISTANCE OF 5345.21 FEET TO THE 30.00 FOOT OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), FROM WHICH NGS CONTROL STATION N523 BEARS NORTH 5° 05' 29" WEST A DISTANCE OF 2263.85 FEET; THENCE ON SAID 30.00 FOOT OFFSET LINE SOUTH 0° 06' 20" WEST A DISTANCE OF 1996.00 FEET; THENCE LEAVING SAID 30.00 FOOT OFFSET LINE WEST A DISTANCE OF 3805.99 FEET; THENCE SOUTH A DISTANCE OF 3436.39 FEET TO A POINT COMMON BETWEEN SAID TRACTS 37 AND 38. THENCE CONTINUING SOUTH A DISTANCE OF 4100.00 FEET TO AN ANGLE POINT IN TRACT 38, AS DESCRIBED IN QUIT CLAIM DEED, AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON. THENCE LEAVING SAID ANGLE POINT NORTH 89° 28' 27" WEST A DISTANCE OF 1614.26 FEET BACK TO THE POINT OF BEGINNING. (BOUNDARY LINE ADJUSTMENT PER AF#2016-003065, 4/25/2016). *****LINKED WITH A SALES RESTRICTION TO 103084000001000 THAT PORTION NOT LYING IN THE PILT AREA*****

AND

APN NO. 103081000001000

SECTION 10, TOWNSHIP 10 NORTH, RANGE 28 EAST: A PARCEL OF LAND SITUATED IN A PORTION OF TOWNSHIP 10 NORTH, RANGE 28 EAST, AND TOWNSHIP 11 NORTH, AND RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD, 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED, RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. WASHINGTON, FROM WHICH NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST A DISTANCE OF 280.40 FEET; THENCE NORTH 89° 13' 09" WEST ON

THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, A DISTANCE OF 1900.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 00° 46' 51" EAST, A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1680.00 FEET; THENCE SOUTH 0° 46' 34" WEST, A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE, THENCE ON SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1450.00 FEET; THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 927.25 FEET TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY FROM WHICH A BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTER LINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.35 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST, A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE AND ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY, NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINK FENCE POST, THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY, MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, NORTH 89° 13' 09" WEST, A DISTANCE OF 786.09 FEET TO THE POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE ON SAID EAST BOUNDARY LINE, NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL, THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF THE BONNEVILLE POWER ADMINISTRATION POWER LINE, FROM WHICH THE SECTION CORNER OF 8, 9, 16, AND 17 BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16, BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE NORTH 0° 31' 33" EAST A DISTANCE OF 13,813.70 FEET TO THE ANGLE POINT OF A FENCE IN SECTION 33, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M. WASHINGTON MARKING THE EASTERLY BOUNDARY OF THE HANFORD PATROL TRAINING ACADEMY FIRING RANGE, THENCE NORTH 87° 12' 50" EAST A DISTANCE OF 5345.21 FEET TO THE 30.00 FOOT OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), FROM WHICH NGS CONTROL STATION N523 BEARS NORTH 5° 5' 29" WEST A DISTANCE OF 2263.85 FEET; THENCE SOUTH 0° 06' 20" WEST ON SAID 30.00 FOOT OFFSET LINE, A DISTANCE OF 5433.00 FEET TO A POINT IDENTICAL WITH THE NORTHEAST CORNER OF TRACT 38, THENCE LEAVING SAID 30.00 FOOT OFFSET LINE AND ON A LINE IDENTICAL WITH THE BOUNDARY OF TRACT 38 THE FOLLOWING COURSES; WEST A DISTANCE OF 3799.66 FEET; THENCE SOUTH A DISTANCE 4100.00 FEET, THENCE SOUTH 45° 00' 00" EAST A DISTANCE OF 3300.00 FEET, THENCE SOUTH A DISTANCE OF 550.00 FEET, THENCE EAST A DISTANCE OF 400.00 FEET, THENCE SOUTH 50° 11' 52" EAST A DISTANCE OF 732.35 FEET, THENCE EAST A DISTANCE OF 420.00 FEET TO THE POINT ON THE 30.00 OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE AND THE SOUTHERLY MOST CORNER OF TRACT 38, THENCE LEAVING THE BOUNDARY LINE OF SAID TRACT 38 AND ON SAID 30.00 FOOT OFFSET LINE, SOUTH 0° 30' 19"

WEST, A DISTANCE OF 3850.01 FEET, THENCE SOUTH 1° 36' 41" WEST A DISTANCE OF 332.68 FEET TO THE POINT OF BEGINNING. SAID PARCEL IS SUBJECT TO ANY AND ALL EASEMENTS OR RIGHTS OF WAYS OF RECORD OR IMPLIED. (BOUNDARY LINE ADJUSTMENT PER AF#2015-029457, 9/30/2015). EXCEPT ANY PORTION LYING IN THE FOLLOWING DESCRIBED PARCEL: PORTIONS OF SECTIONS 9, 10, 15, & 16 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED AF#2015-029457, RECORDS OF SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPID ROAD, 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN QUITCLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. WASHINGTON FROM WHICH NATIONAL GEODETICS SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST A DISTANCE OF 280.40 FEET, THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD A DISTANCE OF 1900.00 FEET, THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1885.00 FEET, THENCE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 554.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1126.00 FEET; THENCE SOUTH 0° 46' 34" WEST A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1450.00 FEET; THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 927.25 FEET TO A POINT AT INTERSECTION WITH THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY FROM WHICH A BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTERLINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.35 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE AND ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINE FENCE POST; THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, NORTH 89° 13' 09" WEST A DISTANCE OF 786.09 FEET TO THE POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE ON SAID EAST BOUNDARY LINE NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL; THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BONNEVILLE POWER ADMINISTRATION POWER LINE, FROM WHICH THE SECTION CORNER OF 8, 9, 16, AND 17 BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH

THE CORNER OF SECTIONS 9, 10, 15, AND 16 BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 31' 33" EAST A DISTANCE OF 4554.95 FEET; THENCE SOUTH 89° 28' 27" EAST A DISTANCE OF 1614.26 FEET TO AN ANGLE POINT IN TRACT 38, AS DESCRIBED IN A QUITCLAIM DEED AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE ALONG A COMMON LINE BETWEEN SAID TRACT 37 AND TRACT 38, SOUTH 45° 00' 00" EAST A DISTANCE OF 1765.31 FEET; THENCE LEAVING AND COMMON LINE SOUTH A DISTANCE OF 4368.15 FEET BACK TO THE POINT OF BEGINNING. (BOUNDARY LINE ADJUSTMENT PER AF#2016-003066, 2/03/2016): ALSO EXCEPT ANY PORTION LYING IN THE FOLLOWING DESCRIBED PARCEL; PORTIONS OF SECTIONS 10 AND 15 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED AF#2015-029457, RECORDS OF SAID COUNTY AND STATE MORE PARTICULARLY DESCRIBED AS FOLLOW; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH RANGE 28 EAST, W.M. WASHINGTON FROM WHICH NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST A DISTANCE OF 280.40 FEET, SAID POINT IS THE TRUE POINT OF BEGINNING; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, A DISTANCE OF 1900.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 554.00 FEET; THENCE NORTH A DISTANCE OF 4368.15 FEET TO A POINT ON THE EASTERLY LINE OF SAID TRACT 38, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE SOUTH 45° 00' 00" EAST A DISTANCE OF 1534.69 FEET; THENCE SOUTH A DISTANCE OF 550.00 FEET; THENCE EAST A DISTANCE OF 400.00 FEET; THENCE SOUTH 50° 11' 52" EAST A DISTANCE OF 732.35 FEET; THENCE EAST A DISTANCE OF 420.00 FEET TO A POINT ON THE 30.00 FOOT LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE AND THE SOUTHERLY MOST CORNER OF TRACT 38; THENCE LEAVING THE BOUNDARY LINE OF SAID TRACT 38 AND ON SAID 30.00 FOOT OFFSET LINE SOUTH 0° 30' 19" WEST A DISTANCE OF 3850.01 FEET; THENCE SOUTH 01° 36' 41" WEST A DISTANCE OF 332.68 FEET BACK TO THE POINT OF BEGINNING; (BOUNDARY LINE ADJUSTMENT PER AF#2016-003065, 2/03/2016). ALSO EXCEPT ANY PORTION LYING IN THE FOLLOWING DESCRIBED PARCEL: PORTIONS OF SECTIONS 3, 4, 9, AND 10 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.W. AND PORTIONS OF SECTIONS 33 AND 34 TOWNSHIP 11 NORTH, RANGE 28 EAST W.M. BENTON COUNTY, WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED, AF#2015-029457, RECORDS OF SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAYMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH, RANGE 28 W.M. WASHINGTON FROM WHICH THE NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324

BEARS NORTH 70° 48' 52" EAST OF 280.40 FEET; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS A DISTANCE OF 1900.00 FEET. THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 0° 46' 51" EAST, A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 5540.00 FEET; THENCE CONTINUING PARALLEL WITH SAID RIGHT OF WAY LINK, NORTH 89° 13' 09" WEST A DISTANCE OF 1126.00 FEET; THENCE SOUTH 0° 46' 34" A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 1450.00, THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE, THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 927.25 FEET TO A POINT AT INTERSECTION WITH THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY, FROM WHICH THE BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTER LINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.55 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINK FENCE POST, THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD NORTH 89° 13' 09" WEST A DISTANCE OF 786.09 FEET TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON, THENCE ON SAID EAST BOUNDARY LINE NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL, THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BONNEVILLE POWER ADMINISTRATION POWER LINE FROM WHICH THE SECTION CORNER OF 8, 9, 16, AND 17, BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF 1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16 BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE NORTH 0° 31' 33" EAST A DISTANCE OF 4554.95 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 0° 31' 33" EAST A DISTANCE OF 9258.75 FEET TO THE ANGLE POINT OF A FENCE IN SECTION 33, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M. WASHINGTON, MARKING THE EASTERLY BOUNDARY OF THE HANFORD PATROL TRAINING ACADEMY FIRING RANGE; THENCE NORTH 87° 12' 50" EAST A DISTANCE OF 5345.21 FEET TO THE 30.00 FOOT OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), FROM WHICH NGS CONTROL STATION N523 BEARS NORTH 5° 05' 29" WEST A DISTANCE OF 2263.85 FEET; THENCE ON SAID 30.00 FOOT OFFSET LINE SOUTH 0° 06' 20" WEST A DISTANCE OF 1996.00 FEET; THENCE LEAVING SAID 30.00 FOOT OFFSET LINE WEST A DISTANCE OF 3805.99 FEET; THENCE SOUTH A DISTANCE OF 3436.39 FEET TO A POINT COMMON BETWEEN SAID TRACTS 37 AND 38. THENCE CONTINUING SOUTH A DISTANCE OF 4100.00 FEET TO AN ANGLE POINT IN TRACT 38, AS DESCRIBED IN QUIT CLAIM DEED, AF#2015-029457, RECORDS OF BENTON COUNTY, WASHINGTON. THENCE LEAVING SAID ANGLE POINT NORTH 89° 28' 27" WEST A DISTANCE OF 1614.26 FEET BACK TO THE POINT OF BEGINNING. (BOUNDARY LINE ADJUSTMENT PER AF#2016-003065, 4/25/2016). LESS ANY PORTION LYING IN SECTIONS 33, 34, TOWNSHIP 11 NORTH,

RANGE 28 EAST (THAT PORTION LYING IN THE PILT AREA). LINKED WITH A SALES RESTRICTION TO 134183000002000.

AND

APN NO. 134183000002000

SECTION 34, TOWNSHIP 11 NORTH, RANGE 28 EAST: ANY PORTION OF THE FOLLOWING DESCRIBED PARCEL THAT LIES IN SECTIONS 33, AND 34, TOWNSHIP 11 NORTH, RANGE 28 EAST: A PARCEL OF LAND SITUATED IN A PORTION OF TOWNSHIP 10 NORTH, RANGE 28 EAST, AND TOWNSHIP 11 NORTH, AND RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD, 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED, RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. WASHINGTON, FROM WHICH NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST A DISTANCE OF 280.40 FEET; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, A DISTANCE OF 1900.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 00° 46' 51" EAST, A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1680.00 FEET; THENCE SOUTH 0° 46' 34" WEST, A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE, THENCE ON SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0° 46' 51" EAST A DISTANCE OF 1450.00 FEET; THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 927.25 FEET TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE COLD TEST FACILITY FROM WHICH A BRASS CAP MONUMENT WITH A BRASS DISK IN TOP MARKING THE CENTER LINE OF AFOREMENTIONED HORN RAPIDS ROAD BEARS SOUTH 86° 51' 44" WEST A DISTANCE OF 585.35 FEET, AND AN IRON ROD MARKING THE EASTERLY BOUNDARY OF SAID COLD TEST FACILITY BEARS NORTH 0° 11' 43" WEST, A DISTANCE OF 6.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE AND ON THE EAST BOUNDARY LINE OF SAID COLD TEST FACILITY, NORTH 0° 11' 43" WEST A DISTANCE OF 486.55 FEET TO AN IRON ROD IN THE CONCRETE SUPPORT OF A CHAIN LINK FENCE POST, THENCE ON THE NORTH BOUNDARY OF SAID COLD TEST FACILITY, MARKED WITH A CHAIN LINK FENCE AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS ROAD, NORTH 89° 13' 09" WEST, A DISTANCE OF 786.09 FEET TO THE POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF THE NATIONAL UTILITY TRAINING SERVICES INC. (NUTS) PROPERTY, AS DESCRIBED IN A QUIT CLAIM DEED, AF#2005-013181, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE ON SAID EAST BOUNDARY LINE, NORTH 0° 51' 40" EAST A DISTANCE OF 2056.13 FEET TO AN IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL, THENCE NORTH 0° 51' 40" EAST A DISTANCE OF 446.49 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF THE BONNEVILLE POWER ADMINISTRATION POWER LINE, FROM WHICH THE SECTION CORNER OF 8, 9, 16, AND 17 BEARS SOUTH 77° 36' 49" WEST A DISTANCE OF

1945.30 FEET; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 87° 59' 07" EAST A DISTANCE OF 3125.92 FEET TO A POINT FROM WHICH THE CORNER OF SECTIONS 9, 10, 15, AND 16, BEARS SOUTH 36° 47' 49" EAST A DISTANCE OF 431.05 FEET; THENCE NORTH 0° 31' 33" EAST A DISTANCE OF 13,813.70 FEET TO THE ANGLE POINT OF A FENCE IN SECTION 33, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M. WASHINGTON MARKING THE EASTERLY BOUNDARY OF THE HANFORD PATROL TRAINING ACADEMY FIRING RANGE, THENCE NORTH 87° 12' 50" EAST A DISTANCE OF 5345.21 FEET TO THE 30.00 FOOT OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S), FROM WHICH NGS CONTROL STATION N523 BEARS NORTH 5° 5' 29" WEST A DISTANCE OF 2263.85 FEET; THENCE SOUTH 0° 06' 20" WEST ON SAID 30.00 FOOT OFFSET LINE, A DISTANCE OF 5433.00 FEET TO A POINT IDENTICAL WITH THE NORTHEAST CORNER OF TRACT 38, THENCE LEAVING SAID 30.00 FOOT OFFSET LINE AND ON A LINE IDENTICAL WITH THE BOUNDARY OF TRACT 38 THE FOLLOWING COURSES; WEST A DISTANCE OF 3799.66 FEET; THENCE SOUTH A DISTANCE 4100.00 FEET, THENCE SOUTH 45° 00' 00" EAST A DISTANCE OF 3300.00 FEET, THENCE SOUTH A DISTANCE OF 550.00 FEET, THENCE EAST A DISTANCE OF 400.00 FEET, THENCE SOUTH 50° 11' 52" EAST A DISTANCE OF 732.35 FEET, THENCE EAST A DISTANCE OF 420.00 FEET TO THE POINT ON THE 30.00 OFFSET LINE WEST OF THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE AND THE SOUTHERLY MOST CORNER OF TRACT 38, THENCE LEAVING THE BOUNDARY LINE OF SAID TRACT 38 AND ON SAID 30.00 FOOT OFFSET LINE, SOUTH 0° 30' 19" WEST, A DISTANCE OF 3850.01 FEET, THENCE SOUTH 1° 36' 41" WEST A DISTANCE OF 332.68 FEET TO THE POINT OF BEGINNING. SAID PARCEL IS SUBJECT TO ANY AND ALL EASEMENTS OR RIGHTS OF WAYS OF RECORD OR IMPLIED. (BOUNDARY LINE ADJUSTMENT PER AF#2015-029457, 9/30/2015). LESS ANY PORTION OF THE FOLLOWING DESCRIBED PARCEL: THAT PORTION OF THE FOLLOWING DESCRIBED PARCEL LYING IN THE PILT AREA (SECTION 34, TOWNSHIP 11 NORTH, RANGE 28 EAST). PORTIONS OF SECTIONS 3, 4, 9, AND 10 OF TOWNSHIP 10 NORTH, RANGE 28 EAST, W.W. AND PORTIONS OF SECTIONS 33 AND 34 TOWNSHIP 11 NORTH, RANGE 28 EAST W.M. BENTON COUNTY, WASHINGTON, IDENTIFIED AS TRACT 37 IN THE 2015 BUREAU OF LAND MANAGEMENT CADASTRAL SURVEY AND DESCRIBED IN QUITCLAIM DEED, AF#2015-029457, RECORDS OF SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AT INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF HORN RAPIDS ROAD 40.00 FEET DISTANT NORTH FROM AND PARALLEL WITH THE CENTER LINE THEREOF, AS DESCRIBED IN A QUIT CLAIM DEED RECORDED IN AF#621762, RECORDS OF BENTON COUNTY, WASHINGTON AND AN OFFSET FROM THE WESTERLY EDGE OF PAVEMENT OF STEVENS DRIVE (ROUTE-4S) BEING 30.00 FEET DISTANCE AND WEST THEREFROM IN SECTION 15 OF TOWNSHIP 10 NORTH, RANGE 28 W.M. WASHINGTON FROM WHICH THE NATIONAL GEODETIC SURVEY (NGS) CONTROL STATION B324 BEARS NORTH 70° 48' 52" EAST OF 280.40 FEET; THENCE NORTH 89° 13' 09" WEST ON THE NORTH RIGHT OF WAY LINE OF SAID HORN RAPIDS A DISTANCE OF 1900.00 FEET. THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 0° 46' 51" EAST, A DISTANCE OF 1885.00 FEET; THENCE PARALLEL WITH SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 5540.00 FEET; THENCE CONTINUING PARALLEL WITH SAID RIGHT OF WAY LINK, NORTH 89° 13' 09" WEST A DISTANCE OF 1126.00 FEET; THENCE SOUTH 0° 46' 34" A DISTANCE OF 1885.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE NORTH 89° 13' 09" WEST A DISTANCE OF 1450.00, THENCE ON A LINE PARALLEL WITH SAID RIGHT OF WAY LINE, NORTH 89° 13' 09" WEST A DISTANCE OF 1600.00 FEET; THENCE SOUTH 0° 46' 35" WEST A DISTANCE OF 1450.00 FEET TO A POINT ON SAID RIGHT OF WAY LINE, THENCE ON SAID RIGHT

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This description includes the following **County Parcel Identification Numbers:**

110081000001003
110081000001004
103084000001000
134183000001000
103081000001000
134183000002000

CITY OF RICHLAND/PORT OF BENTON

NORTH HORN RAPIDS AREA MASTER PLAN

MAY 2017

Prepared By:



J-U-B ENGINEERS, Inc.
2810 W. Clearwater Ave., Ste., 201
Kennewick, WA 99336

In Coordination with the City of Richland and Port of Benton

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INTRODUCTION

Background

The City of Richland and Port of Benton recently acquired 1,341 acres of federally transferred property from the Department of Energy (DOE). Approximately 884 of the 1,341 acres are located outside of the current City of Richland Urban Growth Area (UGA). At this time the City of Richland has requested to expand the UGA to include this area, with the intention of including this property into the Richland City Limits. As part of the UGA expansion request, a Capital Facilities Plan was prepared that identified on and off-site infrastructure needs to serve the area and the ability of the City and Port to provide such infrastructure. The intention of the City and Port is to improve and market the site for large industrial land uses.

The north Richland area has been envisioned as an employment center for the community and is anticipated to provide employment and business opportunities for the region. This area consists of Industrial, Manufacturing, and Research related land uses. At this time, most of the current development has occurred to the south in the Horn Rapids Industrial Park. The area consists of industrial and manufacturing developments 50-100 acres in size.

As the Tri-City region grows and the Hanford cleanup activities are completed over the next twenty years, there is a need to attract industrial developers that will help offset the projected decline of Hanford jobs. It is intended that the Master Plan area will help provide the necessary land base to provide larger industrial sites (200 to 500 acres in size). Sites of this size are not readily available for development throughout the Pacific Northwest until now. If development of this area occurs, the jobs associated with the cleanup efforts could be replaced sustaining an economically healthy city and region.

Purpose of the Plan

The City and Port have initiated the North Horn Rapids Area Master Plan (NHRAMP) to assess on-site infrastructure needs, evaluate the development layout options, and provide some guidelines for future development. This Master Plan looks at the opportunities and challenges associated with developing the site. The Master Plan identifies a long term vision of the North Horn Rapids Area with flexible plan implementation approaches that respect market conditions and interests within the Plan's anticipated 20 to 30 year build-out period. The area is anticipated to continue to develop as a major employment center in Richland. A vicinity map is shown in Figure 1.

Planning Process

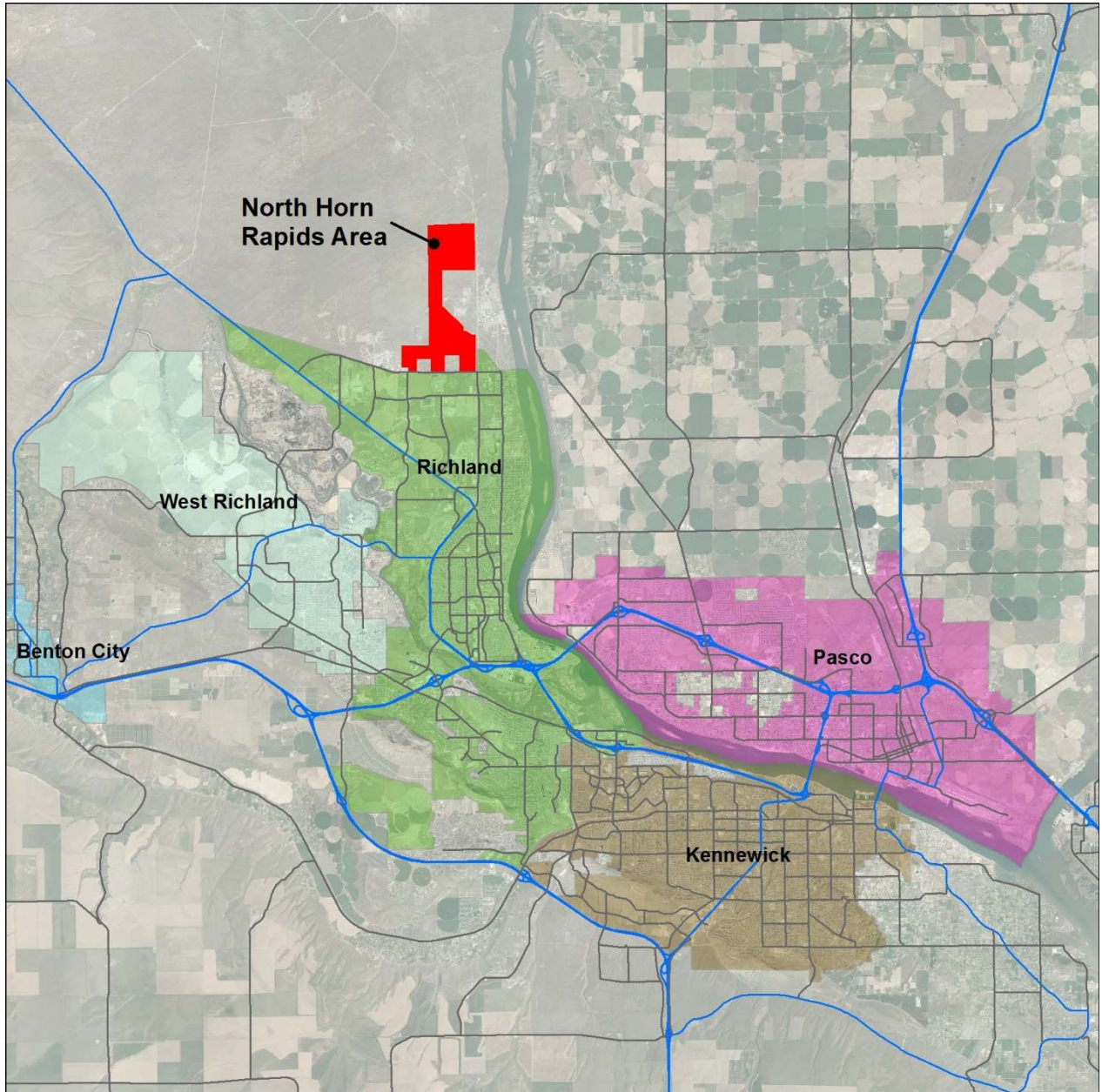
The NHRAMP envisions the area as an active and vital employment and economic center, attracting new development, reinvestment and employment. As part of the planning process the project team met with key stakeholders, including the City of Richland, Port of Benton, Benton County, Inter-Tribal Advisory Board (ITAB), Tri-Cities Economic Development Council (TRI-DEC), Energy Northwest, Department of Energy (DOE), Pacific Northwest National Laboratory (PNNL), Hanford Advisory Board, Laser Interferometer GravitationalWave Observatory (LIGO) to solicit input on the Master Plan. Through these meetings, current issues and concerns were identified and recommendations for the Plan were established.

Five specific focal areas emerged during our discussions with stakeholders:

- 1) Road standards for circulation systems within the site needed to be agreed upon and adopted as part of the update process.
- 2) Future rail expansion to the site needed to be considered in the site layout and design.

- 3) Future development of the DOE PNNL Site and Hanford Site 300 Area to the east and the Future DOE Land Transfer Property to the west need to be considered as part of the transportation network.

Figure 1. Vicinity Map



- 4) Opportunities to develop an east-west regional transportation corridor to support the proposed North Richland Bridge needs to be considered.
- 5) Create a site layout that accommodates large mega sites of 200 - 500 acres in size.

As a result of these meetings, existing facilities and improvements were identified through the development of the Capital Facilities Plan. In addition, ongoing issues as well as planned improvements for the area, and preliminary development alternatives were identified.

Existing Property Description

The land being evaluated for the NHRAMP is comprised of four parcels in Benton County:

- 134183000001000 (285.2 acres)
- 103084000001000 (219.36 acres)
- 110081000001003 (581.2 acres)
- 110081000001004 (257.7 acres)

It is situated north of the City of Richland as shown in Figure 2. Generally speaking, the property is located north of Horn Rapids Road and west of Stevens Drive (Route 4 South), approximately 0.5 miles west of the Columbia River. The planning area is approximately 1.5 miles wide at the south end for about 0.5 miles north of Horn Rapids Road, then narrows to one mile in width for more than 2.6 miles to the north. There is a 518-acre area, approximately 0.75 miles wide, located along Route 4 adjacent to the site that is not part of the Master Plan. This area is known as Tract 38/Pit 6 and is still owned by DOE. There are also two smaller parcels along the north side of Horn Rapids Road that are not included in the Master Plan.

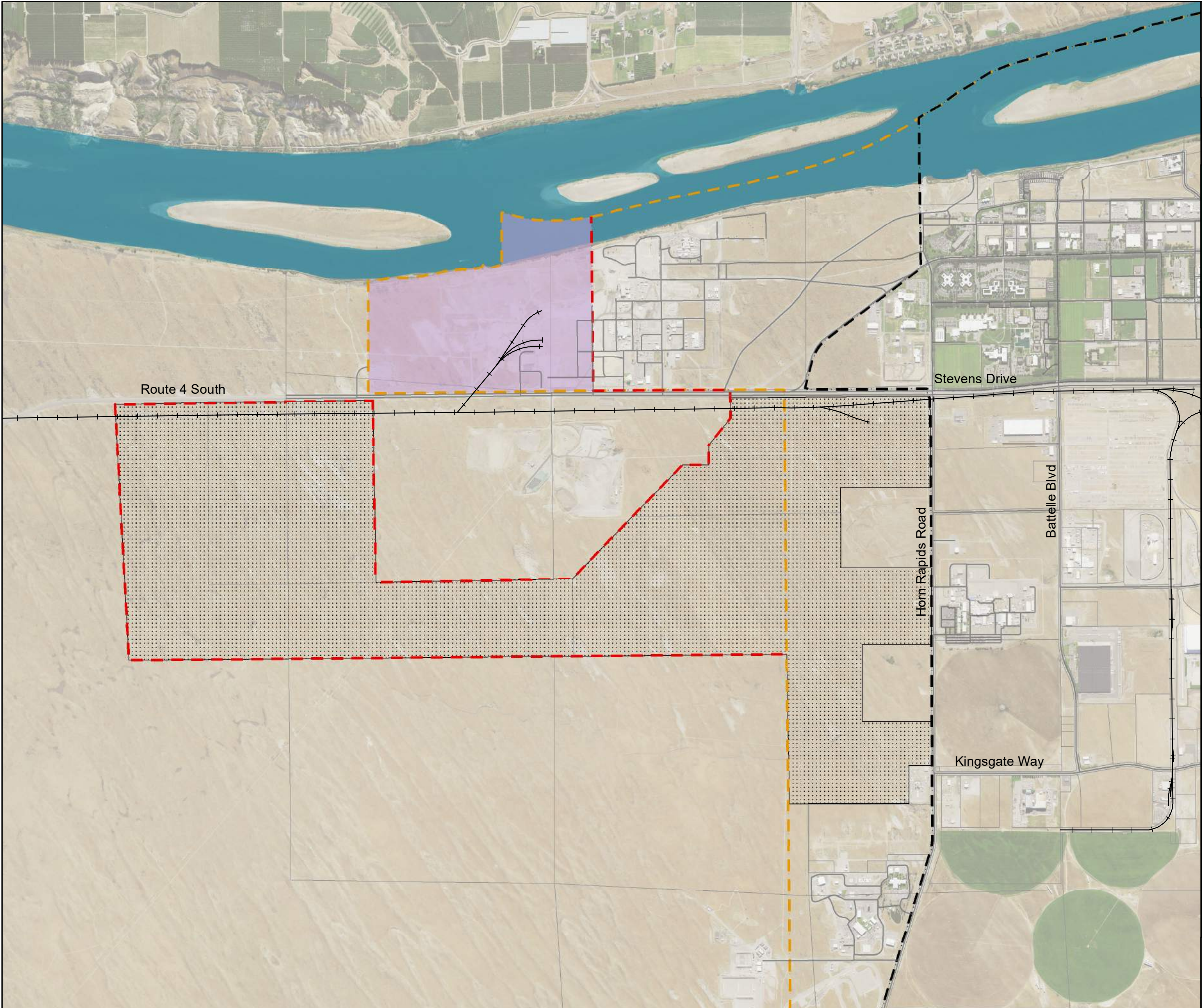
Land Use and Zoning

The property is currently included in the Hanford Zoning Classification for the portion within Benton County, and light Industrial for the portion within the City of Richland Urban Growth Area. The City is currently seeking approval from the County to expand the Urban Growth Area to include this property. If approved the proposed land use and zoning for the site is Industrial. The surrounding area consists of a primarily heavy and medium industrial uses with small amounts of commercial.

South of Horn Rapids Road is the Horn Rapids Industrial Park which includes industrial and commercial developments on 50-100 acres' sites. To the east is the DOE PNNL Site and Hanford 300 Area Site. At this time the north end of this site is being decommissioned, but there are future plans to redevelop the southern portion of the site into a research campus. Southeast of the site is the Tri-Cities Research District. North and west of the site is comprised of vacant land owned by the DOE. The site is relatively flat with grade of approximately 0.5%. Current use of the site is undeveloped.

It is intended that future development would include industrial, manufacturing, and/or research related uses as allowed in the Industrial Zoning designation. Authorized uses for the master planned area as noted within the deeded transfer agreement with the Department of Energy, include:

1. Warehousing and distribution (e.g. manufactured parts and materials distribution, food and agriculture; refrigerated warehousing and storage; material handling, packaging and crating; and logistics);



North Horn Rapids Area
Master Plan

Figure 2
Master Plan Area

Legend

-  City Limits
-  Existing UGA
-  Proposed UGA (1,187 acres)
-  Existing UGA To Be Removed (283 acres)
-  Master Plan Area (1,641 acres)

0 2,000 4,000 Feet



Date: May 2, 2017

2. Research and development (e.g. scientific research; software; data security; computation; energy technology; environmental; and biotechnology);
3. Technology manufacturing (e.g., defense manufacturing; sensor manufacturing; medical device manufacturing; food processing; machinery manufacturing; advanced materials manufacturing; and carbon fiber manufacturing);
4. Food processing and agriculture (e.g. wine processing; food processing; agricultural products; and craft beer production);
5. Back office (e.g. call centers; administrative processing; data processing; information technology; remote sensing; professional services; and training); and
6. Energy (e.g. solar energy production; smart grid; and biofuels manufacturing).

It should also be noted that the site contains a few development constraints as identified in the conditions of the land transfer from DOE (AFN 2015-029457). The purpose of these conditions is to ensure that no adverse environmental impacts will result in the development of the site. These conditions are identified in Exhibit H of the Deed Restrictions and are summarized below:

1. Net Proceeds. All net proceeds for the sale or lease of the property within 7-years of the agreement shall be used to support the economic redevelopment of or related to the Hanford Site.
2. Groundwater. prohibited from extracting, permitting to be extracted, consuming or otherwise accessing or utilizing any groundwater below the surface of the Premises. Purpose is to prevent disturbance to area hydrologic conditions that might adversely affect the movement of other transportation of groundwater contaminants. All established roads or other access routes to all groundwater monitoring wells shall not be altered or destroyed without receiving further approval by DOE.
3. Storm water. The northern portion of property is not allowed to discharge to groundwater due to the potential to mobilize stable waste sites in the vicinity of the Hanford 300 Area.
4. Excavation. All ground disturbance is prohibited below a depth of 20-feet from the ground surface or within 6.6 feet of ground water.
5. Mining. Mining on the property is prohibited.
6. Concentrating Solar Power Farm. The Port and City are prohibited from constructing and operation a CSP Solar Farm on the Property.
7. Noise and vibration levels. Due to the location of the Laser Interferometer Gravitational Wave Observatory (LIGO) and Pacific Northwest National Laboratory (PNNL) facilities, noise and vibration must be minimized or mitigated in any new facilities.
8. Electrical Field and Magnetic Interference. All activities that generate electrical field and magnetic inferences in excess of the EF/M Interference Standard are prohibited.
9. Radionuclide Emissions. All activities that cause airborne radionuclide emissions in excess of the Natural Occurrences and Radionuclide Emissions Standards are prohibited.

10. Periodic Discussions and Development Plans. The Port and City shall hold periodic meetings with the DOE, PNNL, LIGO, Tribes, concerning items 6, 7, and 8 above, as well as all development plans and land use actions.
11. Tribal Access. Access to the Premises prior to its development is required to members of the Confederated Tribes and Bands of the Yakama Nation, Confederated Tribes of the Umatilla Indian Reservation, the Nez Perce Tribe and the Wanapum Band of Indians (collectively “Tribes”) for tribal activities.
12. Buildings and Natural Landscape. The height of buildings that shall not exceed the height limits as authorized pursuant to Chapter 23.28.030 of the Richland Municipal Code, as amended. In addition, a waiver or variance to the height limitation is not allowed. All building (including roofs shall be finished in colors that are non-reflective and emulate the natural surroundings, and landscaping shall consist of xeriscaping utilizing native plants to reduce the need for supplemental watering.
13. Bird-Friendly Design. Incorporate bird-friendly building design into the design for buildings, structures and improvements on the premises to the extent it is reasonably practical to do so.
14. Fire Protection. Within the immediate landscaped area (from the structure to approximately 30 feet), special consideration should be given that any combustible materials (e.g., lawn furniture, litter, and construction materials) should be removed or reduced in an effort to protect property (e.g., wildlands, buildings, and equipment) by minimizing fire risk.
15. Cultural Resource Protection. Requires compliance with all Washington State laws, as amended, regarding cultural resource protection.
16. Pre-Contact Archaeological Materials. The City and Port shall return any and all artifacts or human remains found on the premises to the DOW for Tribal consultation and reburial on the Hanford Site.
17. Annual Report. The City and Port shall provide joint annual reports to DOE identifying compliance with the deed agreement.
18. Cultural Recourse Protection Protocol. Implement the Cultural Resource Protection Protocol as identified in Attachment A of the Deed. The purpose is to carry out specific provisions of the MOA.

Environmental

As part of the conveyance of the property from the DOE to the City and Port, the U.S. Department of Energy Richland Operations Office prepared an Environmental Assessment (EA) of the site. The purpose of the EA was to analyze the potential environmental impacts of the proposed site being conveyed for the purpose of economic development. As a result, a Finding of No Significant Impact for the Proposed Conveyance of Land at the Hanford Site was issued on September 30, 2015. DOE reported in the FONSI that it determined the proposed action will not constitute a major Federal action significantly affecting the quality of the human environment and the preparation of a EIS is not required

EXISTING CONDITIONS

This section discusses existing facilities, owned by public entities, and provides information about the service provider, along with the location and capacity of the existing facilities.

Transportation

Streets

There is no existing roadway network internal to the proposed North Horn Rapids Area (NHRA). Only Stevens Drive, running north-south along the eastern side of the proposed area, and Horn Rapids Road along the southern side provide immediate access. Roadways that will provide service to the proposed NHRA are described below and shown in Figure 3.

Stevens Drive is a principal arterial roadway that serves the Hanford Area to the north of the NHRA. It has 6 lanes south of Horn Rapids Road where the speed limit is 55 MPH, and 4 lanes north of Horn Rapids Road where the speed limit is 60 MPH. There are acceleration and deceleration lanes at intersections. North of the Hanford 300 Area, Stevens Drive enters the Hanford Area and becomes Route 4 South.

Horn Rapids Road is a 2 lane minor arterial roadway that runs east-west along the southern edge of the NHRA. The speed limit is 50 MPH west of Stevens Drive and 35 MPH east of Stevens Drive.

Kingsgate Way is a north-south minor arterial roadway located that provides access to the southwestern portion of the NHRA. It has one lane in each direction and a two-way left turn lane. It has curb and gutter and a detached sidewalk on the east side just north of SR 240 along the RV Park frontage, but is a rural section further to the north. There are streetlights the full length of the roadway. It has a posted speed limit of 40 MPH. It provides access to residential development to the south of SR 240 but is discontinuous further south, with plans to extend it to Van Giesen Street (SR 224).

SR 240 is also known as the Vantage Highway west of Stevens Drive and is an east-west expressway that connects the City of Richland to areas to the west including the Hanford Site. It has a single through lane in each direction but at the intersection of Kingsgate Way it has deceleration lanes for right turns and, exclusive left turn lanes as well as acceleration lanes in both directions for vehicles turning onto the highway. A traffic signal will be constructed at the SR 240/Kingsgate Way intersection in 2017. The speed limit is 55 MPH. There are no sidewalk facilities as it has roadside ditches for storm water. The City has programmed a multi-use pathway on the north side from Stevens Drive to Kingsgate Way.

George Washington Way parallels Stevens Drive to the east and serves the Tri-Cities Research District, the Port of Benton and the Pacific Northwest National Laboratory and Washington State University Tri-Cities. It is a 5 lane principal arterial through the heart of Richland. North of Horn Rapids Road, George Washington Way curves to the west to join Stevens Drive. Northbound, as it approaches Stevens Drive the only movement allowed is the northbound merge. Southbound Stevens Drive provides a left turn lane to access George Washington Way. The PNNL plans to realign George Washington Way north of Horn Rapids Road. This would move the intersection with Stevens Drive approximately 0.3 miles north of the Bonneville Power Administration transmission lines.

Rail

The Department of Energy owns existing rail that parallels Stevens Drive on the eastern side of the NHRA north of Horn Rapids Road. The City of Richland has also constructed a rail spur that serves the Horn Rapids Industrial Park from the Port's mainline to serve the existing industrial park. .

North Horn Rapids Area

Master Plan

Figure 3

Existing Transportation Network

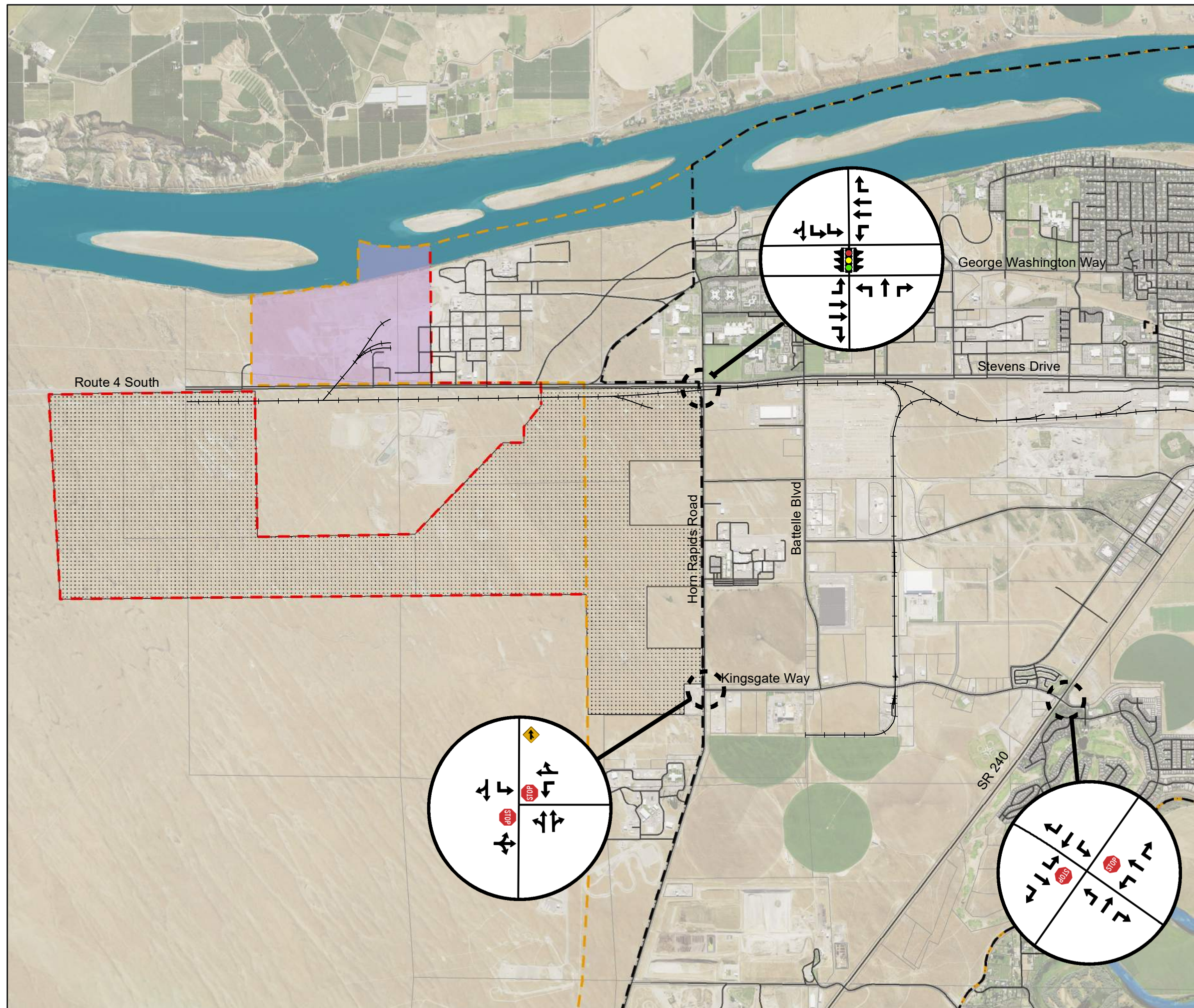
Legend

-  City Limits
-  Existing UGA
-  Proposed UGA
-  Existing UGA To Be Removed
-  Master Plan Area

02,5005,000 Feet



Date: May 2, 2017



Sanitary Sewer Service

Currently, there is no sanitary sewer service in the NHRA. Sanitary sewer service in this area will be provided by the City of Richland. The City of Richland updated its General Sewer Plan (GSP) in 2016. The GSP update discusses the total capacity, utilized capacity, and remaining capacity of both the Wastewater Treatment Plant (WWTP) and the sanitary sewer collection system. The following is a summary of the WWTP capacity and the sanitary sewer collection system based upon this planning document.

Wastewater Treatment Plant

The City of Richland operates a wastewater treatment plant (WWTP) with primary sedimentation and secondary activated sludge treatment. Chlorine is injected prior to discharge to the Columbia River for disinfection. Solids are thickened with rotary drum thickener, anaerobically digested, dewatered on belt presses, and transported to the City composting facility to attain a Class A compost which is sold to the public through wholesale distributors.

The WWTP is sized for 11.4 million gallons per day (mgd) of sewer flow as noted in Table 1. According to the GSP, the maximum monthly flow for 2015 was 6.3 mgd (55% of rated capacity) and maximum monthly flow is projected to reach approximately 9 mgd (80% of rated capacity) in the next 20 years. The GSP identifies that Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) loading are both currently at approximately 80% of rated capacity. The Washington State Department of Ecology (WDOE) recommends improvement planning begin once average flow/load exceeds 85% for three consecutive months or exceeds 100% design capacity for one month. Based upon this requirement, the GSP projects the need for a WWTP re-rating study to occur in 2020.

Table 1. Design Criteria – 2016 NPDES Permit

Parameter	Design Criteria	85% of Design
Average flow for maximum month	11.4 mgd	9.7 mgd
BOD ₅ loading for maximum month	17,250 lbs/day	14,663 lbs/day
TSS loading for maximum month	21,200 lbs/day	18,020 lbs/day
NH ₃ -N loading for maximum month	2,750 lbs/day	2,338 lbs/day

Collection System

The City of Richland sanitary sewer collection system consists of over 262 miles of pipe ranging in size from 6-inch to 54-inch in diameter. The total area that can be provided with public sewer service totals over 25,000 acres. The existing collection system also includes 14 sanitary sewer lift stations, which are classified as either local service or interceptor service depending on the area they serve.

The natural ground topography of the NHRA is a gentle slope of 0.5% towards the south. Therefore, the entire site will have only one drainage basin to be served by one sanitary sewer gravity interceptor pipe. There is an existing 24-inch diameter sewer interceptor (Logston Interceptor) that extends as far north as Battelle Boulevard. Figure 4 depicts the existing sanitary sewer collection system in the vicinity of the NHRA.

Potable Water Service

The NHRA is outside of the current water service area of the City of Richland water system. The City of Richland prepared an update to its Water System Plan (WSP) in 2016, which provides 20-year planning

North Horn Rapids Area

Master Plan

Figure 4

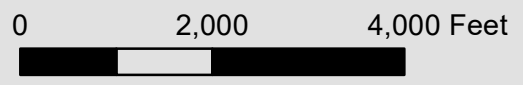
Existing Sanitary Sewer System

Legend

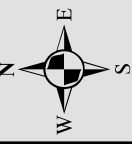
-  City Limits
-  Existing UGA
-  Proposed UGA
-  Existing UGA To Be Removed
-  Master Plan Area
-  Sewer Lift Station

Existing Pipe Size (in)

-  Collector
-  10
-  12
-  15
-  18
-  21
-  24



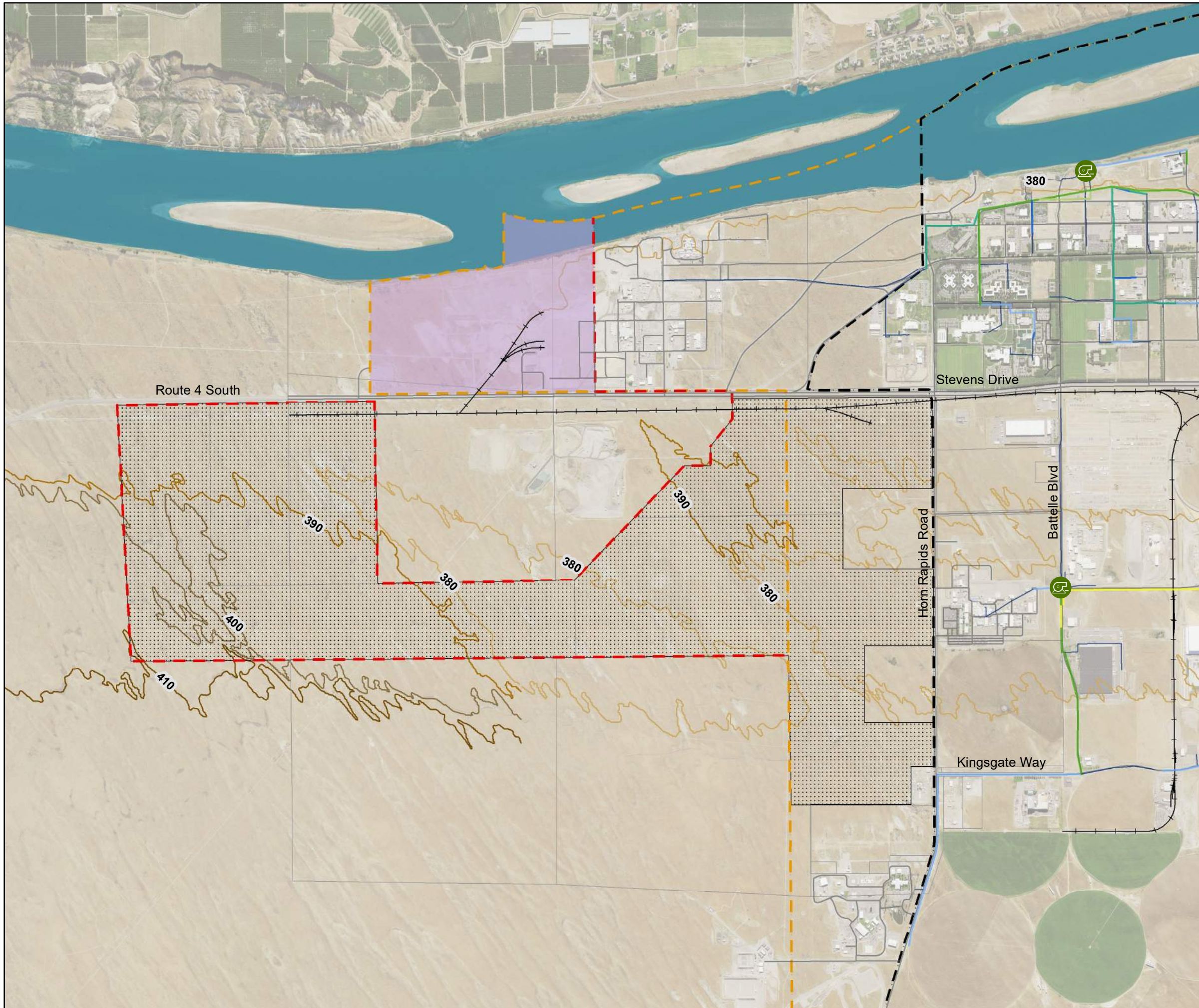
0 2,000 4,000 Feet





JUB ENGINEERS, INC.

Date: May 2, 2017



numbers for water supply, demand, and distribution. The following is a summary of the City's potable water source capacity and the distribution system based upon this planning document.

Source Capacity

According to the WSP, the City of Richland has a total available water right of 34,948 acre-feet per year and 43,786 gpm for instantaneous flow. This total available water right converts to a Maximum Day Demand (MDD) of 63.0 MGD. The 2015 population-based MDD is 38.4 MGD per the WSP. The planning period for the WSP limited the future demand projections to year 2035 when MDD is projected as 55.25 mgd.

The City of Richland potable water sources include a wellfield and the Columbia River Water Treatment Plant (WTP). According to the WSP update, the wellfield has a total of 15 MGD capacity while the WTP has a capacity of 36 MGD.

Distribution System

There are currently twelve pressure zones in the City's water distribution system that receive water service. The natural topography of the NHRA (elevation 410' to 380') places it within the City's Core 548 Pressure Zone which serves elevations 353'- 427'. There are existing Core 548 water pipes as far north as Horn Rapids Road. Figure 5 depicts the existing water distribution system near the NHRA.

Power

The City of Richland Energy Services currently has no electrical power services specified for the NHRA. There are existing electrical facilities along Horn Rapids Road (east/west) and Stevens Drive (north/south) that provide service to existing developed area. City of Richland Energy Services has the ability to provide electrical service to the NHRA. The Bonneville Power Administration (BPA) has an overhead transmission line that crosses the NHRA east to west, however, the BPA transmission line cannot be used for electrical services for the NHRA.

Surface and Storm Water Management

Currently, there are no storm water systems within the NHRA. There is a restriction of the placement of swales, ponds and other storm drainage facilities within the study area. The southerly restriction area is located 1,969 feet north of the centerline of Horn Rapids Road and extends 15,781 feet north of the centerline of Horn Rapids Road. This is noted in the property deed restrictions Exhibit H item 5. Refer to Figure 6 for a graphical representation of the restriction area.

Other Governmental Services

Natural Gas

The natural gas utility for the NHRA is Cascade Natural Gas Corporation (CNGC). CNGC has an existing 6-inch steel high-pressure main running north/south along Stevens Drive. There is also a 4-inch intermediate pressure main located along Horn Rapids Road (east/west). CNGC has stated that their existing natural gas services are currently 100% utilized and that no further natural gas services can be accounted for in the NHRA. CNGC is currently working on plans to provide additional natural gas services so that the NHRA can account for natural gas utility services. They have estimated additional natural gas services can be accounted for by the middle to end of 2017.

North Horn Rapids Area
Master Plan

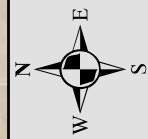
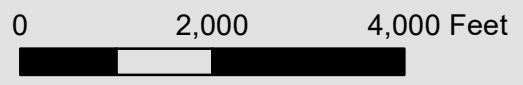
Figure 5
Existing Domestic
Water System

Legend

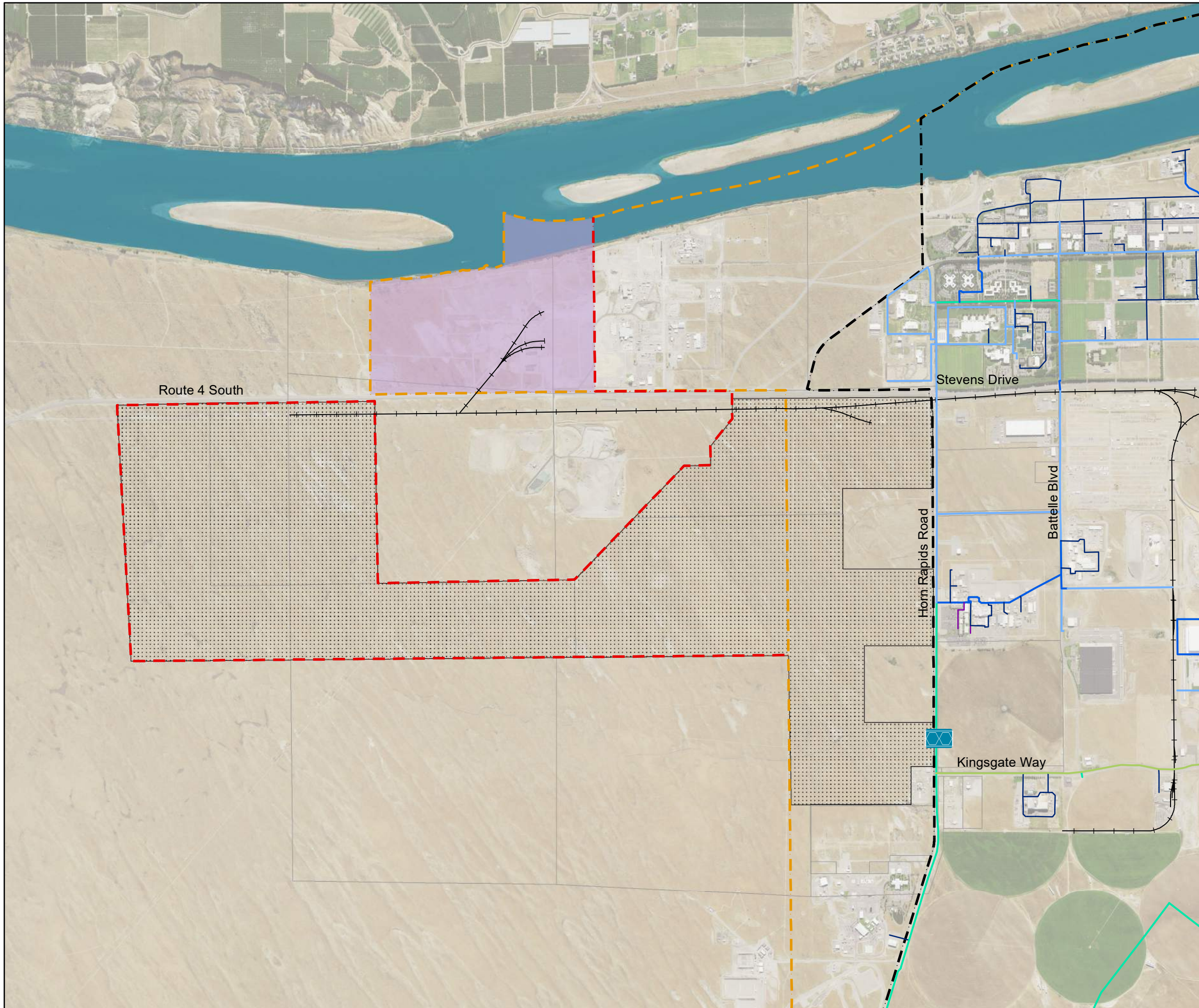
-  City Limits
-  Existing UGA
-  Proposed UGA
-  Existing UGA To Be Removed
-  Master Plan Area
-  Booster Pump

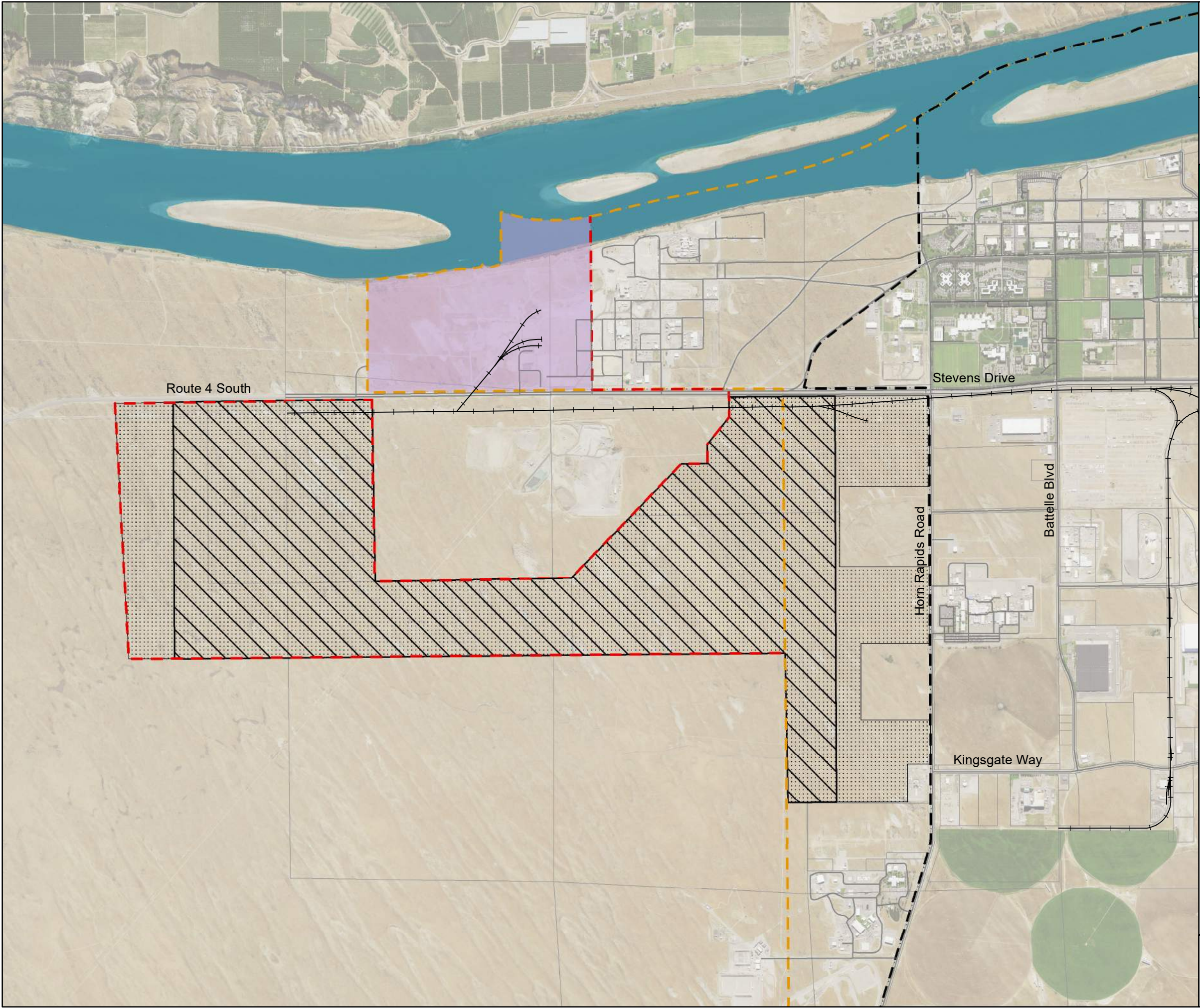
Existing Pipe Size (in)

-  6
-  8
-  10
-  12
-  16
-  20



Date: May 2, 2017



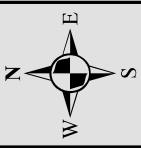


North Horn Rapids Area
Master Plan

Figure 6
Stormwater Restriction Area

- Legend**
- City Limits
 - Existing UGA
 - Proposed UGA
 - Existing UGA To Be Removed
 - Master Plan Area
 - Stormwater Restriction Area

0 2,000 4,000 Feet



Date: May 2, 2017

Telecommunications

Telecommunications includes the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means. This includes telephone, cellular telephone and cable and satellite television.

Changes in technology are having a major impact on telecommunications. Much of these technologies are merging with much less distinction between data, video, and voice technologies. Some of these utilities are regulated by the Washington State Utilities and Transportation Commission to meet a specific level of service to their service areas.

In regards to landline telecommunication service, the NHRA is located in Frontier Communication's service area. There are existing communication services along Horn Rapids Road (east/west) and along Stevens Drive (north/south). Landline telecommunication service to the NHRA is not currently available and would require additions to Frontier's current network. Other landline telecommunication providers would need to make similar improvements. Service coverage for cellular telecommunication is expected to be available in the NHRA as nearby urban areas receive cellular service. Internet service to the NHRA would be limited to wireless internet service providers (ISPs) until a fiber optic network connection could be extended to the area.

U.S. Cellular, AT&T, Sprint, Verizon and Nextel currently provide cellular phone service within the Tri-Cities area. Due to the close proximity to urban areas, it is anticipated that all of these services will have acceptable reception.

Irrigation

Separate irrigation services are not provided by an irrigation district within the NHRA. All irrigation within the NHRA will need to be provided through the City of Richland Domestic Water System. It is noted that non-potable water is available with an existing irrigation pipeline at the corner of Stevens Drive and Horn Rapids Road. It's not anticipated that the targeted developments will need a high level of this service; however, if significant non-potable demands are requested by development irrigation service would be provided by this non-potable water system and most likely not from the domestic potable water system.

PARCEL CONCEPTUAL LAYOUT

The intent of the NHRAMP is to accommodate large industrial users. Parcel sizes considered should be approximately 200 acres or larger. Several options were prepared and discussed with stakeholders and partners in the development of this Master Plan. Concepts showed variations in lots sizes and in providing access to the parcels as well. Ultimately, a combination of the alternatives was selected as the preferred conceptual layout and is depicted in Figure 7. This conceptual parcel layout allows for 6 industrial sites.

This option provides the City and the Port of Benton the opportunity to create flexibility in the size of the lots so they are marketable to multiple users. If desired, the configuration allows multiple lots to be combined to serve an even larger user as well. Due to the larger lot sizes and configuration this option reduces the need for any internal roadways which in turn will lower some of the development cost of the site.

A transportation network that supports the industrial lots is discussed in the following chapter. The parcel layout shown is conceptual and can be modified as necessary. Parcels will need to be created through the City of Richland platting process.

North Horn Rapids Area

Master Plan

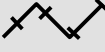
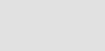
Figure 7

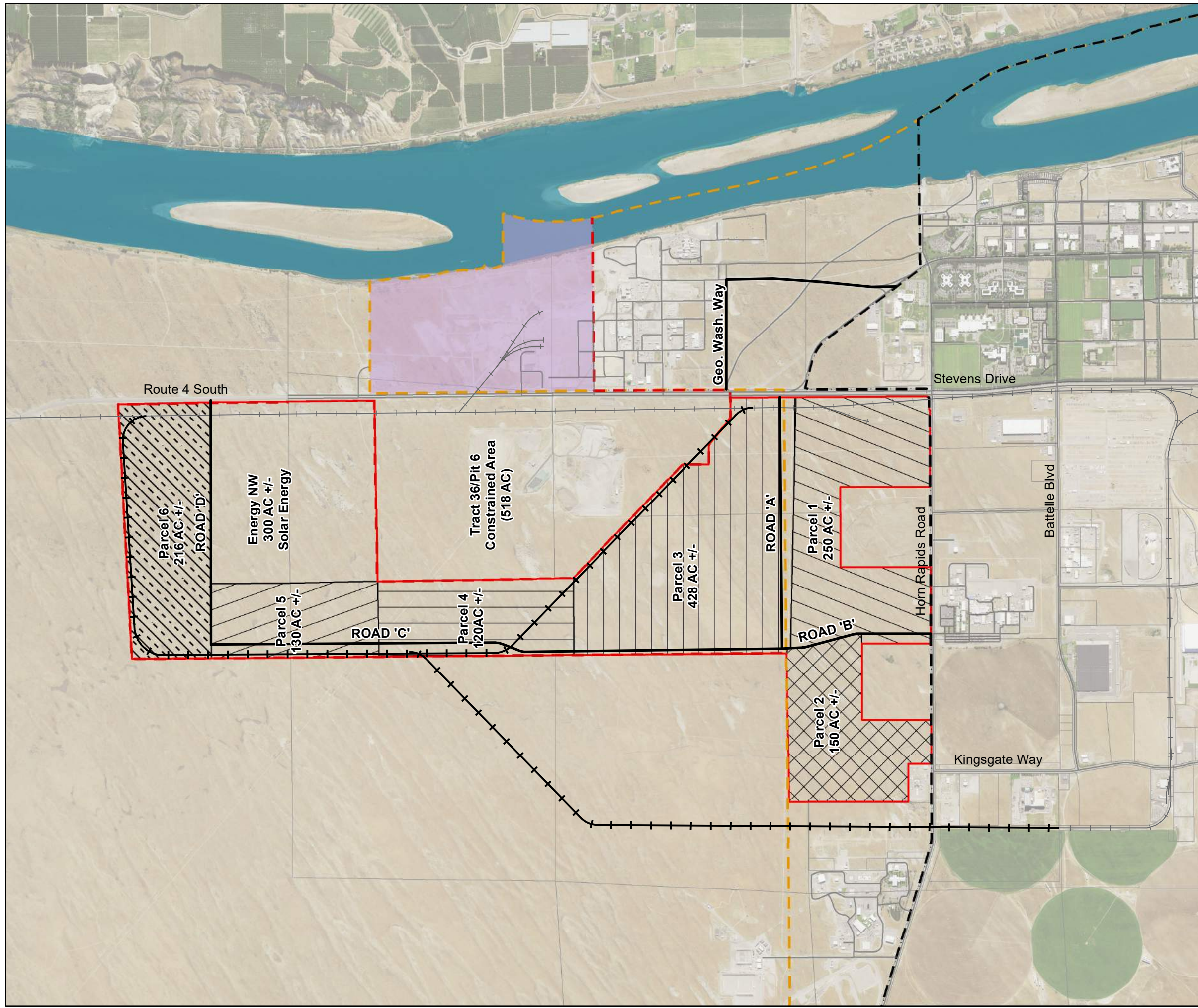
Lot Layout

- Legend**

 -  City Limits
 -  Existing UGA
 -  Proposed UGA (1,187 acres)
 -  Existing UGA To Be Removed (283 acres)
 -  Master Plan Area (1,641 acres)

- Lot Layout**

 -  Parcel 1
 -  Parcel 2
 -  Parcel 3
 -  Parcel 4
 -  Parcel 5
 -  Parcel 6
 -  Proposed Roadway
 -  Proposed Railroad



TRANSPORTATION FACILITIES

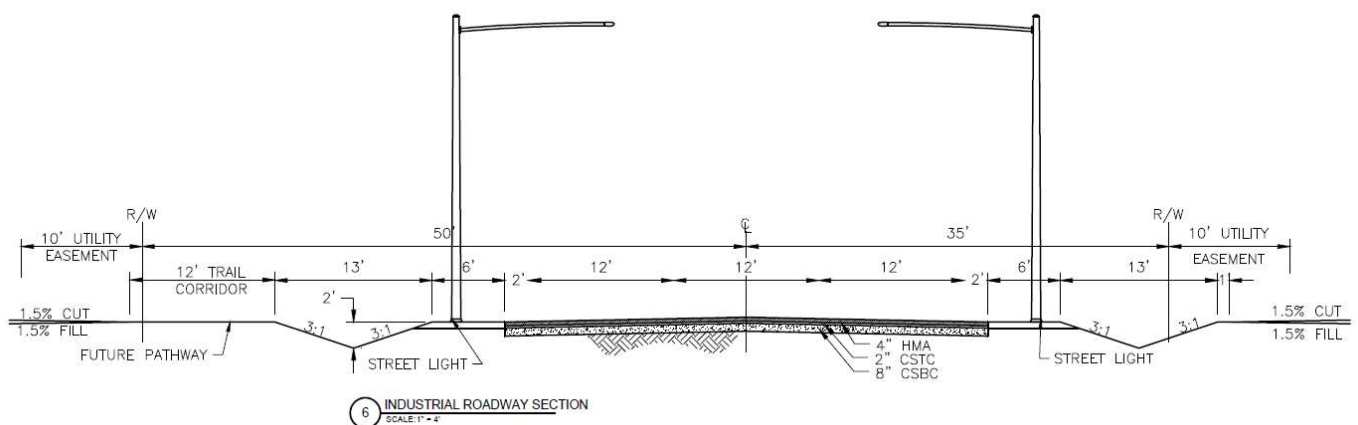
Planned Roadway Network

As mentioned earlier, the intended land use of the North Horn Rapids Area would be for industrial purposes. Currently, the City has very few sites which can accommodate large industrial type development greater than 50 acres, such as is common in the Horn Rapids Industrial Park immediately to the south of Horn Rapids Road. Similarly, there are very few sites in the state that can accommodate industry with needs greater than 100 acres. The City and Port of Benton have been approached by businesses with needs similar to the AREVA site of 100 acres situated on Horn Rapids Road between Kingsgate Way and Stevens Drive. The intent of the North Horn Rapids Area Master Plan is to serve as many such businesses with large acreage needs as possible.

Since the intent for development is to be very large lots, a relatively small roadway network will adequately serve the area. It is conceivable that very large lot development would require little in the way of new roads. It was learned during the planning process that the Department of Energy Hanford Site has the discretion to close Stevens Drive north of Horn Rapids Road. Today this road exclusively serves the Hanford Site. With the potential constraint that new development of the NHRA could be prevented from using Stevens Drive for approximately 5 miles north of Horn Rapids Road, an alternative route serving the site is appropriate. As development occurs in the NHRA north of the George Washington Way intersection it may be important to transfer ownership or a right to use Stevens Drive/Route 4 through the NHRA.

Given the intent of the type of development, a relatively light roadway network is needed. Roadways would be constructed consistent with the Horn Rapids Industrial Park Industrial Roadway section shown below in Figure 8 which consists of an 85' right-of-way with a three lane street and roadside swales on both sides for collection and retention of storm water. The west or south side of the roadway has a trail corridor for potential future trail improvements. A 10' wide utility easement is located on both sides of the street, immediately outside of the right-of-way.

Figure 8. Industrial Roadway Section



The roadway network within the NHRA would consist of the roadways described below and shown in Figure 9.

North Horn Rapids Area

Master Plan

Figure 9

Future Transportation Network

- Legend**

 City Limits
  Existing UGA
  Existing UGA To Be Removed (283 acres)
  Master Plan Area (1,641 acres)

Proposed Road

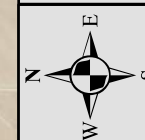
 Geo. Wash. Way
  ROAD 'A'
  ROAD 'B'
  ROAD 'C'
  ROAD 'D'

Railroad

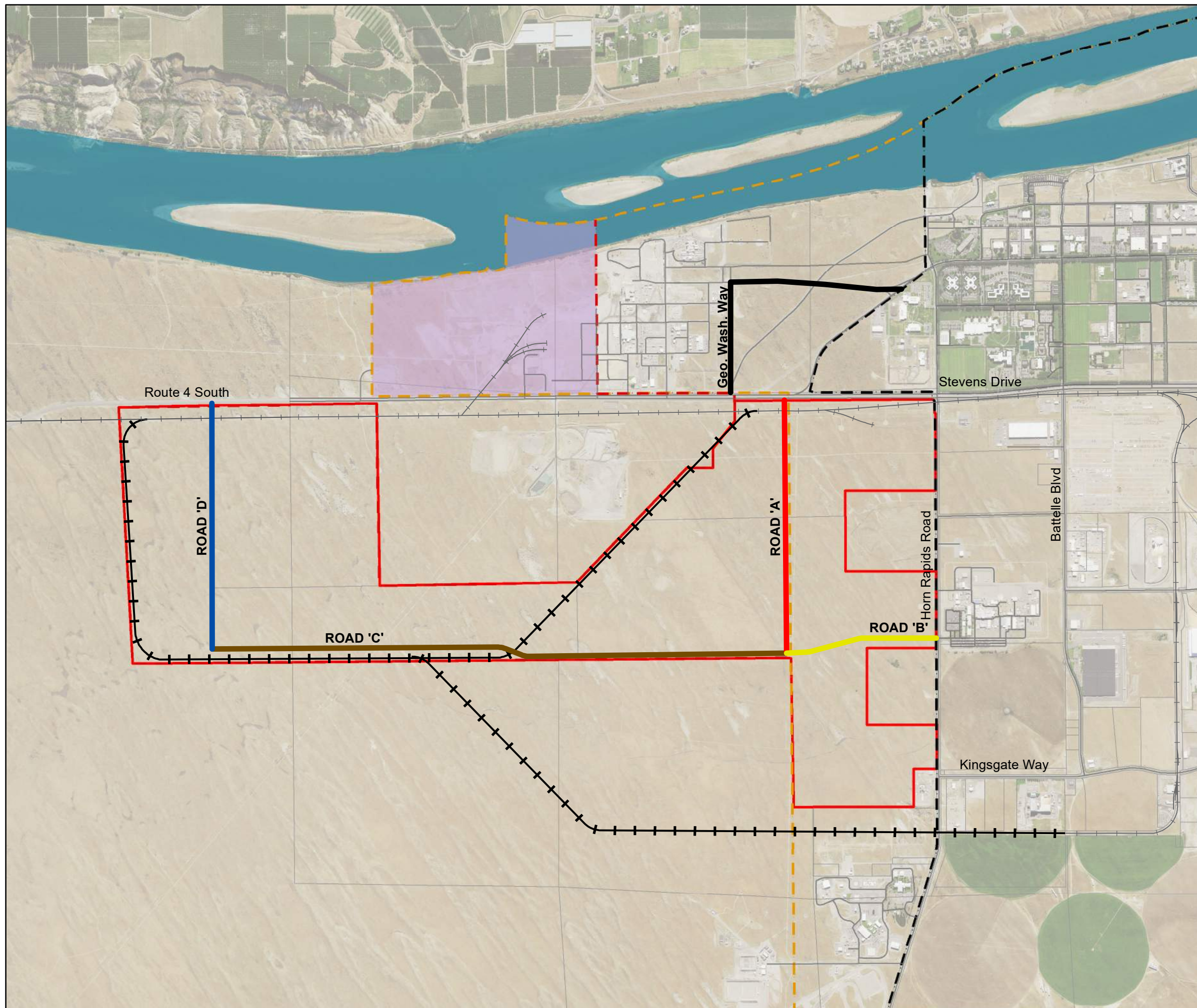
 EXISTING
  PROPOSED

0 2,000 4,000 Feet





Date: May 2, 2017



- An east-west roadway, Road “A” connecting with Stevens Drive near its existing intersection with George Washington Way approximately 1.25-miles north of Horn Rapids Road, approximately 0.25 miles north of and parallel to the existing BPA power lines, and extending west approximately 5,000 lineal feet to the western side of the NHRA to connect with a new north-south roadway Road C. This location was chosen to coordinate with future plans of PNNL which anticipates removing the existing connection of George Washington Way to Stevens Drive and extending George Washington Way north to serve PNNL. A new road from PNNL development would connect to Stevens Drive north of the BPA power lines and a single intersection serving both sides of Stevens Drive would better serve the area for both capacity and safety purposes.

At this new intersection on Stevens Drive it is anticipated that at some point in the future a traffic signal will be needed in order to provide adequate gaps in the Stevens Drive flow of traffic for other movements to occur. It is anticipated that this intersection would have exclusive left and right turn lanes on all approaches.

- A new north-south, roadway Road “B”, beginning at Horn Rapids Road opposite the AREVA driveway, and extending north along the western boundary of the site approximately 3,200 lineal feet in order to preserve maximum lot size capabilities. This new road would connect to a new east-west Road “A”.
- A new north-south roadway, Road “C” beginning at the intersection of Road “A” and Road “B” extending north along the western boundary of the site approximately 12,100 lineal feet up to Road “D”.
- A new east-west roadway Road “D” would provide access to northern parcels and would be constructed approximately 5 miles north of Horn Rapids Road and 0.5 miles south of the northern boundary. It would extend westward approximately 5,000 lineal feet from Route 4 to connect with the new north-south Road “C”.

A build-out scenario traffic analysis for general roadway capacity was examined to determine what potential large capacity capital projects might be anticipated. It is inherent in this analysis that intersection improvements will need to occur over time, but specific improvements for the 20-year period at the intersection level are difficult to determine for such a long-range forecast with so many variables.

The trip generation potential of such a large site could be substantial. To provide access for these new trips to the existing roadway network could be challenging with existing traffic volumes. However, part of the purpose of the transfer of the 1,341 acres from the Department of Energy to the City of Richland and the Port of Benton is to provide alternate opportunities for employment as the Hanford Site clean-up eventually draws to a close in the long term. As a result of this shift in employment, the southbound traffic volumes on Stevens Drive are likely to decrease somewhat, however the extent and timing of this shift is unknown.

More detailed evaluation will be required in the future, when specific site proposals are presented, to better understand future traffic patterns and impacts of proposed developments. However, it is anticipated that Stevens Drive would need to be widened to 6 lanes north from Horn Rapids road through the UGA Expansion area to the northernmost new access roadway. A traffic signal may be needed at that northernmost roadway as well in the long range future, which would provide gaps for other potential large parcel development on the west side of Stevens Drive. Traffic signalization may also be needed at the new north-south roadway at Horn Rapids Road.

North Richland Bridge

Some discussion of the North Richland Bridge is appropriate. In 2010 the Benton Franklin Council of Governments commissioned a study to examine potential future alignments of a new Columbia River Crossing. The study evaluated 10 alignments, with the result of the study being 3 alternatives that were recommended for future analysis. One of these alignments would cross in north Richland and is described as “A new span located just north of the Hanford 300 Area and connects to Columbia River Road and W Sagemoor Road on the east.” During the course of the study concerns were raised by the City of Richland and the Port of Benton that an alignment that connected to Horn Rapids Road would negatively affect anticipated development along that corridor.

It is very likely that a North Richland Bridge would cross DOE land and then the NHRA. It is also anticipated that the connecting road to the bridge would be limited access. Three potential alignments for such a bridge connection are shown in Figure 9. Some considerations that should be taken into account for future studies of a North Richland Bridge include:

- With the existing railroad in close proximity to the west side of Stevens Drive, a grade separated interchange with Stevens Drive would likely be beneficial for both facilities.
- A strategic location for the connecting roadway to the bridge that will preserve the ability to have very large lots will be important for the success of the NHRA.
- A grade separation of the connecting road to the North Richland Bridge and the new north-south road (Road “C”) and the future rail serving the site (without an interchange) will be required.

Rail

The Port of Benton recently contracted with BST Associates to prepare a Market Analysis for the Port of Benton Rail Line. A copy of this study is included in the Appendix. A brief summary is provided below.

Most of the domestic and international freight moved to or from the Tri-Cities area moves by truck. However, shippers in the Tri-Cities have an interest in increasing rail freight. The trucking industry is facing several challenges that will likely tighten the supply of drivers, and increase costs for local exporters. These challenges include new hours of service rules and mandated electronic logs. These will make it harder for a driver to complete a round trip to and from Seattle/Tacoma in a single work day. An overarching long-term concern is the growing shortage of drivers. Given these constraints it may be possible for a container shuttle service to operate between the Tri-Cities and the Puget Sound.

Rail service to the area is planned to connect to the rail line north of Horn Rapids Road and follow closely to the diagonal boundary headed to the northwest along the Pit 6 area until it reaches the western boundary of the NHRA, then head directly to the north to the northern boundary and proceed back to the east where it would connect to the rail line again, forming a loop as shown in Figure 9.

A long range rail connection is also shown in the figure that extends the City of Richland rail line that exists west of Kingsgate Way to the north across Horn Rapids Road and ultimately connects to the new loop internal to the NHRA.

UTILITY REQUIREMENTS

This section of the North Horn Rapids Area Master Plan (NHRAMP) presents capital improvement projects required by the City of Richland and others, to meet and maintain the existing level of service standards, based on the land use projections outlined.

Sanitary Sewer Service

Sanitary sewer service will be provided by the City of Richland. The following sections describe the projected flows and necessary expansion of two major facility categories of the sanitary sewer system: the collection system and the wastewater treatment plant. It is assumed that utilities will be extended to the northern boundary of the NHRA. Sanitary Sewer Facilities are shown in Figure 10.

Collection System

As previously noted, the natural ground topography of the UGA Study Area creates one singular sanitary sewer service area. A strategy for providing gravity sanitary sewer service to the NHRA was included in the 2015 GSP. The 24-inch diameter Logston Interceptor will need to be extended at minimum slope (0.10%) northward to the northern edge of the NHRA.

Wastewater Treatment Plant

For planning purposes, average daily sewer flow for the NHRA will be approximately 2.13 MGD for industrial use. The GSP identifies that peak month flows for the WWTP in 2036 will be approximately 9.1 MGD; therefore, the NHRA could add approximately 20% to the total peak monthly flows at the WWTP for 20-year planning purposes. This peak monthly flow will be 11.23 MGD - which approaches the current design capacity of the WWTP (11.4 MGD). The WWTP has available capacity for the buildout sanitary sewer flows from the NHRA; however, it may trigger the need for expansion planning to begin sooner than otherwise planned.

Potable Water Service

Potable water service will be provided by the City of Richland. The following sections describe the projected water demands and necessary expansion of the potable water system to serve the NHRA. Domestic Water Facilities are shown in Figure 11.

Estimated Water Demands

Master planning of potable water service for non-residential land uses is difficult because of the wide range of potential industrial water needs. For the purposes of this study, a gross-area demand of 1,250 gallons per acre per day (gpad) is assumed, which is consistent with the estimated sewer demand. It is recommended that each potential industrial user should be analyzed separately at the time of development to determine effects on the distribution system and source capacity.

2016-2022 with NHRA

The total area for the 6-year study area is 385 acres. For 6-year planning purposes, water demands for the NHRA will be approximately 0.48 mgd for the 385 acres of industrial use.

- Maximum Daily Demand = 1,250 gpad x 385 acres = 481,250 gpd (0.48 MGD)

North Horn Rapids Area

Master Plan

Figure 10

Future Sanitary Sewer Improvements

Legend

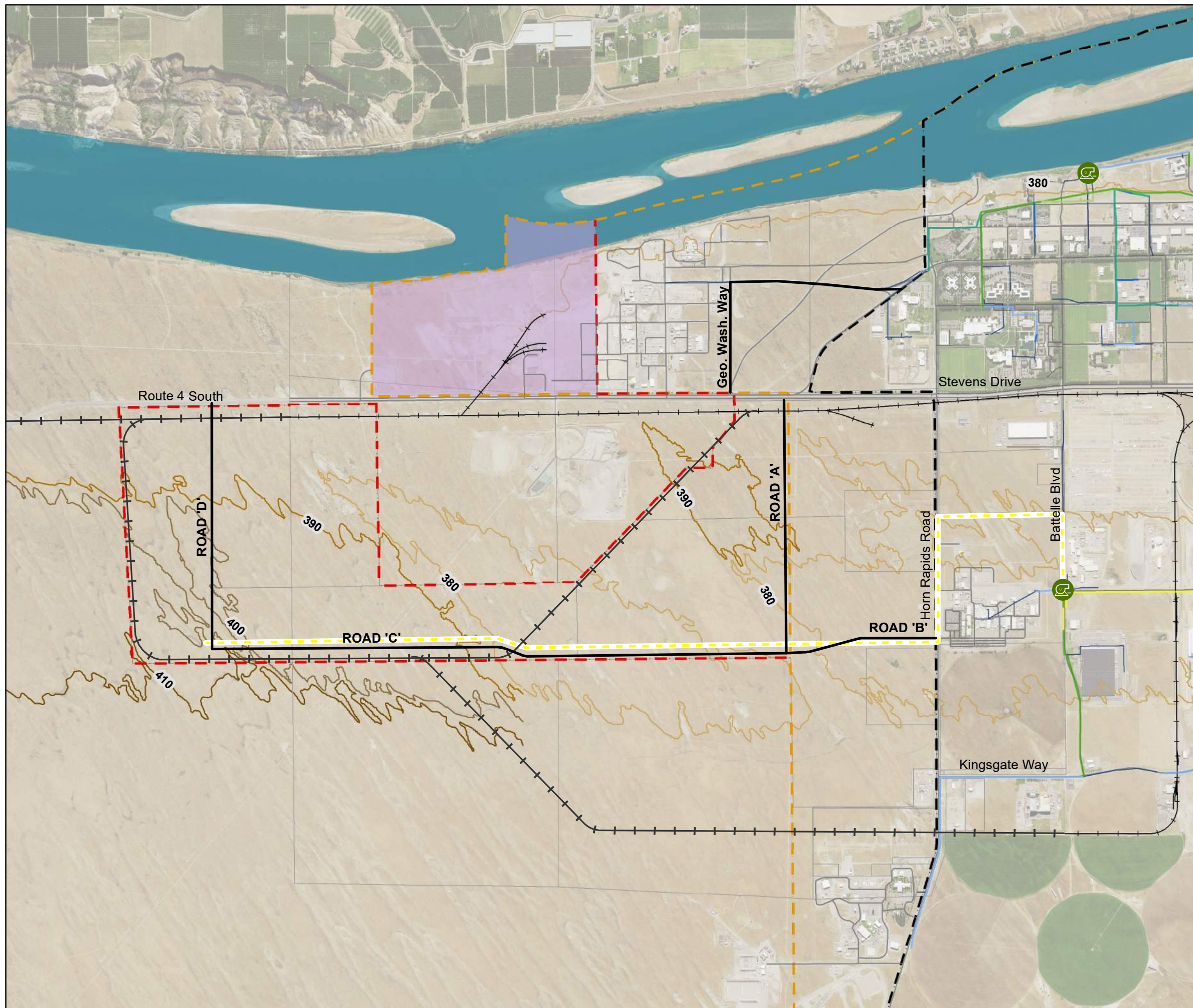
-  City Limits
-  Existing UGA
-  Proposed UGA
-  Existing UGA To Be Removed
-  Property Lines
-  Sewer Lift Station

Existing Pipe Size (in)	MP Pipe Size (in)
 Collector	 Collector
 10	 10
 12	 12
 15	 15
 18	 18
 21	 21
 24	 24
 27	 27
 30	 30
 36	 36
 42	 42
 54	 54

0 2,000 4,000 Feet



Date: May 2, 2017



North Horn Rapids Area

Master Plan

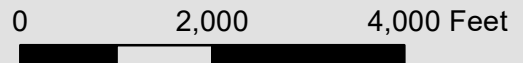
Figure 11

Future Domestic Water Facilities

Legend

- City Limits
- Existing UGA
- Proposed UGA
- Existing UGA To Be Removed
- Booster Pump
- 2 MG Reservoir (Proposed)

Existing Pipe Size (in)	MP Pipe Size (in)
6	6
8	8
10	10
12	12
14	14
16	16
18	18
20	20
24	24
27	27
30	30
36	36



2016-2036 with NHRA

The 20-year planning period assumes full build-out of the NHRA. The total area is approximately 1,702 acres. Based upon the 1,250 gpad assumption the following is the estimated water demand for 20-year planning purposes:

- Maximum Daily Demand = 1,250 gpad x 1,702 acres = 2,127,500 gpd (2.13 MGD)

Facility Improvements

The following sections address the impacts to four major areas of the City of Richland's potable water system: system-wide water demands, source capacity, distribution system performance, and storage requirements. It should be noted that although 6-year planning and buildout infrastructure sizes are provided, any domestic water improvements to the NHRA that are constructed should be sized for the expected build-out demands for the study area, which are calculated to be the 20-year demands in this study.

System-Wide Water Demands

As previously identified, the total available water rights for the City allow for 54 MGD of maximum daily flow. Currently, the City uses 38 MGD maximum daily flow and plans to be using approximately 46 MGD in the year 2022 and 55 MGD in the year 2036. The six-year maximum daily demands for the NHRA are 0.48 MGD while buildout demands are 2.13 MGD. The addition of the 2.13 MGD peak flows at buildout for the NHRA will have little impact on the instantaneous water rights.

Encroachment toward the total available water right can be relieved through the use of the Quad-Cities water right. The Quad-Cities were issued a water right in 2003 that provides a maximum of 86 mgd to be developed and put into use by the Quad-Cities by 2051. The permit has specific requirements that limit water appropriations at various times per year and include mitigation of the consumptive portion of water use. Through the use of the Quad City water right, the City has adequate maximum day water rights for the Study Area.

Source Capacity

According to the WSP update, the City's two largest sources of water, the wellfield and the WTP, each pump directly into the Core 548 Zone and have a combined capacity of 51 MGD. Currently, the City uses 38 MGD maximum daily flow and plans to be using approximately 46 MGD in the year 2022 and 55 MGD in the year 2036. The six-year maximum daily demands for the NHRA are 0.48 MGD while buildout demands are 2.13 MGD. Therefore, there is adequate capacity for the 6-year projections but the addition of the NHRA may trigger the need for increased source capacity within the next 20 years.

Distribution System

A hydraulic analysis was performed in order to determine impacts on the existing distribution system as well as proposed sizing for distribution system expansion to serve the NHRA. This hydraulic analysis is documented in a letter from RH2 Engineering, Inc. dated April 23, 2015. The results from the analysis are incorporated and summarized below.

2016-2022 with NHRA

The NHRA will be served by the City's Core 548 Pressure Zone. Water supply will be provided directly from the WTP and wellfield sources. The closest Core 548 Zone transmission main is located on Horn Rapids Road.

A connection to the 16-inch Core 548 Zone transmission main in Horn Rapids Road is proposed to be extended on the west side of the NHRA. To ensure the reliability of service, a redundant source of water

is needed. A second service location, on the east side of the NHRA, would connect to the 12-inch transmission main in Horn Rapids Road. These two service connections must be looped within the NHRA in order to provide the required fire flow capacity as well as a reliable source of water. Figure 11 depicts the alignment proposed for the water transmission main extensions.

The hydraulic analysis indicates that the pipe loop alone will not provide the required fire flow for the NHRPMPA. An elevated onsite storage tank will be required in order to provide the required fire flow – as discussed below.

2016-2036 with NHRA

The distribution system improvements identified for 6-year improvements are also adequate to meet buildout needs. This is because the required fire flow dictates a minimum pipe size of a 12-inch loop to serve the NHRA.

Storage Capacity

The WSP indicates that the City has a surplus of storage in the Core 548 Zone for both 6-year and 20-year planning horizons. However, the hydraulic analysis indicates that onsite storage is needed at the NHRA in order to provide the required fire flow. Several alternative storage tank locations have been identified; however, the option that provides the most reliable service to the NHRA is an elevated tank located within the NHRA. The elevated tank could be located anywhere in the NHRA.

Reservoir storage has three main components: Standby Storage, Equalizing Storage, and Fire Flow Storage. Standby Storage provides a supply of water during emergency conditions such as a transmission main failure. Equalizing Storage ensures that peak instantaneous demands can be met at any time. Fire Flow Storage ensures meeting fire flow planning level requirements under all conditions including power outages and/or the loss of the source supply. Typically, fire flow storage is the largest driver for tank sizing. The WSP used assumptions of 4,000 gpm for four hours for industrial land use and 4,500 gpm for five hours for heavy industrial land use. To be conservative, the required fire flow storage for the UGA Study Area is planned for the heavy industrial requirement of 4,500 gpm for 5 hours, which is 1,350,000 gallons. The Total Required Storage value is the sum of each of the three reservoir storage components. These storage value calculations are based on the planning assumptions discussed in the WSP and can be further adjusted with a more specific study.

2016-2022 with NHRA

For 6-year planning, the NHRA will require a storage volume of 1.5 MG; however, it should be sized for 2 MG in order to serve the buildout demands of the Study Area.

2016-2036 with NHRA

For 20-year buildout planning, the NHRA will require a storage volume of 1.7 MG. A 2.0 MG tank was used for cost estimating purposes.

Power

The City of Richland Energy Services has reviewed the NHRA and have determined it will require additional electrical infrastructure. Additional electrical services will be necessary along the frontage of the proposed roadway network within the NHRA. Electrical services are to be looped from Horn Rapids Road to Stevens Drive. Until more specific power requirements of NHRA have been further identified, it is not possible to accurately predict total power demand. The City of Richland Energy Services has anticipated that a substation will be required further to the north of the NHRA and that the necessary infrastructure will be required to be installed as part of the NHRA. Electrical is shown in Figure 12.

North Horn Rapids Area
Master Plan

Figure 12
Future Primary
Electrical Power

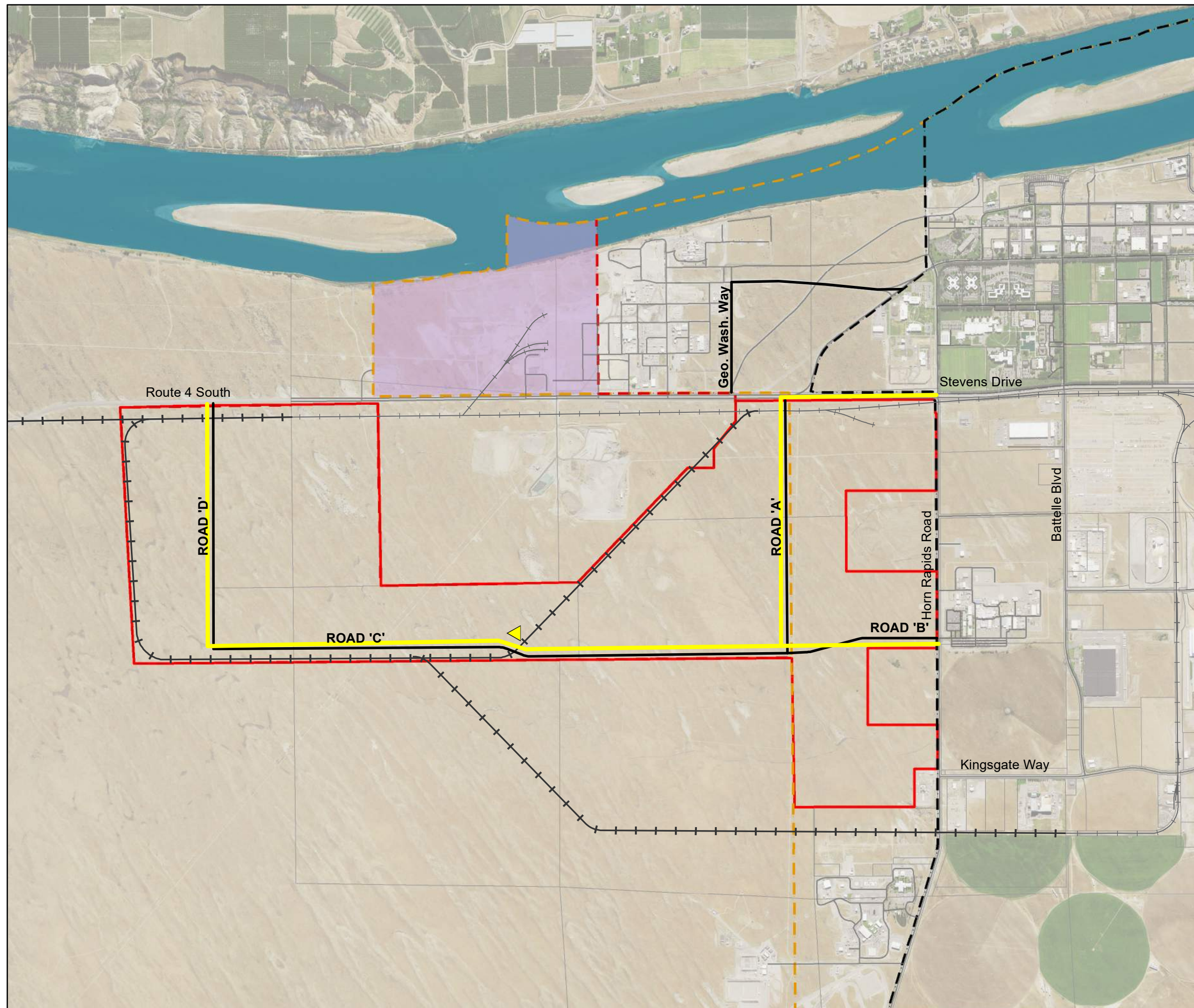
Legend

-  City Limits
-  Existing UGA
-  Existing UGA To Be Removed (283 acres)
-  Master Plan
-  Proposed Roadway
-  Proposed Railroad
-  Proposed Sub Station
-  Proposed Electrical

0 2,000 4,000 Feet



Date: May 2, 2017



Surface and Storm Water Management

The public roadway network within the NHRA shall have roadside ditches to convey and retain storm water runoff from the public roadway network. All storm water runoff shall be retained in the roadside ditches. Refer to the industrial roadway section shown in Figure 11 in the transportation chapter for the drainage ditch section. Storm water runoff from the public roadway network into roadside ditches are not considered a part of the storm water restriction as shown earlier in Figure 5; however, no underground infiltration facilities and/or large retention ponds will be allowed for the development of the public roadways. The roadway network shall avoid large drainage basins that would concentrate large amounts of storm water runoff.

The City of Richland has adapted the Storm Water Management Manual for Eastern Washington (SWMMEW) as the basis for storm water management. For hydrologic volume control, roadside ditches shall be designed based upon the following criteria: Washington, Region 2, Benton County; SCS Type 1A – 24 Hour storm for storm volume with a 25-year return period. The flow-rate of the public storm drainage system shall be designed using the 2-Year, 3-Hour short duration Eastern Washington storm for pipe and inlet sizing using SCS or Santa Barbara method. Refer to Section 3 – Design Guidelines item C-Storm Drainage Collection Systems of the City of Richland Public Infrastructure Construction Plan Requirements and Design Guidelines for additional storm water design information.

The NHRA has no defined upstream and/or downstream drainage channels. Therefore, no upstream and/or downstream storm water improvements are anticipated

Any storm water costs associated with the development of the public right of way facilities are included in the costs of those facilities in the streets and road section.

All development considered as private and/or non-public is not a part of the NHRAMP Study Area. All private and/or non-public storm water facilities shall be retained on-site and the private developer shall encumber all associated costs. Storm water restrictions will be applicable to all private and/or non-public developments. It is anticipated that private and/or non-public storm water facilities will be collected and conveyed on-site to lined evaporation ponds for those developments within the storm water restriction area. Maintenance and operation of the private storm water facilities will be provided by Owner/Developer.

Other Governmental Services

Natural Gas

Additional natural gas services are anticipated to be available by Cascade Natural Gas Company by the middle/ to end of 2017. At this time, it is difficult to identify the capacity needs for future development, therefore no estimated costs to extend natural gas to the NHRA are included in this plan. Costs to extend natural gas service would be incurred by CNGC and/or private development. The DOE has a plan to establish a Cascade Natural Gas line to service the central Hanford Site. This may be able to be used to support the NHRA as well.

Telecommunications

Frontier Communications can provide standard phone service to the NHRA. There are existing communication services along Horn Rapids Road (east/west) and along Stevens Drive (north/south). Communications services will need to be extended to the NHRA. Communication services will parallel the City of Richland Energy Services facilities along the proposed public roadway network frontage in the NHRA. Estimated costs to extend communication services in the NHRA are included in the streets and roads section.

U.S. Cellular, AT&T, Sprint, Verizon and Nextel currently provide cellular phone service within the Tri-Cities area. Due to the close proximity to urban areas, it is anticipated that all of these services will have acceptable reception.

Irrigation

All irrigation within the NHRA will need to be provided through the City of Richland Domestic Water System. It is noted that non-potable water is available with an existing irrigation pipeline at the corner of Stevens and Horn Rapids Road. It's not anticipated that the targeted developments will need this service; however, if a significant non-potable demands are requested by development irrigation service would be provided by this non-potable water system and most likely not from the domestic potable water system. No estimated costs to provide irrigation service to the NHRA from the existing non-potable water service are included in this plan since it is anticipated that minimal non-potable water service demand will be requested and would ultimately be provided by the domestic potable water system.

INFRASTRUCTURE COSTS AND FUNDING SOURCES

Infrastructure concepts were developed to help identify capital improvements that are needed to support the development of the NHRA. An engineer's option of probable cost based upon these infrastructure concepts have been prepared. These preliminary costs have been developed to assist future development decisions; however, final design may vary from the infrastructure concepts and ultimately may affect actual costs. These cost estimates are included in Appendix B.

Table 2. Engineer's Opinion of Probable Costs

Infrastructure Improvements	Estimated Cost
Road "A" (5,300 LF)	\$3,147,329
Road "B" (3,200 LF)	\$1,820,000
Road "C" (12,100 LF)	\$6,776,000
Road "D" (5,000 LF)	\$2,823,000
Kingsgate/HRR	\$164,000
Domestic Water	\$21,725,000
Sanitary Sewer	\$4,256,000
Total	\$40,711,329

Fire protection, law enforcement, parks and recreation and solid waste collection are funded as part of the City's adopted capital facilities budget. These services are not included in the infrastructure costs noted above. It is anticipated that generated tax dollars, once the sites have developed, will be utilized to help expand and support these services within the NHRA.

Revenue Sources

The following discusses the various revenue sources available to the City of Richland. Not all of these sources are currently being used by the City to fund capital improvements. Those that are being currently used are identified.

It is intended that a variety of funding sources will be used in order to implement the master plan. A range of ways to fund the basic infrastructure, with site specific infrastructure connections being the responsibility of the developer of the individual sites, could be available to the City, for example:

- **Public/Private Development Agreements:** New development agreements between the City and a developer specifying financing needs and responsibilities for infrastructure needs that serve a wider area than the developer is contemplating.

Local Revitalization Financing (LRF). This is a method of distributing property tax collections within designated areas to finance infrastructure improvements within these designated areas. Under the LRF method, infrastructure is financed by the incremental increase in tax revenue that is made possible by infrastructure improvement within the designated area. The City of Richland currently utilizes this financing option for the Richland Revitalization Area for Industry, Science and Education (RAISE) area and anticipates that this will be a viable option for funding the infrastructure for this area in the future as well.

- **Grant Opportunities:** While no specific grant opportunities have been identified that would be a good match for needed improvements, over the build out period of development, grant opportunities will likely emerge.

- Local Improvement District (LID): The City can work with purchasers/developers to establish a local improvement district which includes an agreed upon repayment schedule based on agreed upon equitable criteria; the City sells bonds to cover the costs of infrastructure to be built within the district, and the owners/developers pay off the bonds through regular payments usually over a 10 to 20-year period.
- Tiger Grant/Fastlane Funding Program: The Transportation Investment Generating Economic Recovery, or TIGER Discretionary Grant program, provides a unique opportunity for the U.S. Department of Transportation to invest in road, rail, transit and port projects that promise to achieve critical national objectives. TIGER can provide capital funding directly to any public entity, including municipalities, counties, port authorities, tribal governments, MPOs, or others in contrast to traditional Federal programs which provide funding to very specific groups of applicants (mostly State DOTs and transit agencies). This flexibility allows TIGER and traditional state and local partners to work directly with a host of entities that own, operate and maintain much of our transportation infrastructure.

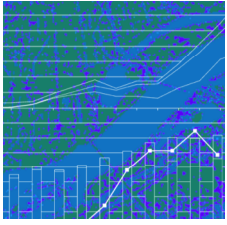
The FASTLANE is another funding mechanism geared for transportation projects. FASTLANE program provides dedicated, discretionary funding for projects that address critical freight issues that affect highways and bridges.

- Other Projected Capital Facilities Revenue Sources: Revenues to fund capital improvements of sewers and water facilities will come from consumer utility rates, developer contributions and state and federal loans and grants. In addition, because the City of Richland and Port of Benton own the property, the revenue from the land sale can also be considered to pay for capital facility costs.

APPENDICES

Appendix A –

Port of Benton Rail Line Market Analysis



Port of Benton Rail Line Market Analysis FINAL REPORT

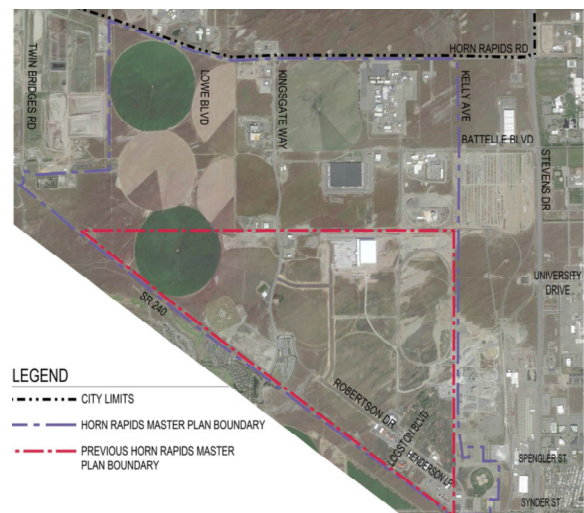
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January 27, 2017



**Port of Benton Rail Line
Market Analysis
Final Report**

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Port of Benton Rail Line Market Analysis Final Report

Executive Summary

The Port of Benton owns the rail line that serves the Horn Rapids Industrial Park within Richland, Washington. With the recent acquisition of 1,641 acres of additional industrial land from the Department of Energy (DOE), this area is poised to grow to nearly 2,500 acres of available industrial property in the UGA. BST Associates was retained by the Port of Benton to analyze the potential to develop additional rail cargo along this line. The analysis focuses on two primary rail markets – domestic transportation and international trade. In addition, BST Associates was tasked with determining the economic value to the Richland area from further development of industrial sites that rely on rail.

Transportation Modes

Most of the domestic and international freight moved to or from the Tri-Cities area moves by truck. However, shippers in the Tri-Cities have indicated an interest in increasing rail freight.

The trucking industry is facing several challenges that will likely tighten the supply of drivers, and increase costs for local exporters. These challenges include new hours of service rules and mandated electronic logs. These will make it harder for a driver to complete a round trip to and from Seattle/Tacoma in a single work day. An overarching long-term concern is the growing shortage of drivers. The American Trucking Association (ATA) estimated a national shortage of 48,000 drivers in 2015, with projections that the shortage could increase to 175,000 by 2025. This shortage of drivers is exacerbated during harvest season, when the demand for trucking peaks.

The number of import containers shipped by rail from Washington state has fallen in recent years due to several factors, including loss of import cargo to British Columbia, and an increase in transloading from import containers to domestic containers. Terminating intermodal volumes also declined, due partially to the impact of the recession. Terminating traffic was also negatively impacted by shipping lines choosing to re-route empty containers through other port regions, such as Southern California and British Columbia. The Burlington Northern Santa Fe Railway (BNSF) currently handles approximately two-thirds of Washington intermodal traffic and the Union Pacific Railroad (UP) handles one-third.

In the Tri-Cities, originating carload traffic has declined in recent years while terminating traffic has increased. The decline in originating traffic was due largely to a drop in forest products traffic, but was exacerbated by falling wheat volumes. Terminating traffic is mainly related to agricultural production and processing, led by animal feed and fertilizer. The new Central Washington Corn Processors within the City of Richland at the Horn Rapids Industrial Park is likely to increase rail receipts. Other commodity groups have seen stable volumes of rail receipts in the area, including cement, chemicals, paper, plastic and petroleum products.

There appear to be good opportunities to shift cargo from truck to rail, for intermodal rail service as well as for bulk cargoes.

Market Opportunities

The Horn Rapids Industrial Park already generates a substantial volume of domestic rail cargo, and is positioned to generate more. Existing rail cargoes include outbound shipments of

frozen potatoes (for domestic and overseas markets) and inbound receipts of feed grain, among other shipments and receipts. The Horn Rapids area is designated for industrial development, and offers the largest parcels currently available in the Tri-Cities. According to the Tri-City Development Council, approximately 30% of firms looking to locate in the Tri-Cities want rail access. The Port of Benton rail line offers direct service by two Class I railroads, as well as local service from the Port's shortline rail operator. With this rail access shippers can reach customers throughout North America. Manufacturers, food processors, and other land-intensive users can find the land and the rail service they need at Horn Rapids. Rail-related development is expected to generate land sales and/or leases of 74 to 354 acres at the Horn Rapids Industrial Park over the next 20 years.

For international trade, there is currently a substantial volume of containerized cargo moving between the Tri-Cities area and ports on Puget Sound. Most of this cargo consists of agricultural products grown and processed in the area, such as hay, frozen potatoes, and other products. Nearly all of these containers are now trucked through the Tri-Cities area to Puget Sound for export, while empty containers are trucked back to the Tri-Cities. Diverting the containers that are moving by truck represents a potential market for rail transportation.

Exporters face a number of existing and expected constraints that will negatively impact trucking. These include: road congestion in the Puget Sound region, driver shortages, limits on hours of service, and electronic logbooks, among other constraints. Given these constraints, it may be possible for a container shuttle service to operate between the Tri-Cities and the Puget Sound Ports.

In order to be successful, this container service will require adequate volume, consistent service, competitive pricing, and a long-term commitment from one or more railroads. The Stampede Pass rail line cannot currently accommodate double-stack container trains, so this traffic would need to be routed through the Columbia River Gorge or via Stevens Pass, which means containers on rail would move approximately twice as far as they now do by truck. We recommend several steps to further understand the potential for intermodal rail service:

- Begin discussions with the BNSF and UP to gauge their level of interest,
- Work with the Northwest Seaport Alliance to clarify potential cargo volumes,
- Work with potential users (shippers) to determine service requirements, and
- Develop a service cost analysis that compares road vs. rail container drayage.

Economic Contribution from Rail Industrial Development

The value of the Port of Benton railroad can be measured in a number of ways. At its most basic, it could be measured as the value of the land and the track structures. A recent appraisal concluded that the total value of the railroad is \$25,600,000, including \$10,890,000 for the land and \$14,725,000 for the track structure

However, this method doesn't take into account the value that the railroad provides to shippers, as measured in transportation cost savings. It also doesn't include benefits that accrue to other stakeholders, such as the taxes generated, the jobs supported, or the environmental benefits of shifting cargo from truck to rail. BST Associates estimated the value that rail service on the Port of Benton rail line provides, as summarized in Table ES-1. Despite the fact that these results are based on conservative assumptions, it is clear that the value the railroad provides to the community is much greater than the appraised value of the property and tracks.

Based on average values, the different types of benefits include:

- Property sales to rail-oriented shippers - \$6.77 million (low) to \$11.94 million (high),

- Value of improvements (buildings, etc.) - \$45.05 million (low) to \$162.90 million,
- Sales tax on construction (no exemptions) - \$3.87 million (low) to \$14.01 million (high),
- Property taxes to:
 - o City of Richland - \$2.02 million (low) to \$4.5 million (high),
 - o Port of Benton - \$0.31 million (low) to \$0.69 million (high),
 - o Other - \$6.60 million (low) to \$14.72 million (high), and
- Environmental benefits of \$49.7 million (low) to \$112.2 million (high).
- Summary total - \$105.2 million (low, which is 4.1 times the appraised value of the railroad) to \$304.6 million (high, which is 11.9 times the appraised value of the railroad).

Table ES-1 – Summary of Benefits from Rail-Related Development (\$millions of 2016\$)

Line	Category	Sum of Lines	7.0% Discount Rate	3.0% Discount Rate	Undisc.
<i>Rail-related Industrial Development</i>					
1	Value of land sales		\$6.77	\$9.15	\$11.94
2	Value of construction		<u>\$45.05</u>	<u>\$92.85</u>	<u>\$162.90</u>
3	Total land and construction	Lines 1+2	<u>\$51.81</u>	<u>\$101.99</u>	<u>\$174.84</u>
<i>Sales and Property Taxes</i>					
4	Sales tax on construction Assumes no exemption		<u>\$3.87</u>	<u>\$7.99</u>	<u>\$14.01</u>
5	Assumes half is exempt		<u>\$1.94</u>	<u>\$4.00</u>	<u>\$7.01</u>
6	Property tax – City of Richland		\$2.02	\$3.12	\$4.50
7	Property tax – Port of Benton		\$0.31	\$0.48	\$0.69
8	Property tax - Other		<u>\$6.60</u>	<u>\$10.22</u>	<u>\$14.72</u>
9	Property tax – Total	Lines 6+7+8	<u>\$8.93</u>	<u>\$13.82</u>	<u>\$19.89</u>
10	Total taxes w/o exemption	Lines 4+9	<u>\$12.80</u>	<u>\$21.80</u>	<u>\$33.89</u>
11	Total taxes w/ exemption	Lines 5+9	<u>\$10.87</u>	<u>\$17.81</u>	<u>\$26.89</u>
<i>Environmental Benefits</i>					
12	Highway maintenance cost savings using rail vs truck		\$3.80	\$5.90	\$8.50
13	Reduced severity of accidents due to VMT reduction		\$3.30	\$5.10	\$7.40
14	Savings in operational cost of switching to rail		\$33.90	\$52.80	\$76.50
15	GHG reduced (CO2 only)		<u>\$1.50</u>	<u>\$2.40</u>	<u>\$3.50</u>
16	Total Environment Benefits	Lines 12-15	<u>\$42.50</u>	<u>\$66.10</u>	<u>\$95.90</u>
<i>Grand Total</i>					
17	w/o exemption	Lines 3+10+16	<u>\$107.11</u>	<u>\$189.90</u>	<u>\$304.63</u>
18	with exemption	Lines 3+11+16	<u>\$105.18</u>	<u>\$185.91</u>	<u>\$297.63</u>

Source: BST Associates

BST Associates estimated that rail-related development is expected to generate between 370 and 1,771 jobs, with annual payroll ranging from \$14.3 million to \$100.4 million. Based on wage data from the U.S. Bureau of Labor Statistics and the Washington Employment Security Department, the average annual wage for these jobs may range between \$38,800 and \$56,700. In comparison, the average annual wage in the region (for non-government jobs not directly related to Hanford or the PNNL) is \$36,220.

Port of Benton Rail Line Economic Analysis

Final Report

Introduction

Purpose

The Port of Benton owns the rail line that serves the Horn Rapids Industrial Park in Richland, Washington. With the recent acquisition of 1,641 acres of additional industrial land from the United States Department of Energy (DOE), this area is poised to grow to nearly 2,500 acres of available industrial property in the UGA. BST Associates was retained by the Port of Benton to analyze the value that the rail line may provide in helping to support industrial development.

BST Associates analyzed two primary rail markets – domestic transportation and international trade. The Port rail line already handles a substantial volume of domestic cargo, and is positioned to attract more.

The line does not currently handle international cargo, but the Tri-Cities region does produce a high volume of containerized cargo. Of special interest to the Port of Benton and others is the potential to create a load center for shipping containerized cargo by rail between north Richland and the ports of Seattle and Tacoma.

BST Associates estimated the value of the railroad in a number of ways, including: taxes generated by industrial users (including property tax and sales tax), jobs and wages associated with the development, and environmental benefits from diverting cargo from truck to rail.

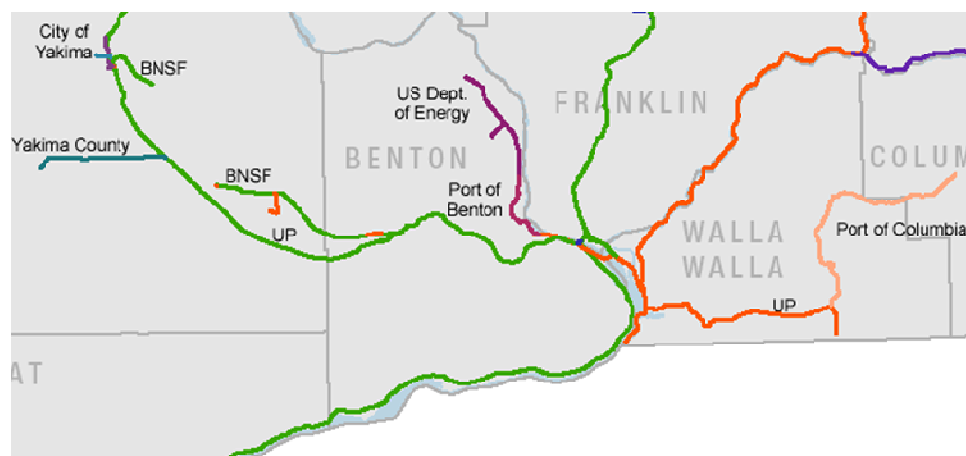
Description of Key Transportation and Industrial Assets

Rail service in the Tri-Cities area is provided by two Class I carriers and several shortline railroads.

One of the Class I carriers is the Burlington Northern Santa Fe Railway (BNSF), which has three major corridors that traverse the region. These lines all converge at the Pasco Yard, a major classification and sort yard. The Portland-Pasco Main Line runs along the Washington side of the Columbia River from Vancouver to the Tri-Cities. This is the main corridor for BNSF unit trains of bulk cargoes, such as grain, oil, and coal. It also handles manifest trains, some intermodal trains, and one passenger train.

The Auburn-Pasco Main Line runs from Auburn over Stampede Pass to Ellensburg, and then follows the Yakima Valley to Pasco. Tunnels on the line do not have the clearance for double-stack container trains. Because of the tunnel clearance issue, double-stack trains must travel through the Columbia River Gorge and then up the I-5 corridor, a rail trip that is roughly twice as long as the truck route from Richland to Seattle/Tacoma. The line is mainly used for moving empty bulk unit trains eastward.

The Pasco-Spokane Main Line connects the Columbia Gorge route to the BNSF Great Northern Corridor, the BNSF northern route to the Midwest. Freight traffic consists of intermodal, forest and agricultural products, coal, chemicals and finished automobiles.

Figure 1 – Tri-Cities Area Rail Network

Source: WSDOT

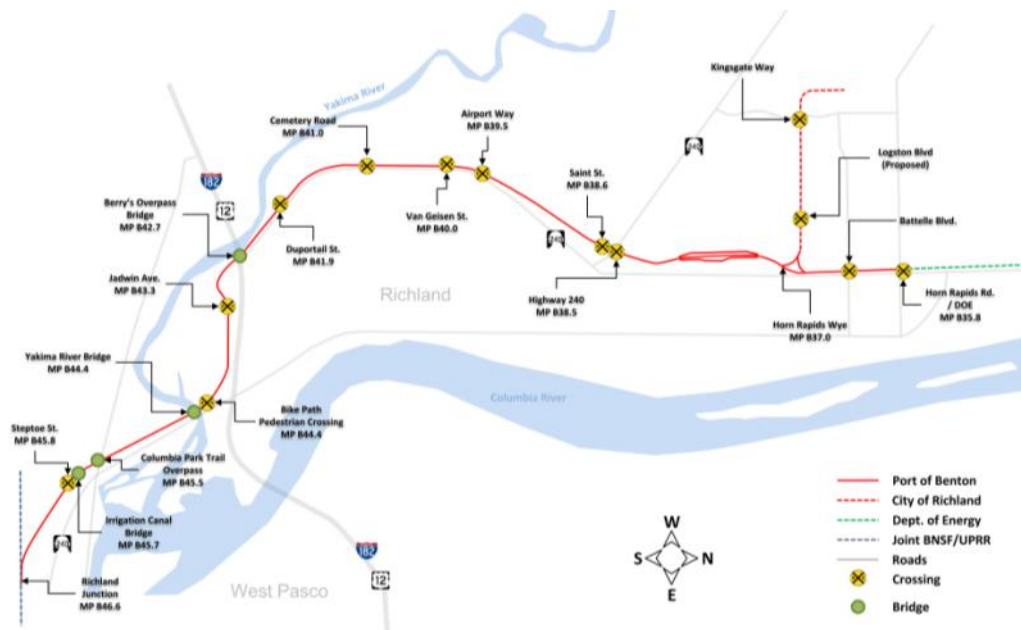
The other Class I railroad is the Union Pacific Railroad (UP). The UP has a major yard in Hermiston, Oregon, where several mainline segments converge. The Ayer Subdivision runs between Hermiston, Oregon and Spokane. East of Spokane this line runs north through Idaho to the Canadian border, where it interchanges traffic with Canadian railroads. Freight traffic is forest products, agricultural products, potash, petroleum, and chemicals.

The UP Hermiston-Portland line follows the Oregon side of the Columbia River to Portland. This line carries intermodal traffic, grain, potash, petroleum, and other products. Traffic moving westward on the UP from the Tri-Cities must first move southeast to Hermiston, and then along the Hermiston-Portland line.

The UP has a 19-mile branch line that runs from Wallula to Kennewick. This line connects to the Port of Benton rail line at Richland Junction (in Kennewick).

The Port of Benton rail line runs between Richland Junction and Horn Rapids Road in north Richland, then continues north on the DOE track to the Hanford Nuclear Reservation. The line was originally built to serve the Hanford nuclear reservation and was owned by the DOE, which transferred the line to the Port of Benton in 1998. This line is leased to the Tri-City Railroad (TCRY), which operates and maintains it. Including the Richland Yard, the Port owns 16 miles of track from the end of the DOE rail line at Horn Rapids Road in Richland to the Richland Junction by Center Parkway in Kennewick (see Figure 1). This includes 10 miles of mainline and 6 miles of track in the Richland Yard.

The BNSF and UP are both able to interchange traffic with the TCry at Richland Junction. In addition, as part of the federal land transfer from DOE, both the BNSF and UP have the option of directly providing service over the Port of Benton line. Few other sites in Eastern Washington offer shippers access to both Class I railroads.

Figure 2 – Port of Benton Rail Line

Horn Rapids Industrial Park

The Horn Rapids Industrial Park is approximately 2,466 acres of land that was originally part of the Hanford reservation. The City of Richland and Port of Benton now control the property, which has been envisioned as an employment center for the community. A portion of the property has been developed, and is home to a variety of industrial uses. Master planning is also underway for the additional 1,641 acres recently transferred from DOE.

Authorized uses for the new land, per the transfer agreement with DOE, include:

1. Warehousing and distribution (e.g., manufactured parts and materials distribution, food and agriculture; refrigerated warehousing and storage; material handling, packaging and crating; and logistics);
2. Research and development (e.g., scientific research; software; data security; computation; energy technology; environmental; and biotechnology);
3. Technology manufacturing (e.g., defense manufacturing; sensor manufacturing; medical device manufacturing; food processing; machinery manufacturing; advanced materials manufacturing; and carbon fiber manufacturing);
4. Food processing and agriculture (e.g., wine processing; food processing; agricultural products; and craft beer production);
5. Back office (e.g., call centers; administrative processing; data processing; information technology; remote sensing; professional services; and training); and
6. Energy (e.g., solar energy production; smart grid; and biofuels manufacturing).

Of these authorized uses, the most likely to use rail transportation are warehousing, distribution, food processing, and agriculture. Technology manufacturing and energy system manufacture/assembly may also represent a potential market for rail transportation.

Study Methodology

BST Associates completed the following steps in creating this analysis:

- Developed an assessment of transportation issues that impact shippers
- Analyzed how shippers select transportation modes
- Described important transportation trends in Washington State and in Benton-Franklin counties, with a focus on industries that utilize rail transportation
- Assessed the factors driving the economy of the Tri-Cities area
- Summarized expected employment growth by sector
- Estimated potential industrial development related to firms that ship by rail
- Discussed the potential to develop an inland port, which could be developed in concert with the Northwest Seaport Alliance

BST Associates also interviewed current customers of the Port of Benton, in addition to several other stakeholders and potential customers, including:

- Lamb-Weston
- Henningsen Cold Storage
- Perma-Fix Environmental Services
- Preferred Freezer Services
- DelHur Industries
- Central Washington Corn Processors
- Zen-Noh Hay
- City of Richland
- Tri-City Development Council
- Northwest Seaport Alliance

BST Associates also contacted the Tri-City Railroad, but was not able to schedule an interview.

All of the existing rail shippers that were interviewed plan to continue shipping via the Port's rail line. Several also expressed interest in additional rail services, such as a container shuttle service between Richland and Seattle/Tacoma.

Transportation Factors and Trends

This section provides a description of factors impacting shipper's selection of transport mode as well as a detailed assessment of transportation trends and opportunities for rail-related industrial development in Richland.

Transport Mode Decisions

In general, rail transportation provides lower-cost transportation for long-distance shipments and for bulk goods. Bulk unit trains of commodities such as coal or grain represent the lower-price end of rail service. Carload service (boxcars, gondolas, tank cars, etc.) falls between the slow bulk unit trains and the faster intermodal services in terms of price and service levels. Premium rail and intermodal service targets international containers and domestic containers and trailers, competes directly with trucking. In most recent years, intermodal service has been the fastest-growing segment of rail service.¹

Shippers select the appropriate mode of transportation based upon several criteria:

- **Modal Characteristics:** factors include capacity, trip time, reliability, equipment availability and customer service and handling quality
- **Commodity Characteristics:** factors include shipment size, package characteristics, shipment shelf life, shipment value and shipment density
- **Shipper and Receiver Characteristics:** main factor is access to modes
- **Logistics Costs:** factors include: order and handling costs, transportation charges, capital carrying cost in transit, intangible service costs, inventory costs, loss and damage costs and service reliability costs
- **Additional Factors include:** length of haul, shipment frequency and environmental sustainability

Most of the products shipped from or received at the Richland area are currently transported by truck. There are good opportunities to shift cargo from trucking to rail service, particularly for intermodal rail service but also for a shift from bulk cargoes from trucking and water service to rail service.²

¹ Source: Freight Transportation Modal Shares: Scenarios for a Low-Carbon Future, A Study Sponsored by U.S. Department of Energy Office of Energy Efficiency and Renewable Energy, March 2013, Prepared by Cambridge Systematics

² Ibid

Figure 3 – Freight Modal Shift Potential

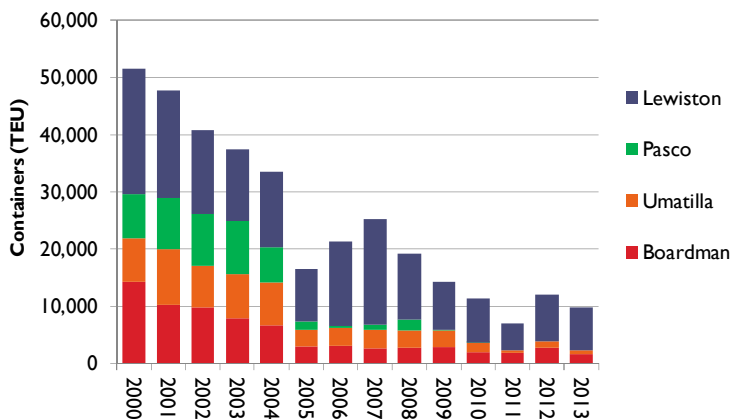
		To				
From		Truck	Rail Carload	Rail Intermodal	Air	Water
	Truck	–				
	Rail Carload		–			
	Rail Intermodal			–		
	Air				–	
	Water					–

Key: Limited Potential → → Strong Potential

Issues Affecting Barge Service

For many years, containers were shipped by barge from the Port of Pasco to the Port of Portland for export. At its peak in 2002, this service moved 8,600 TEU. However, service issues in Portland (among other factors) led to a sharp drop in volumes. Volumes dropped to approximately 6,100 TEU in both 2003 and 2004, less than 1,000 TEU in 2006 and 2007, and in 2009 just 80 TEU moved through the Port of Pasco.

Pasco was not alone in losing barge container volumes. As shown in Figure 4, total barge volume on the Columbia/Snake River system dropped from 51,500 TEU in 2000 to 7,000 TEU in 2011. Volumes recovered slightly in 2012 and 2013, but when Portland lost its two largest container carriers in 2015, container barge service essentially ended. The Port of Lewiston and Port of Boardman have been working to revive the barge service, but without container shipping via Portland the long-term future of container barging is uncertain.

Figure 4 – Columbia/Snake River Barge Container Volume

Source: Port of Portland

Tri-Cities area shippers of containerized cargo now have the option of trucking to and from Seattle and Tacoma, or trucking to the Northwest Container Service facility at Boardman, Oregon, for loading onto trains bound for Seattle and Tacoma.

The regional agricultural industry provided the customer base for container barge service. Between 1997 and 2010, hay shippers were the largest volume shippers, with average volumes of 10,500 TEUs per year (approximately 5,250 containers), followed by potato products and paper

products at 15% apiece. Other barge shippers included producers of pulses, animal feed, wood pulp, onions, waste paper and wheat. (See Table 1).

Table 1 – Average Barge Container Volumes by Commodity (1997-2010) at upriver ports

Commodity	Peak TEU	Percent
Hay	10,500	38%
Potatoes, Frozen	4,100	15%
Paper	4,100	15%
Pulses	2,900	10%
Animal Feed	1,600	6%
Other	1,500	5%
Wood Pulp	1,200	4%
Onions	600	2%
Waste Paper	500	2%
Wheat	500	2%

Source: Port of Portland

Issues Affecting Trucking

The trucking industry is facing several changes that will likely tighten the supply of drivers and increase costs over time. These changes will impact both intermodal drayage and long-haul operators. For shippers in the Tri-Cities these changes will make it even harder than it is now for a driver to complete a round trip to and from Seattle/Tacoma in a single work day.

The biggest concern for the trucking industry is the federal electronic logging mandate (ELD) which will require truckers to utilize electronic logs (as opposed to paper logs) to document driver hours. The law, which is scheduled to take effect at the end of 2017, could reduce driver productivity. Werner, a major carrier with more than 7,000 trucks, measured productivity losses at 3% to 5% after initiating ELD. Smaller operators may be impacted even more, with some estimating as much as a 15% drop in productivity.

Hours of service regulations are the second major industry concern. These regulations limit the number of hours a truck driver may spend behind the wheel per day and per week, which may reduce truck drivers' earnings and impact overall supply chain efficiency.

An overarching long-term concern is the growing shortage of drivers. The American Trucking Association (ATA) estimated a national shortage of 48,000 drivers in 2015, with projections that the shortage could increase to 175,000 by 2025.

Replacing older trucks used in container drayage is likely to increase trucking costs. The Port of Seattle, Port of Tacoma, and Port Metro Vancouver are continuing their collaborative efforts on the Northwest Ports Clean Air Strategy to reduce emissions from shipping and port operations in the Georgia Basin–Puget Sound airshed. As part of this effort, beginning in 2018 all trucks serving the port terminals will be required to meet or surpass U.S. EPA emission standards or equivalent for model year 2007.

Seasonality also impacts the availability of trucks. Because the harvest season overlaps for the most important local crops (i.e. hay, potatoes, grapes, etc.), trucks and drivers are in short supply during harvest season. This impacts the agriculture industry all along the supply chain, from growers trying to move their harvest from farm to warehouse, to processors trying to move the finished product to market.

Changes in the container shipping industry will also impact drayage trucking. The deployment of ultra large container ships is forcing ports (including the Northwest Seaport Alliance) to plan for larger, more efficient terminals. These terminals are expected to accommodate a substantial increase in rail traffic. As an example, planning for redevelopment of Terminal 5 in Seattle assumes that 60% of the cargo will be transferred to/from rail on-dock, with an additional 20% drayed to off-dock facilities and 20% trucked to or from local or regional locations.

The use of rail is required to obtain the efficiencies of scale required to support the higher cargo volumes expected at NWSA container terminals. It is also driven by congestion and efforts to reduce truck emissions in Puget Sound, which impacts both the trucking industry and port operations. The combination of these factors supports the concept of development of an inland port to service the NWSA container terminals.

Rail Traffic Trends

The following section describes the type of railroad traffic originating or terminating in Washington State. The purpose of this analysis is to describe the trends in rail traffic and to identify industries that may benefit from rail service at Horn Rapids.

Originating Carload Traffic

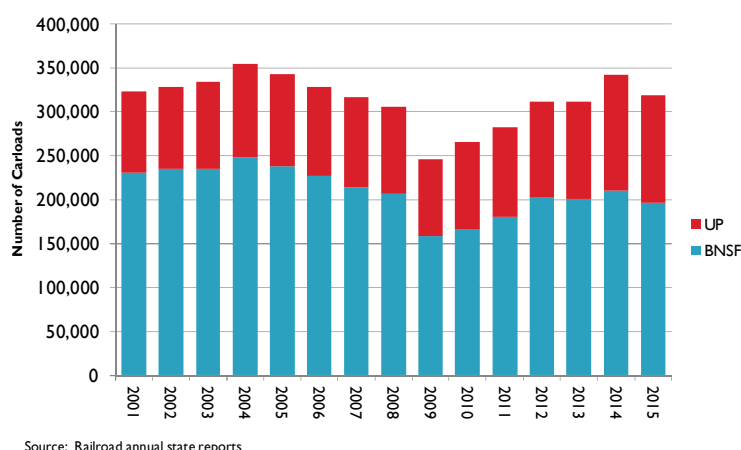
Rail carload traffic includes most types of rail cars (boxcars, gondolas, center beam and other cars) but does not include intermodal traffic (includes containers and trailers), as documented by annual reports the Class I railroads file with the State of Washington.

Carload traffic originating in Washington peaked in 2004 at more than 354,000 carloads, and then dropped each year until the height of the recession in 2009, when it bottomed out at 246,000 carloads (i.e. 30% below the peak). Following that low point originating carloads grew each year through 2014, reaching a peak of 342,000 carloads, but dropped to 319,000 carloads in 2015.

The BNSF is the larger of the two Class I railroad operating in Washington. The BNSF owns approximately 1,500 miles of track in Washington, compared to approximately 280 miles for the UP. In addition to owned track, both railroads have operating rights over some rail lines owned by other entities. BNSF operate on approximately 1,600 miles of track, and UP operates on approximately 560 miles of track.

Both railroads have operations in the Tri Cities. The UP owns a line running from Spokane to Wallula and into Oregon, with a branch that runs from Wallula to Kennewick. For the BNSF, a major yard is located at Pasco. Three BNSF mainline segments meet at or near this yard, including a line to Spokane, one to Portland and Vancouver via the Columbia River Gorge, and one to Seattle/Tacoma via Stampede Pass. Both of the railroads have the ability to serve the Horn Rapids area directly, or by interchanging traffic with the Tri-City Railroad. Tunnels on the Stampede Pass line do not currently have clearance for double-stack container trains, so this type of traffic moves via the Columbia River Gorge (on BNSF or UP) or Stevens pass (on BNSF).

On average, between 2001 and 2015, BNSF accounted for two-thirds of carloads originating on Class I railroads in Washington and UP accounted for one-third. However, during the period from 2001 to 2015, the BNSF share of the carload market fell by 10% from 72% in 2001 to 62% in 2015; UP market share grew from 28% in 2001 to 38% in 2015. (See Figure 5).

Figure 5 – Rail Traffic Carloads Originating in Washington

Originating traffic was dominated by waste and scrap materials (includes municipal waste as well as scrap steel and like products). Lumber and wood products was the second largest commodity group, experiencing a significant drop from 55,000 carloads to 33,000 carloads between 2001 and 2015. Transportation equipment (includes imported autos moving through Pacific Northwest ports) was the third largest component of originating traffic and experienced annualized growth of 0.9% between 2001 and 2015. Originating carloads of food and kindred products was the fourth largest commodity group in 2015, experiencing a decline of more than 6,000 carloads between 2001 and 2015. The pulp, paper and allied products group experienced a decline of approximately 10,000 carloads. (See Table 2).

Table 2 – Rail Traffic Carloads Originating in Washington by Commodity

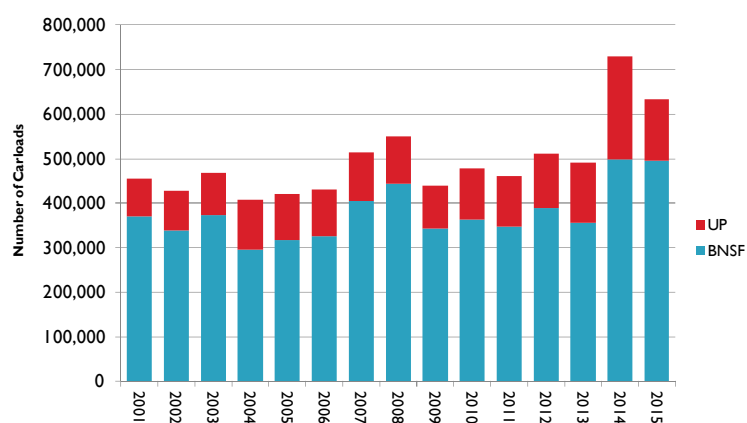
Originating Carloads	2001	2015	CAGR 2001-15
Waste and scrap materials	99,767	120,215	1.3%
Lumber & wood products	55,470	33,428	-3.6%
Transportation equipment	24,200	27,620	0.9%
Food and kindred products	24,667	18,250	-2.1%
Pulp, paper and allied products	27,468	17,391	-3.2%
Other	82,890	88,170	0.4%
Total carloads	314,462	305,074	-0.2%

Source: Railroad annual state reports

Terminating Carload Traffic

From 2001 through 2010, terminating rail traffic volumes ranged from approximately 410,000 carloads to 470,000, except in 2007 and 2008. In those years terminating carload totals jumped to 515,000 and 551,000, respectively. Terminating traffic dropped sharply in 2009, at the height of the recession, and then recovered slowly. In 2014 and 2015, however, terminating traffic jumped dramatically, due primarily to crude oil traffic.

On average, between 2001 and 2015, BNSF accounted for three-quarters of carloads terminating on Class I railroads in Washington and UP accounted for one-quarter. However, BNSF's share of terminating carload traffic fell slightly from 81% in 2001 to 78% in 2015; UP gained market share from 19% in 2001 to 22% in 2015. (See Figure 6).

Figure 6 – Rail Traffic Carloads Terminating in Washington

Source: Railroad annual state reports

Farm products (dominated by wheat, corn and soybeans) is the largest component of terminating carload traffic, and is primarily bound for export. Crude petroleum moving by rail did not exist in 2001, but had the second-highest volume in 2015; most crude oil was destined for Washington State refineries. Food and kindred products (processed vegetables and fruits) was the third largest commodity group and grew at 2.2% per year, bound for both domestic and international markets. The fourth and fifth commodities were chemicals and allied products (includes bulk chemicals and fertilizers) and transportation equipment (autos and trucks et al). (See Table 3).

Table 3 – Rail Traffic Carloads Originating in Washington by Commodity

Originating Carloads	2001	2015	CAGR 2001-15
Farm products	157,488	275,844	4.1%
Crude petroleum	-	80,575	NM
Food and kindred products	39,564	53,313	2.2%
Chemicals and allied products	25,588	43,526	3.9%
Transportation equipment	25,693	35,012	2.2%
Other	204,383	143,891	-2.5%
Total carloads	452,716	632,161	2.4%

Source: Railroad annual state reports

Intermodal Traffic

Originating Intermodal Traffic

Originating intermodal traffic includes containerized cargo imported via Pacific Northwest ports and headed eastbound to destinations, as well as domestic cargo moving on rail in containers and trailers to domestic markets. Most of the intermodal units originating in Washington State are full containers.

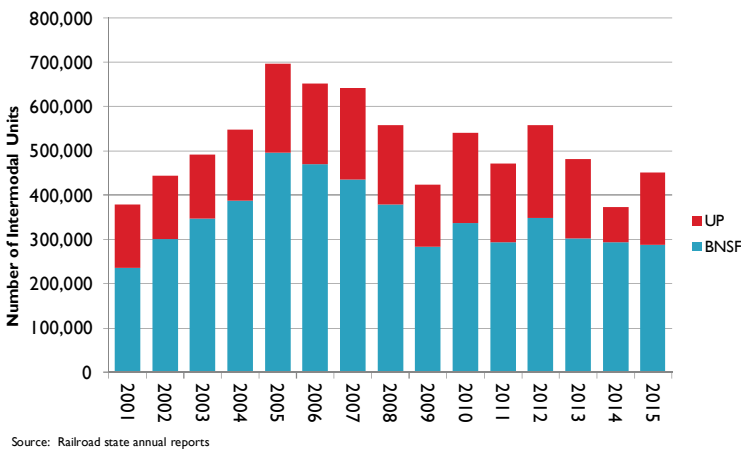
During the period from 2001 to 2015, two major shifts occurred; one related to international trade and one to container size. First, volumes of import containers surged dramatically through the NWSA ports, peaking in 2005 due to capacity constraints in Southern California that caused shippers and carriers to find alternative gateways. However, subsequent operational improvements in Southern California caused intermodal volumes to readjust away from NWSA ports.

At the same time, container ports in British Columbia began to take market share from Pacific Northwest ports, for imported containers bound for U.S. destinations in the Midwest and other U.S. regions. In 2005, B.C. ports had an 8% market share of imports in ocean containers moving through the Pacific Northwest (Washington, Oregon and British Columbia) bound for inland U.S. markets; by 2015, B.C. port market share had increased to 55%.

In addition, shippers began to utilize larger containers in North America (53-foot domestic containers) which have the capacity to accommodate the volume of 1.7 40-foot ocean containers. Because of this shift, a smaller number of intermodal containers are able to carry the same volume of cargo.

The effect of these two trends caused intermodal volumes to decline from the 2005 peak. BNSF and UP accounted for 69% and 31%, respectively, of the market share originating intermodal traffic. (See Figure 7).

Figure 7 – Rail Intermodal Units Originating in Washington

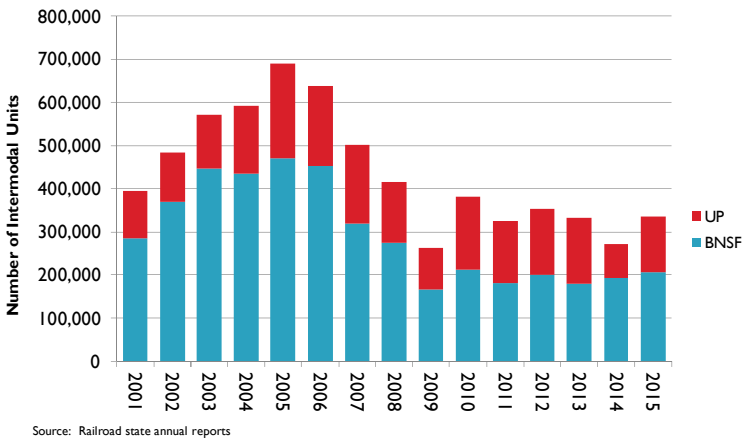


Terminating Intermodal Traffic

Terminating intermodal traffic volumes in Washington State also peaked in 2005 at 700,000 units, fell to their lowest point in 2009 during the recession and then climbed to around 300,000 units.

As with originating traffic, terminating volumes were also affected by a shipper preference for larger containers. Unlike originating traffic, however, the shift of terminating traffic market share to B.C. ports was much more limited. During the mid 2000s, the railroads changed their policies about the share of empty containers returning to Pacific Northwest ports. In 2005 and 2006, empty containers accounted for nearly 50% of the containers exported via NWSA ports. The share of empties declined to between 20% and 30% from 2007 to 2015.

On average, BNSF and UP accounted for 68% and 32% respectively of the market share terminating intermodal traffic. However, in the past few years, UP has gained market share (averaging 45% in the past five years). (See Figure 8).

Figure 8 – Rail Traffic Intermodal Units Terminating in Washington

Industries That Use Rail

Approximately 12% of total freight tonnage originating in Washington is shipped by rail. This includes 9% moving by rail only and 3% moving by a combination of truck and rail. For the manufacturing sector the share moving by rail is higher; 14% of the tonnage from manufacturing moves by rail only, and an additional 3% moves by truck and rail. (See Table 4).

Rail is used most to move high tonnages over long distances. As shown in Table 4, across all freight types the average rail move is more than 1,400 miles, and for the manufacturing sector the average rail move is more than 1,600 miles. Combination truck/rail moves are even longer, averaging more than 2,200 miles for all sectors and 1,924 miles for manufacturing.

Table 4 – Freight Originating in Washington by Mode (2012)

Sector	Truck	Rail	Truck and rail	Water	Air (incl truck and air)	Other	All modes
Value (\$ million)							
Total	150,146	8,840	7,119	4,548	56,529	69,719	296,901
Manufacturing	47,690	7,420	1,491	406	50,374	19,816	127,197
Wholesale	71,825	1,324	1,952	2,977	4,505	18,578	101,161
Other	30,631	96	3,676	1,165	1,650	31,325	68,543
Percent by mode							
Total	51%	3%	2%	2%	19%	23%	100%
Manufacturing	37%	6%	1%	0%	40%	16%	100%
Wholesale	71%	1%	2%	3%	4%	18%	100%
Other	45%	0%	5%	2%	2%	46%	100%
Tons (thousands)							
Total	127,349	16,706	6,253	10,087	96	22,647	183,138
Manufacturing	50,531	11,538	2,188	507	70	17,075	81,909
Wholesale	45,393	4,699	3,577	NM	21	12,839	66,529
Other	31,425	469	488	NM	5	2,313	34,700
Percent by mode							
Total	70%	9%	3%	6%	0%	12%	100%
Manufacturing	62%	14%	3%	1%	0%	21%	100%
Wholesale	68%	7%	5%	NM	0%	19%	100%
Other	91%	1%	1%	NM	0%	7%	100%
Ton-miles (millions)							
Total	23,939	9,891	4,934	5,037	129	2,841	46,771
Manufacturing	12,975	7,337	3,497	936	93	834	25,672
Wholesale	8,284	2,113	725	NM	30	4,489	15,641
Other	2,680	441	712	NM	6	1,619	5,458
Percent by mode							
Total	51%	21%	11%	11%	0%	6%	100%
Manufacturing	51%	29%	14%	4%	0%	3%	100%
Wholesale	53%	14%	5%	NM	0%	29%	100%
Other	49%	8%	13%	NM	0%	30%	100%
Average miles per shipment							
Total	437	1,444	2,253	1,464	1,550	NM	1,131
Manufacturing	371	1,644	1,924	1,863	1,546	NM	926
Wholesale	114	689	895	1,386	1,386	NM	376

Source: 2012 Commodity Flow Survey

Local Rail Cargo Trends

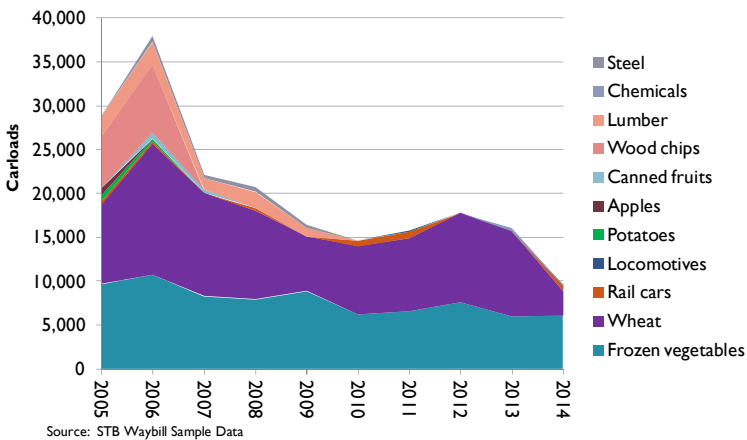
Waybill Sample Data from the Surface Transportation Board (STB) provides more detailed information on the area surrounding Richland. The Richland-Kennewick-Pasco Business Economic Area (BEA 169) includes eight counties in Washington: Adams, Benton, Chelan, Douglas, Franklin, Grant, Kittitas, and Okanogan.

Rail traffic originating in BEA 169 declined over the most recent decade for which data is available, dropping from a high of nearly 38,000 carloads in 2006 to less than 10,000 carloads in 2014. A large part of this decline was due to the loss of forest products; the combined volume of wood chips and lumber dropped from 10,300 carloads in 2006 to none from 2010 through 2014. (See Figure 9)

Originating carloads of frozen vegetables steadily declined, from approximately 10,700 carloads in 2006 to 6,000 carloads in 2014. Wheat carloads dropped from a high of 15,000

carloads in 2006 to 9,800 carloads in 2013. Wheat traffic dropped precipitously in 2014, but this may have been a result of a worker lockout at export grain terminals.

Figure 9 – Richland-Kennewick-Pasco Originating Rail Traffic

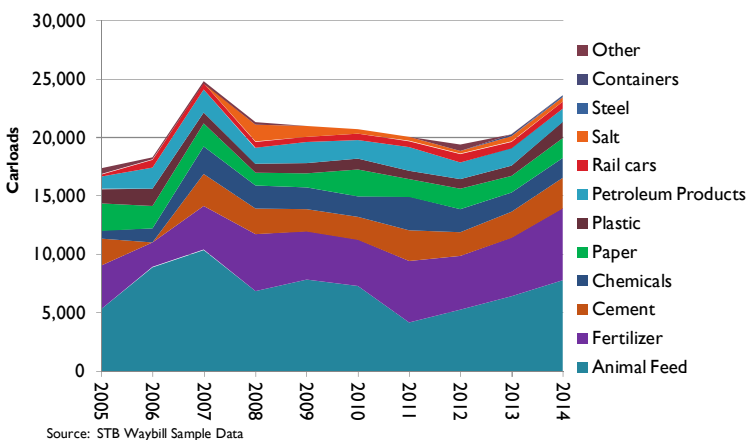


Rail traffic terminating in the Richland-Kennewick-Pasco BEA spiked immediately prior to the recession (in 2007), and then dropped in 2008. Between 2008 and 2012 terminating traffic declined slowly, but it grew quickly in both 2013 and 2014. Total terminating carloads in 2014 reached their highest level since the peak in 2007. (See Figure 10)

Most of the rail traffic terminating in the Richland-Kennewick-Pasco BEA is related to agricultural production and processing. Two commodity groups account for more than half of all terminating traffic: animal feed accounted for 7,800 terminating carloads in 2014, the highest volume of animal feed in five years. With the recent completion of the new rail loop and grain receiving terminal at Horn Rapids (owned by Central Washington Corn Processors, the volume of animal feed receipts is likely to grow. Fertilizer accounted 6,100 terminating carloads, or 26% of the total. Fertilizer traffic grew substantially between 2005 and 2014, increasing by 64%.

Terminating volumes of most other key commodity groups were relatively steady between 2008 and 2014. These other commodity groups included cement, chemicals, paper, plastic and petroleum products.

Figure 10 – Richland-Kennewick-Pasco Terminating Rail Traffic



Conclusions

There are good opportunities to shift cargo from trucking to rail service, particularly for intermodal rail service but also for a shift of bulk cargoes from trucking and water service to rail service. In recent years, intermodal service has been the fastest-growing segment of rail service.

For many years, exporters in the Tri-Cities area had the option of shipping containers by barge from Pasco to Portland, where they were loaded on ships for export. However, the loss of export container service at Portland forced barge lines to end the container barge service, and without container shipping via Portland the long-term future of container barging is uncertain. As a consequence, exporters in the Tri-Cities must now truck their containers to Seattle and Tacoma, or to the Northwest Container Service facility at Boardman, Oregon, for loading onto trains bound for Seattle and Tacoma.

The trucking industry is facing several challenges that will likely tighten the supply of drivers and increase costs for local exporters. These challenges include new hours of service rules and mandated electronic logs. Other of these will make it harder for a driver to complete round trip to and from Seattle/Tacoma in a single work day. A long-term concern is the growing shortage of drivers, which may grow from 48,000 drivers in 2015 to 175,000 by 2025. This shortage of drivers is exacerbated during harvest season, when the demand for trucking peaks.

The number of import containers shipped by rail from Washington has fallen in recent years due to several factors, including loss of import cargo to British Columbia, and an increase in transloading from import containers to domestic containers. Terminating intermodal volumes also declined, due partially to the impact of the recession. Terminating traffic was also impacted by shipping lines choosing to re-route empty containers through other port regions, such as Southern California and British Columbia. BNSF currently handles approximately two-thirds of Washington intermodal traffic and UP handles one-third.

In the Tri-Cities, originating carload traffic has declined in recent years while terminating traffic has increased. The decline in originating traffic was due largely to a drop in forest products traffic, but was exacerbated by falling wheat volumes, as well as a decline in carloads of frozen vegetables. Terminating traffic is mainly related to agricultural production and processing, led by animal feed and fertilizer. The new Central Washington Corn Processors within the City of Richland at the Horn Rapids Industrial Park is likely to increase rail receipts. Other commodity groups saw stable volume of rail receipts in the area, including cement, chemicals, paper, plastic and petroleum products.

Potential Rail Markets

Existing and future markets for the Port of Benton rail line can be divided into two main categories: domestic markets and port-related markets.

Domestic markets may include users who move raw materials or other inputs to the Richland area for use by local industry, as well as users whose locally-produced output is shipped to market by rail. One example of a current domestic user is Central Washington Corn Processors, which brings in train loads of feed grains to its facility at Horn Rapids, and then ships truckloads of grain to end users. Another example is Preferred Freezer Services, which ships refrigerated boxcars of frozen products from Horn Rapids to markets throughout North America.

Current port-related markets include local shippers whose products move to seaports for shipment overseas, including such products as hay and frozen potatoes. Potential future markets could include goods that are imported through seaports in the region, and that move to local distribution centers. The port-related cargo is primarily containerized cargo. The region currently produces a large volume of containerized cargo that is shipped through the ports of Seattle and Tacoma. Essentially all of this now moves via truck, but may represent a potential market for rail.

These opportunities are further explored in the following section.

Regional Economy

The economy of the Tri-Cities is based on a foundation of agriculture, the Hanford Nuclear Reservation, and the Pacific Northwest National Laboratory (PNNL); most other parts of the local economy rely on the strength of this foundation.

The basis of the local agriculture industry is crop production and animal production. Built on this base is an extensive network of food processors, transportation companies, and other related industry sectors.

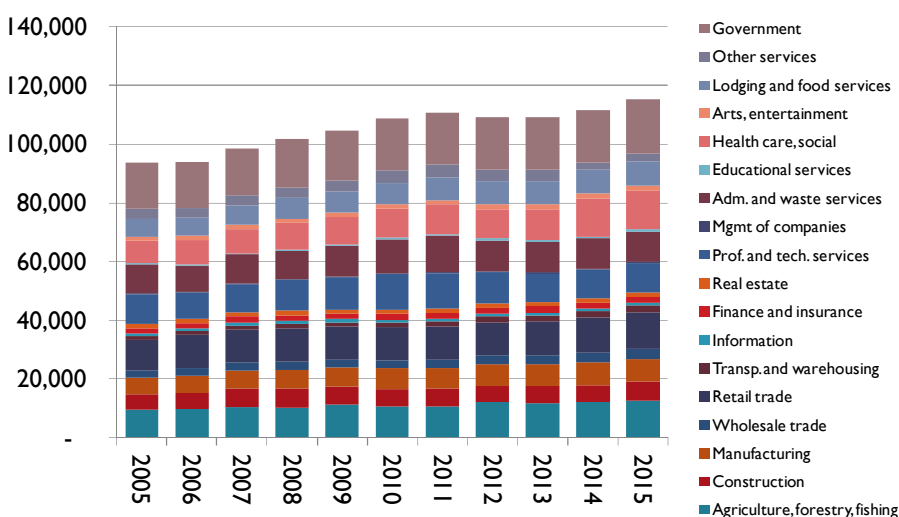
The Hanford Nuclear Reservation directly employs thousands on site, while contractors and suppliers working on or near the site employ thousands more. On-going federal investment has led to scientific diversification and nuclear and chemical cleanup, with skilled engineers and scientists following the jobs. The PNNL, located adjacent to the Hanford Reservation, is one of the main research facilities owned by the U.S. Department of Energy. It employs more than 4,400 workers, primarily scientists and engineers. Washington State University (WSU) also operates a branch campus nearby, and which offers advanced degrees. The Hanford complex has served as a research hub and business incubator that has spun off many new enterprises, including energy production and nuclear-fuel fabrication.

Other industry sectors depend, at least in part, on the health of agriculture, Hanford, and the PNNL. The construction, retail, health care, services, and other sectors all benefit from the jobs and income generated by these anchor industries. Recreational industries and tourist attractions are sectors that have been growing, along with the popularity of the regional wine industry.

As illustrated in Figure 11, the regional economy is diverse, but is anchored by the key sectors. The government sector accounts for the largest share of jobs (i.e. 16.1%) in the Tri-Cities, due mainly to employment at the Hanford Nuclear Reservation and PNNL. Agriculture, retail trade, and health services each account for approximately 11.0% of jobs. Administration and waste services accounts for 9.0%, as does professional services. Accommodations and food

service accounts for 7.3%), followed by manufacturing (6.8%), and construction (5.5%). Other sectors account for less than 3.0% each.

Figure 11 – Benton-Franklin Covered Employment



Target Industries

The Benton-Franklin Council of Governments identified key industry sectors in the 2015 Comprehensive Economic Development Strategy (CEDS) Update. Six primary industry sectors were identified that offered the best opportunity for success in new business recruitment: Energy, logistics, food processing, machinery manufacturing, carbon fiber manufacturing, and training. The majority of these sectors could potentially locate in the Horn Rapids Industrial Park, and possibly use rail transportation.

Within each of these sectors the CEDS identified key clusters of industries in the Tri-Cities area. These included:

- Food processing – frozen fruit and vegetable manufacturing, frozen specialty food manufacturing, dried and dehydrated food manufacturing, perishable prepared food manufacturing
- Machinery manufacturing - food processing equipment, winery equipment
- Logistics – related to agriculture, processed foods, wine and craft beer
- Energy – small modular nuclear reactors, smart grid
- Training – hazardous material handling, emergency response, and security

The Port of Benton rail line currently serves a number of customers in these clusters, most notably food processing (frozen food), and logistics (agriculture, processed foods). The rail line has the opportunity to support additional development of these clusters at the existing Horn Rapids Industrial Park and the expansion area.

Largest Employers

The Tri-City Development Council (TRIDEC) tracks the largest employers in the Tri-Cities area. According to the most recent list, there are 36,000 jobs at the top 30 largest employers. The list is dominated by firms related to operations on the Hanford Reservation and PNNL, and which together account for approximately 42% of jobs at the largest employers.

The industries that represent the strongest potential markets for the Horn Rapids area and the Port of Benton Railroad include food processing, manufacturing, and transportation. Combined, these three sectors account for 23% of the employment at the top 30 employers. (See Table 5)

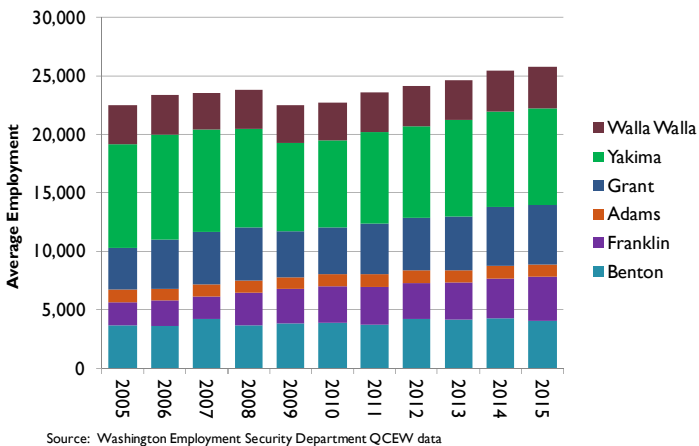
Table 5 – Employment by Sector, Top 30 Employers

Sector	Jobs	Share of Total	Hanford
Food Processing	6,766	18.8%	
Education	6,531	18.1%	
Health Services	5,369	14.9%	
Research & Development	4,365	12.1%	Yes
Environmental Remediation Services	4,201	11.7%	Yes
Engineering & Construction	2,898	8.0%	Yes
Support Services, Hanford/DOE Site	1,928	5.4%	Yes
Manufacturing	1,172	3.3%	
Utilities	1,089	3.0%	Yes
Correctional Facility	800	2.2%	
U.S. Government	440	1.2%	Yes
Transportation	300	0.8%	
IT/R&D Services	<u>150</u>	<u>0.4%</u>	
Total	<u>36,009</u>	<u>100.0%</u>	<u>14,921</u>

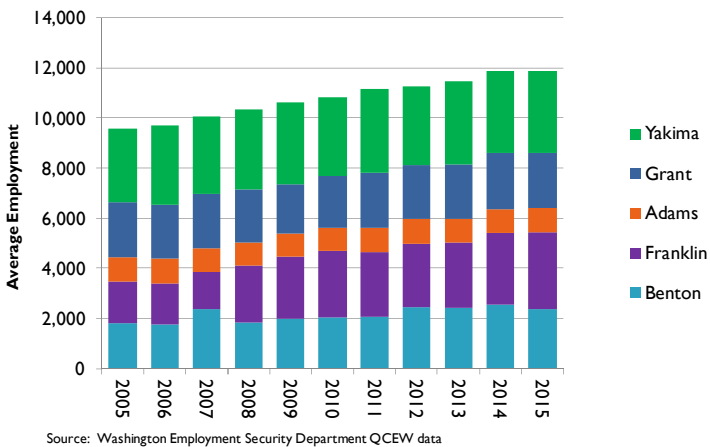
Manufacturing Sector

According to data from the Washington Employment Security Department, between 2005 and 2015 the manufacturing sector added more than 3,000 jobs in Benton, Franklin, and neighboring counties. The region's manufacturing sector lost jobs during the height of the recession in (in 2008 and 2009), but by 2011 manufacturing employment had fully recovered, and it continued to grow through 2015. (See Figure 12)

For the region, growth in manufacturing employment averaged 1.3% per year between 2005 and 2015. The combined growth rate of Benton and Franklin Counties was much higher, averaging 3.2% per year, with no net loss of manufacturing jobs during the recession. Grant County also saw strong growth in manufacturing, despite several down years during the recession. Walla Walla County lost about 8% of manufacturing jobs during the recession but recovered by 2011, and has remained steady since. Yakima County has the largest manufacturing sector, but it was hit hard by the recession and has not fully recovered. Adams County changed very little between 2005 and 2015.

Figure 12 – Employment in All Manufacturing

Food and beverage manufacturing is growing in the Benton-Franklin region, as well as in neighboring counties. The number of food and beverage manufacturing jobs in Benton County and Franklin County combined grew from less than 3,500 in 2005 to nearly 5,500 in 2015. Combined with neighboring counties, employment in food and beverage manufacturing grew from approximately 8,900 jobs in 2005 to 10,200 jobs in 2015. These figures exclude Walla Walla County, due to data anonymity rules. (See Figure 13)

Figure 13 – Employment in Food and Beverage Manufacturing

BST Associates obtained data from Dun and Bradstreet for firms located in Benton County as well as those counties within approximately 50 miles of the Port of Benton Rail Line. This data included firms involved in manufacturing (i.e. SIC Codes 20 through 39); agriculture, forestry and fishing (SIC Codes 01 through 09); and selected transportation sectors (SIC Code 40 - railroad transportation, 42 - trucking & warehousing, 44 - water transportation, and 47 - transportation services).

The locations of these firms were plotted using GIS software, and then buffers of 25 miles and 50 miles were created around the Port rail line. The characteristics firms in these market regions are described below.

Within the 25-mile buffer, these firms had a reported total employment of 7,168. Of this total, 2,744 jobs (38% of the total) are in the food manufacturing sector. Firms in the 50-mile

buffer reported total employment of 16,193, of which 9,222 (or 57%) are in food manufacturing. (See Table 6)

Other manufacturing sectors do not employ as many workers as food manufacturing, but they produce more of the estimated sales volume. Within the 25-mile buffer, food manufacturing accounts for 25% of manufacturing sales, and within the 250-mile buffer it accounts for 40%. Average sales per employee are substantially higher at many of the other manufacturing sectors, when compared with food manufacturing.

Table 6 – Employment and Sales by Manufacturing Sectors, 25- and 50-Mile Buffers

SIC	SIC Description	25 Mile Buffer		50 Mile Buffer	
		Emp.	Sales	Emp.	Sales
20	Food & Kindred Products	3,744	\$226,862,604	9,222	\$963,836,596
34	Fabricated Metal Products	615	\$326,353,922	1,009	\$391,240,576
38	Instruments & Related Products	477	\$97,602,114	491	\$98,801,242
32	Stone, Clay, & Glass Products	412	\$60,925,313	608	\$76,560,240
35	Industrial Machinery & Equipment	388	\$46,840,164	592	\$68,941,798
27	Printing & Publishing	340	\$18,083,308	642	\$45,565,531
28	Chemical & Allied Products	265	\$2,002,678	438	\$11,231,527
36	Electronic & Other Electric Equipment	250	\$24,703,515	273	\$27,101,247
23	Apparel & Other Textile Products	192	\$1,281,845	221	\$3,538,058
39	Misc. Manuf. Industries	149	\$14,853,607	363	\$38,901,917
33	Primary Metal Industries	132	\$58,597,635	270	\$76,440,270
24	Lumber & Wood Products	98	\$8,848,283	730	\$68,778,516
26	Paper & Allied Products	47	\$4,808,576	100	\$11,104,481
37	Transportation Equipment	32	\$3,775,055	766	\$10,741,134
30	Rubber & Miscellaneous Plastics Products	12	\$1,145,377	288	\$8,283,382
22	Textile Mill Products	15	\$1,060,661	107	\$5,055,560
25	Furniture & Fixtures	3	\$277,337	16	\$856,337
29	Petroleum & Coal Products	3	\$300,000	28	\$4,900,019
31	Leather & Leather Products	3	\$181,061	29	\$3,287,772
	Total	7,168	\$897,744,657	16,193	\$1,915,166,203

Source: Dun & Bradstreet data, BST Associates

As shown in Table 7, recent forecasts by the Washington State Employment Security Department project growth of 18,200 non-farm jobs in Benton-Franklin counties between 2014 and 2024, with average annual growth of 1.6%. Industrial sectors are expected to account for approximately 19% of the non-farm jobs, with employment growing from 20,100 industrial jobs in 2014 to 23,000 industrial jobs in 2024, which equates to average growth of 1.4% per year and the addition of 2,900 jobs.

Growth is expected in all industrial sectors:

- Construction – 1,300 new jobs
- Manufacturing – 600 new jobs, centered in food processing (500 new jobs) and other durable manufacturing (100 jobs)
- Wholesale trade – 600 new jobs
- Transportation And Warehousing – 400 new jobs

Table 7 – Benton-Franklin County Employment Forecasts

Sector	Employment			CAGR	New Jobs
	2014	2019	2024	2014-24	2014-24
All Nonfarm Jobs	104,100	114,600	122,300	1.6%	18,200
Industrial Sectors					
Construction	6,300	7,300	7,600	1.9%	1,300
Manufacturing	7,800	8,200	8,400	0.7%	600
Durable Goods	1,400	1,500	1,500	0.7%	100
Wood Product Manufacturing	100	100	100	0.0%	-
Nonmetallic Mineral Product Manufacturing	200	200	200	0.0%	-
Primary Metal Manufacturing	200	200	200	0.0%	-
Fabricated Metal Product Manufacturing	200	200	200	0.0%	-
Machinery Manufacturing	100	100	100	0.0%	-
Computer And Electronic Product Manufacturing	200	200	200	0.0%	-
Other Transportation Equipment	100	100	100	0.0%	-
Other Durable Manufacturing	300	400	400	2.9%	100
Non Durable Goods	6,400	6,700	6,900	0.8%	500
Food Manufacturing	5,400	5,700	5,900	0.9%	500
Printing And Related Support Activities	100	100	100	0.0%	-
Other Non Durable	900	900	900	0.0%	-
Wholesale Trade	3,300	3,700	3,900	1.7%	600
Transportation, Warehousing And Utilities	2,700	3,000	3,100	1.4%	400
Utilities	200	200	200	0.0%	-
Transportation And Warehousing	2,500	2,800	2,900	1.5%	400
Sub-Total	20,100	22,200	23,000	1.4%	2,900
Percent of All Employment	19.3%	19.4%	18.8%		

Source: Employment Security Department/LMEA Industry employment projections, May 2016

Industrial Land Supply and Demand

The most recent analysis of industrial land in the Benton-Franklin region was commissioned by the City of Kennewick. This analysis examined the supply of industrial zoned land in the region and projected the demand for this type of land³; the report concluded that the Benton-Franklin area will need between 1,100 and 2,400 acres of land to meet employment forecasts. It also noted that there are few parcels bigger than 200 acres. The Horn Rapids Industrial Park and adjacent expansion area has the land supply, and the large parcels, to meet much of the future demand for industrial land.

The supply analysis developed by ECONorthwest shows that the region currently has a total of nearly 24,800 acres of industrial zoned land. Of this total, more than 8,500 acres is vacant. (See Table 8 and Figure 14).

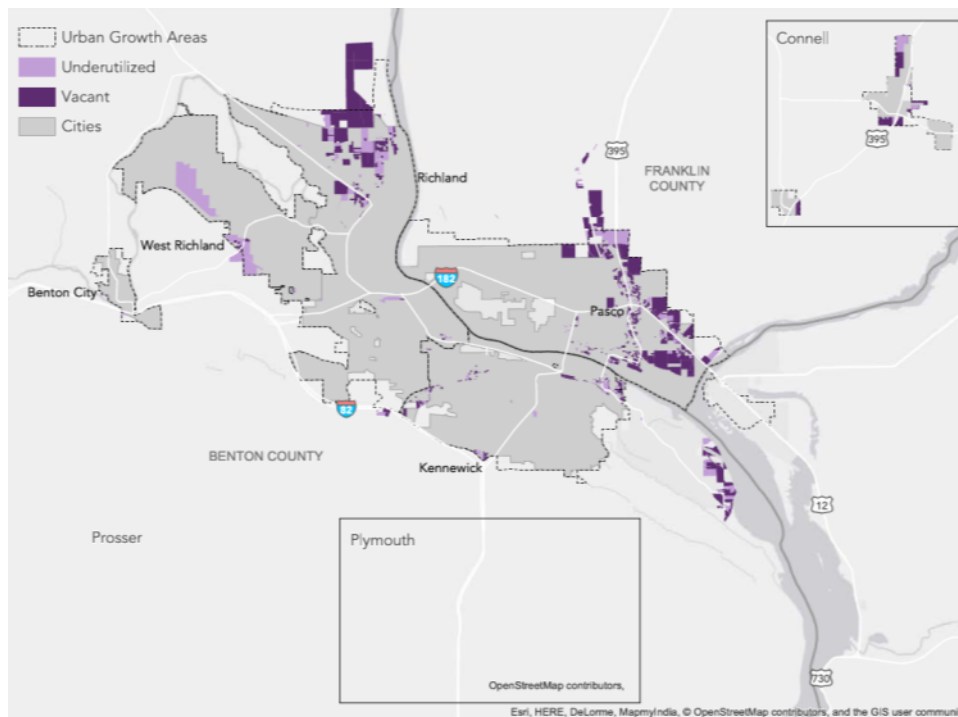
³ *City of Kennewick Industrial Zoned Land Assessment*, ECONorthwest, September 30, 2016

Table 8– Industrial Zoned Land Supply by Development Status

Status	Kennewick	West Richland	Richland	Pasco	Benton County	Franklin County	Total
Developed	256	17	1,279	1,481	2,642	1,809	4,451
Public Exempt	136	26	1,810	3,563	3,242	4,265	7,507
Underutilized	138	988	553	434	2,998	1,297	4,295
Vacant	<u>199</u>	<u>47</u>	<u>967</u>	<u>2,189</u>	<u>4,266</u>	<u>4,265</u>	<u>8,530</u>
Total	<u>729</u>	<u>1,077</u>	<u>4,609</u>	<u>7,667</u>	<u>13,147</u>	<u>11,636</u>	<u>24,783</u>

Source: Benton County, Franklin County, ECONorthwest

Several factors limit the potential use of much of this land. For example, in Benton County much of the industrial zoned land is not in the Urban Growth Area, which limits the development potential. The City of Richland and others are now working to expand the Richland UGA to include the 1,641 acres recently transferred from DOE, as part of the process to ready the land for development.

Figure 14 – Industrial Zoned Land Supply by Development Status

Source: Benton County, Franklin County, ECONorthwest

Another issue is that there are few large parcels (i.e. 200 acres or more) in the area that are ready for development. The Horn Rapids area (including the expansion area) will be able to offer parcels of this size. ECONorthwest classifies the most desirable sites as Tier 1 and Tier 2. Tier 1 sites are the most desirable (vacant, over five acres, within a half mile of a highway, no development constraints, and within an urban service area). Tier 2 sites include those up to one mile from a highway and also include underutilized sites. (See Table 9).

A total of 11 parcels over 50 acres in the region meet criteria for Tier 1. Only seven additional parcels met the criteria for Tier 2. Most of these parcels are within the City of Pasco, and only one Tier 1 parcel and four Tier 2 sites are within Benton County.

Table 9 – Developable Industrial Parcels by Size and Tier

	1,000 sq f- to 1 acre	1 to 5 acres	5 to 10 acres	10 to 20 acres	20 to 35 acres	35 to 50 acres	50 to 100 acres	100 to 200 acres	>200 acres
Underutilized	38	159	47	20	14	11	8	5	3
Vacant	388	339	32	10	18	6	8	9	5
Tier 2	-	-	14	11	7	-	6	1	-
Tier 1	-	-	55	29	9	7	5	5	1

Source: Benton County, Franklin County, ECONorthwest

To estimate a range of aggregate future industrial land need, ECONorthwest used two approaches. The first approach is based on an extension of industrial development trends in the region. The second is based on an extension of industrial sector employment growth. Depending on the approach and assumed density, ECONorthwest estimates industrial land needs over the next 20 years could range from 500 to over 2,000 acres, or between 25 and 100 acres per year. (See Table 10)

Table 10 – Projected Industrial Land Acres Needed

Method	Assumed Annual Growth	Assumed Density	Annual Acres Developed	10-year Total Acres Developed	20-year Total Acres Developed
Development Trend	360,000 Building SF	0.07 FAR	118	1,181	2,361
	360,000 Building SF	0.15 FAR	55	551	1,102
Employment Trend	370 Industrial Jobs	5.00 Emp/Acre	74	740	1,480
	370 Industrial Jobs	15.00 Emp/Acre	25	247	493

Source: Benton County, Franklin County, Washington Employment Security Department, ECONorthwest

The ECONorthwest report noted several economic sectors with strong growth potential in the Tri-Cities. These sectors are similar to the ones noted in the Comprehensive Economic Development Strategy, and include:

- Food processing
- Advanced manufacturing
- Distribution and warehousing

Food processing has been one of the fastest growing industries in the Tri-Cities, especially in Pasco where Lamb Weston, Tyson, and several other food processing companies have facilities. Food processing uses require medium-to-large sites with good highway and/or railroad access. However, sizable development ready sites are becoming increasingly limited as there are few remaining sites over 40 acres with utilities included.

Associated with food processing is cold storage, which is also growing. The Preferred Freezer facility that opened at Horn Rapids in 2015 is the largest in North America. Preferred Freezer currently ships a large volume of cargo by rail, and is planning to expand the facility.

Advanced manufacturing is a new opportunity for the region, and is an area of emphasis for the Port of Benton. The PNNL leads the new Northwest Regional Manufacturing Center, the goal of which is to advance and implement smart manufacturing technologies. Partners in the Center include Washington State University, University of Washington, Oregon State University, Oregon BEST, Montana educational institutions, Bonneville Power Administration, industry partners and other organizations from across the Pacific Northwest. The presence of the

Hanford Nuclear Reservation and the PNNL are key, because of the intellectual talent they attract and the new technologies that spin off from their operations and research.

Distribution and warehousing is also growing in the Tri-Cities, due to the accessibility to major population centers in the Northwest. Distribution and warehousing facilities typically need large sites for structures and truck docking, maneuvering and storage. Easy access to major highways is an important factor for these uses as well. The Horn Rapids Industrial Park offers large sites with good highway access.

Summary of Industrial Development Opportunities

The Horn Rapids Industrial Park is well-positioned to absorb regional industrial growth. Over the next 20 years the demand for industrial land could be as much as nearly 2,400 acres. The largest amount of industrial land in the Benton-Franklin region is located at Horn Rapids, including the largest potential parcels.

The types of industries in the region that will drive the demand for industrial land typically need large parcels, good highway and/or rail access, and large-capacity utilities. An estimated 30% of firms looking to locate in the Benton-Franklin area list rail access as one of their needs. Horn Rapids has the large parcels and road/rail access to attract these firms.

In order to attract additional industries to the expansion area there is work that remains. This includes extending infrastructure to the newest parts of the property, and expanding the boundaries of the Urban Growth Area to include all of the property.

International Trade Opportunities

Shippers and others have expressed interest in the concept of developing an inland port at Horn Rapids. This would be an intermodal facility where containers are loaded and unloaded from trains.

Initially, the demand for the facility would be driven by locally-produced goods destined for the Ports of Seattle and Tacoma. Full containers would be loaded onto trains at Horn Rapids, and empty containers would be returned, reducing the need to move the containers by truck. In the long run infrastructure might be developed that would process inbound containers, such as import distribution centers and transload operations.

Various definitions exist for what an inland port actually is. A definition from the Texas Freight Advisory Committee⁴, is that an inland port is “a site located away from traditional land and coastal borders with the vision to facilitate and process international trade through strategic investments in multi-modal transportation assets and by promoting value-added services as goods move through the supply chain”. According to this definition, well-established inland ports:

- Tend to be large regional centers serving domestic and international markets;
- Facilitate international trade and expedite shipments in and out of the United States;
- Have multimodal capabilities and good access to interstate and state highway systems;
- Have Foreign Trade Zone status;
- Serve niche markets, which tend to involve higher-valued commodities; and
- Have access to sufficient labor and skills.

⁴ Inland Ports: Economic Generators in Texas? August 22, 2013

Another definition comes from the industrial real estate firm Jones Lang LaSalle (JLL). According to JLL⁵, “an inland port is a hub designed to move international shipments more efficiently and effectively from maritime ports inland for distribution” elsewhere.

Benefits of Inland Ports

Inland ports can provide benefits for both the public and private sectors.

For the private sector, inland ports can facilitate a reduction in the number of intermediate links and the average length of haul for distribution, thereby streamlining shipping systems and reducing overall transportation costs.

Additional benefits include improved transit times, increased reliability, and the potential balancing of inbound and outbound freight movements to and from the inland port, thus reducing empty backhauls and decreasing transportation costs. Furthermore, multimodal options offer the private sector the flexibility to select the mode or combination of modes that best meets specific shipment requirements in terms of cost, speed, and reliability of service. Inland ports thus potentially facilitate more efficient and lower-cost supply chains when compared with more traditional supply chains. The effect of a reduction in costs (including transportation costs) is immediate because it influences the price of the output and thus the competitiveness of a company.”⁶

For the public sector, creating an inland port can be a way to reduce the costs for regional companies, improving their bottom lines. In addition, inland ports can help to attract development, generating additional employment and income.

Rail-oriented economic development can also improve environmental conditions by reducing the number of truck trips in an area. This can generate benefits from time savings, reduction in accidents, and reduction of emissions.

Keys to Success

The BNSF has identified key factors that drive the success of inland ports. According to Vann Cunningham, BNSF Assistant Vice President Economic Development⁷, the three key factors in determining the success of an intermodal rail facility are:

- Freight volume, density and balance,
- Proximity to other facilities, and
- Market coverage.

The consequences of a poor location include increased costs and decreased reliability. A poorly chosen location complicates the process of building and dismantling trains, increases the total transit time, and increases the costs of providing service.

According to the BNSF, inland ports must be located on key rail intermodal routes. These are the routes that connect major markets to major ports, have high capacity, and minimize route options and gateways in order to maximize traffic density and minimize route complexity.

Buy-in from one or more of the Class I railroads will be needed for an inland port to be successful at Horn Rapids. Several of the shippers interviewed for this analysis acknowledged

⁵ JLL is a professional services and investment management firm specializing in real estate development

⁶ Inland Ports: Economic Generators in Texas? August 22, 2013

⁷ BNSF Inland Ports and High-Capacity, Asset-Intensive Transportation Networks, July 2012

that, while rail transportation is potentially attractive, without commitment from a railroad the service might not last.

Two examples discussed below are the Cold Train service that operated out of Quincy, and the Railex service operated out of Wallula. In the case of Cold Train, the BNSF had little investment in the facility or the service, and stopped providing expedited service when sudden growth in other types of traffic caused service issues across the Northern Tier. In contrast, UP invested heavily in new railcars for the Railex service, and dedicated locomotive power to those trains. Also, in order to make the service successful, these trains are assigned the highest priority.

Shippers do not want to switch to a new mode of shipment if it won't last. These shippers have existing relationships with trucking firms, they have a good idea of how long it takes to move containers, and they know the cost.

Flexibility at the port end of the rail service is also critical. One of the shippers interviewed noted that their containers move via multiple shipping lines and terminals. A rail shuttle service running from Horn Rapids to only one port terminal would not necessarily meet the needs of this shipper.

The concept of shuttling empty containers from the ports to a storage yard at Horn Rapids is also attractive to shippers, but several factors would need to be addressed. According to one shipper, when their drayage drivers pick up an empty container at the ports they inspect it to make sure it is usable. Empty containers shuttled by rail back to the Tri-Cities would need to be inspected before they were loaded on the train, and somebody would need to be responsible for that.

Another factor is the ownership of the container. When drivers are responsible for picking up an empty container, they are able to drive to the appropriate terminal for the container. If empty containers were shuttled by rail to the Tri-Cities there would need to be enough containers from the right shipping lines.

Competing Rail Facilities

A new inland port at Horn Rapids may compete with several existing facilities in the region, including ones at Quincy, Wallula, and Boardman.

The Port of Quincy Intermodal Terminal was built to provide intermodal transportation solutions for shippers in Central Washington. The terminal currently includes 16 acres of land (with an additional 40 acres for expansion); 8,000 feet of storage rail siding on three tracks with easy access to the BNSF mainline; facilities for receiving and unloading of inbound railcars and both dry and refrigerated containers; and good highway access. Until recently Cold Train provided express refrigerated intermodal service for as many as 1,000 containers per month, using BNSF as the rail carrier. However, operations ended in 2014 due to service issues with the BNSF.

The Railex facility in Wallula is designed to ship unit trains of refrigerated products from the Columbia Basin to the East Coast. As part of the development of the facility, the UP invested in a fleet of new, state-of-the-art refrigerated boxcars that are dedicated to this service. The facility has a two-mile rail loop that runs directly into the refrigerated warehouse, which allows product to be moved from cold storage to railcar under controlled conditions. It includes 19 enclosed refrigerated rail docks and 38 refrigerated truck docks. A new, 500,000 square foot wine warehouse was recently added to handle wines produced throughout the region.

Northwest Container Service (NWCS) operates a 20-acre intermodal yard at the Port of Boardman, and has the ability to expand to 30 acres. NWCS uses the UP to haul trains between Boardman and Portland, and between Portland and Seattle/Tacoma. Currently NWCS operates one train every two weeks between Boardman and Tacoma/Seattle ports, and five to six trains per week between Portland and Tacoma/Seattle. The facility is customs bonded, offers full service food grade inspection and cleaning, is a USDA approved site for fumigation. There is room for over 10,000 containers and chassis, and has refrigeration unit plugs for 24 containers.

NWSA Container traffic trends by trade route

Container volumes through NWSA container terminals declined slightly between 2005 and 2015, decreasing from 3.9 million TEUs in 2005 to 3.5 million TEUs in 2015, representing an annual loss of -1.1% per year. (See Table 11). It should be noted that container volumes were especially high in 2005 because cargo volumes were shifted from Southern California to Northwest ports due to capacity limitations in Southern California. Volumes also fell in 2009 as a result of the international recession, which impacted container trade at all port regions. The NWSA faces significant competition from other North American ports. A more detailed comparison of North American ports is provided below.

Table 11 – NWSA Container Trends 2005-2015 (1,000 TEUs)

Year	International				Domestic		Total
	Full Imports	Full Exports	Total Full	Empty	Sub-Total	Sub-Total	
2005	1,483	796	2,279	800	3,079	853	3,932
2006	1,504	786	2,290	814	3,104	862	3,965
2007	1,505	945	2,449	577	3,027	867	3,894
2008	1,313	885	2,197	475	2,673	841	3,514
2009	1,084	855	1,939	375	2,314	770	3,084
2010	1,373	873	2,246	538	2,784	783	3,567
2011	1,249	980	2,229	489	2,718	775	3,493
2012	1,340	975	2,314	464	2,778	786	3,564
2013	1,239	984	2,223	413	2,635	821	3,456
2014	1,217	908	2,125	432	2,557	837	3,394
2015	1,308	872	2,180	581	2,761	769	3,529
CAGR							
2005-15	-1.2%	0.9%	-0.4%	-3.2%	-1.1%	-1.0%	-1.1%

Source: Northwest Seaport Alliance

During the period from 2005 to 2015, trade with international countries (imports and exports as well as empty containers) accounted for approximately 77% of the container volume through NWSA container terminals, with domestic trade (primarily trade with Alaska and Hawaii) accounting for the remaining 23%.

Imports

Import containers carry a wide variety of products, including consumer goods (e.g., electronics, electrical machinery, toys and games, furniture, apparel, and footwear) and production inputs (e.g., vehicle parts, aircraft parts), among other cargoes. The value of

containerized imports transiting NWSA container terminals was \$51 billion⁸ in 2015. Containerized imports support jobs throughout the region.

Imports are dominated by Asian countries, which account for 97% of all full import⁹ containers. In particular, China accounts for two-thirds of imports followed by Northeast Asia (Japan, Korea, Taiwan et al) at 19%, Southeast Asia (ASEAN countries) at 9% and South Asia (mainly India and Pakistan) at 1%. These imports are consumed locally as well shipped to inland markets by intermodal rail.

Europe, Latin America and the Caribbean and Oceania (Australia and New Zealand) each account for 1% of the import trade. Imports from these other trade routes are consumed/used within the region and does not typically move inland via intermodal rail.

- Asia
- China - 67%
 - o Northeast Asia - 19%
 - o Southeast Asia - 9%
 - o South Asia - 1%
- Other
 - o Europe - 1%
 - o Latin America and the Caribbean - 1%
 - o Oceania - 1%

In 2015, ports in the Seattle and Portland customs districts imported 22.6 million tons of goods (5.1 million to the Portland customs district and 17.5 million tons to Seattle customs district). Approximately 40% of these products moved in containers while 60% moved in liquid bulk or dry bulk form. Table 12 summarizes the major import classification groups in a descending order based upon the total tonnage moving through the Portland and Seattle customs districts, and provides a brief discussion on the potential to ship them to the Port of Benton.

⁸ Source: WISERTrade

⁹ Source: PIERS data

Table 12 – PNW Waterborne Imports 2015 by Customs District (1,000 Metric Tons of product imported into the Portland and Seattle Customs Districts)

Commodity Group	Total Tonnage			Containerized Tonnage			Opportunity for Port of Benton
	Portland	Seattle	Total	Portland	Seattle	Total	
Mineral products	1,888.0	6,788.1	8,676.1	27.7	117.3	145.0	Crude oil bound for Puget Sound refineries dominated the category. The construction market was the second largest component (specifically cement, stone, etc), which may represent an opportunity
Base metals and articles of base metal	1,232.5	1,696.1	2,928.7	37.9	1,208.0	1,246.0	This category primarily consists of iron and steel products. There are large volumes of these products imported to the Lower Columbia River ports; they are processed into a variety of products such as fencing, siding, roofing and other construction products; as well as inputs to fabricated metals manufacturers. These may also represent an opportunity for the Port of Benton.
Products of the chemical or Allied Industries	1,141.2	916.9	2,058.1	18.5	446.5	465.0	Chemical manufacturers and fertilizers produced and/or distributed within the region could be attracted to the Port of Benton.
Boilers, machinery (including nuclear), television image and sound recorders and parts	8.9	1,650.6	1,659.5	7.3	1,498.7	1,506.0	This category consists primarily of retail consumer goods, as well as equipment and machinery. Certain subsectors could potentially be attracted to Richland, particularly ag equipment or specialized industries (like Lampson) or activities related to Hanford (reactors and supporting equipment/machinery)
Vehicles, aircraft, vessels and associated transport equipment	474.5	911.9	1,386.5	4.8	544.2	549.0	This group primarily serves the auto and airplane industries as well as the rail industry. There may be opportunities to attract firms that focus on or support these industries. This would fall into the target industry of technology based manufacturing.
Miscellaneous manufactured articles	9.5	1,259.9	1,269.4	9.5	1,254.0	1,263.5	This group is a broad assembly of manufacturing industries. There may be opportunities.
Wood and articles of wood; cork; manufactures of straw, basket ware and wickerwork	150.0	859.1	1,009.2	8.0	439.2	447.2	Mainly consists of forest products (lumber, pulp and paper). Limited opportunity.
Plastics and articles thereof; rubber and articles thereof	8.2	791.0	799.2	8.2	776.8	785.0	The largest component of this group is tires, followed by miscellaneous groupings of plastic forms for manufacturers. It is unknown whether these industries could be attracted to Port of Benton.
Articles of stone, plaster, cement, asbestos, mica or similar materials; ceramic products; glass and glassware	32.7	615.5	648.1	32.7	545.3	577.9	This group includes stone articles (curbstones, concrete blocks etc) used in construction as well as glass products (safety glass and glass products used in laboratories et al. It is unknown whether these industries could be attracted to Port of Benton.
Textiles and articles	2.2	430.3	432.5	2.2	415.3	417.4	Focused on the garment industry, unlikely candidate for Port of Benton

Final Report

Commodity Group	Total Tonnage			Containerized Tonnage			Opportunity for Port of Benton
	Portland	Seattle	Total	Portland	Seattle	Total	
Vegetable products	37.5	387.6	425.0	15.3	387.3	402.6	Focused on the nursery industry, unlikely candidate for Port of Benton
Prepared foodstuffs; beverages, spirits and vinegar; tobacco	6.9	412.4	419.3	6.9	366.9	373.8	Group used by wholesalers and manufacturers for a variety of food and related products; unlikely candidate for Port of Benton
Pulp of wood; recovered (waste and scrap), paper or paperboard et al	32.7	301.7	334.5	28.2	251.5	279.7	Materials used by paper recyclers and/or pulp mills; unlikely candidate
Footwear, headwear, umbrellas, walking-sticks, artificial flowers; articles of human hair	1.3	195.2	196.5	1.3	194.9	196.2	Mainly containerized clothing accessories; unlikely candidate unless import distribution center was attracted that managed these items.
Live animals and animal products	1.0	118.0	119.0	0.8	117.9	118.6	Limited volumes that would be unlikely to move by rail; it is unknown whether it could be attracted to Port of Benton
Raw hides and skins, leather, travel goods, handbags	0.2	68.4	68.6	0.2	67.7	67.9	Limited volumes that would be unlikely to move by rail; it is unknown whether it could be attracted to Port of Benton
Optical, photographic, precision, medical or surgical instruments; clocks and watches; musical instruments; parts of above	0.1	51.4	51.6	0.1	50.1	50.2	Limited volumes that would be unlikely to move by rail; it is unknown whether it could be attracted to Port of Benton
Works of art, collectors' pieces and antiques	0.5	38.3	38.8	0.4	36.6	37.0	Limited volumes that would be unlikely to move by rail; it is unknown whether it could be attracted to Port of Benton
Animal or vegetable fats and oils	1.3	33.3	34.6	1.3	19.5	20.8	Limited volumes that would be unlikely to move by rail; it is unknown whether it could be attracted to Port of Benton
Arms and ammunition; parts and accessories thereof	0.0	3.4	3.4	0.0	3.2	3.3	Limited volumes that would be unlikely to move by rail; it is unknown whether it could be attracted to Port of Benton
Imitation jewelry; coins	0.0	3.1	3.1	0.0	3.1	3.1	Limited volumes that would be unlikely to move by rail; it is unknown whether it could be attracted to Port of Benton
Total	5,029.3	17,532.3	22,561.7	211.3	8,743.9	8,955.1	

Exports

Exports consist of agricultural products (hay, oilseeds, grains, processed fruit and vegetables, meat and other products), forest products (lumber, logs, paper and other products), and other products (electrical machinery, inorganic chemicals, and other products) that are manufactured or produced in Washington, the Northwest region (Oregon and Idaho) as well as inland regions. The value of containerized imports transiting NWSA container terminals was \$11 billion¹⁰ in 2015. The containerized trade network that has developed to serve imports also provides exporters with access to a robust transportation system for shipping their products to overseas. These containerized exports support jobs throughout the state and region.

Most exports are destined for Asia, which accounts for 89% of all full export containers¹¹. Northeast Asia (Japan, Korea, Taiwan) accounts for 49% of all exports followed by China at 25%, Southeast Asia (ASEAN countries) at 12% and South Asia (mainly India and Pakistan) at 3%.

Other trade routes account for the remaining 11%, with Europe accounting for 4% and, Latin America and the Caribbean and Oceania (Australia and New Zealand) each accounting for 2% of the export trade.

- Asia
 - Northeast Asia - 49%
 - China - 25%
 - Southeast Asia - 12%
 - South Asia - 3%
- Other
 - Europe - 4%
 - Africa & Middle East - 3%
 - Latin America & Caribbean - 2%
- Oceania - 2%

The Pacific Northwest is one of the most trade dependent regions of the United States. Export trade is a key driver of job growth and economic prosperity. More than 75% of all NWSA loaded exports originate in Washington, Oregon, or Idaho. This trade represents approximately \$9 billion in cargo value, contributing more than 500,000 jobs to the Pacific Northwest, for more than 20,000 regional firms. (See Table 13).

Table 13 – Export Activity Connected with the Northwest Seaport Alliance

Category	Washington	Oregon	Idaho	Total PNW
Export Value (\$ billions)	\$6.5	\$1.9	\$0.6	\$9.0
% thru the NWSA	89%	62%	42%	80%
Jobs tied to trade	391,000	86,157	26,017	503,174
Exporting Companies	12,646	5,922	1,762	20,330

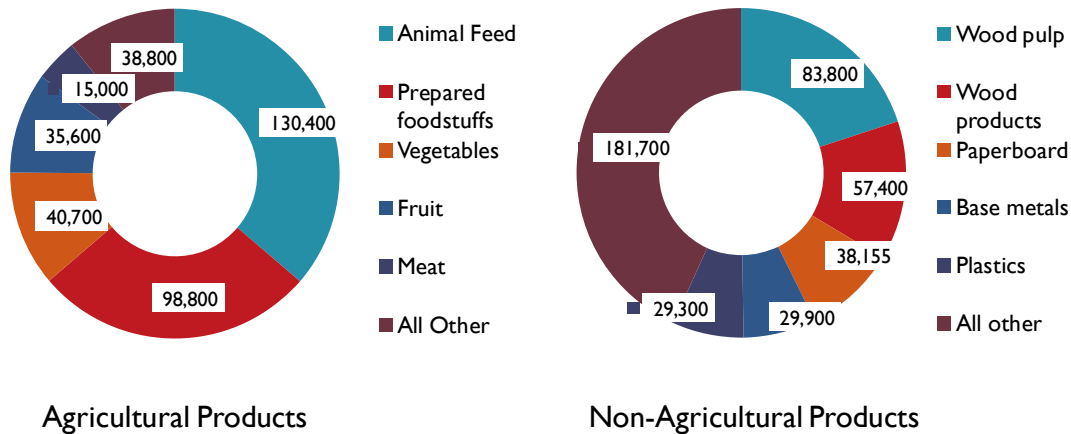
Source: The Northwest Seaport Alliance

¹⁰ Source: WISERTrade

¹¹ Source: PIERS data

A variety of agricultural and non-agricultural commodities are exported by container through the NWSA container terminals. Key agricultural exports include: animal feed, prepared foodstuffs, vegetables, fruit and meat, among other products. Key non-agricultural exports include: wood pulp, wood products, paperboard, base metals and plastics, among other products. (See Figure 15).

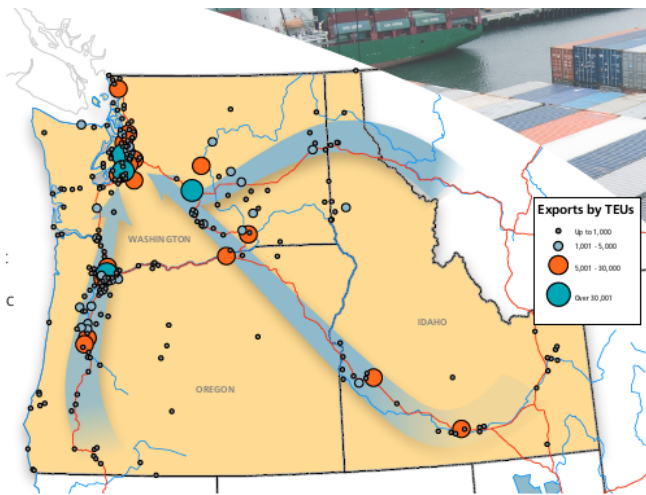
Figure 15 – Products Exported Through the Northwest Seaport Alliance (TEU)



Source: The Northwest Seaport Alliance

Figure 16 depicts where these industries are located. As shown, there is a strong cluster in Eastern Washington, as well as in Puget Sound, in Oregon along I-5 corridor, and in southern Idaho.

Figure 16 - Locations of PNW export companies by container volume



Source: Northwest Seaport Alliance

Examples of Inland Ports

Located outside crowded port areas, where land is scarce or not available at all, inland ports' advantages are well documented because of their positive impact on regional industrial

development and because they create space for more buildings in proximity to intermodal sites, thus relieving pressure in port areas and on roadways.¹²

Port of Quincy Intermodal Terminal

The purpose of the Port of Quincy Intermodal Terminal is to provide rail freight transportation solutions for the shippers of Central Washington, and is designed to be an inland intermodal solution for the congestion experienced in coastal ports. The terminal currently includes 16 acres of land (with an additional 40 acres for expansion); 8,000 feet of storage rail siding on three tracks with easy access to the BNSF mainline; facilities for receiving and unloading of inbound railcars and both dry and refrigerated containers; convenient access to I-90, Hwy 28 and Hwy 281; storage capacity for over 1,500 containers & chassis.

Until recently the Port of Quincy had a relationship with Cold Train that provided express intermodal service for Central Washington shippers to locations in the Midwest and East Coast. Service was provided by BNSF Railroad. At its peak, Cold Train Express Intermodal Service carried approximately 1,000 containers per month, with service provided six days of the week and with delivery times of three days from Quincy to eastbound intermodal locations. Operations ceased in August, 2014 due to service issues, and there is currently a lawsuit pending between the Cold Train and the BNSF parties.

Figure 17 – Port of Quincy Intermodal Terminal



BNSF Intermodal and Logistics Park KC, Kansas

This facility is a 1,500-acre master-planned distribution and warehouse development in Edgerton, Kansas, located southwest of downtown Kansas City. The primary purpose of the facility is to serve container traffic moving between the Ports of Los Angeles and Long Beach and the Midwest, and it is located on the main BNSF transcontinental line between Chicago and the ports of Los Angeles and Long Beach. The facility also offers domestic intermodal service and direct-rail/carload service in addition to international intermodal service.

The annual capacity of the intermodal yard is 500,000 container lifts, which could expand to 1.5 million containers at full build-out. The facility has capacity for 17 million square feet of

¹² Tim Feemster, Managing Principal, Foremost Quality Logistics, Intermodal Sites 2015; <http://www.areadevelopment.com/logisticsInfrastructure/Intermodal-Sites-Q1-2015/10-inland-ports-to-watch-2829267.shtml>

industrial buildings, and it currently has 6.5+ million square feet of new distribution facilities. The facility is owned by the BNSF Railway and Edgerton Land Holding Company.

Figure 18 – BNSF Intermodal and Logistics Park KC



Global Transportation Hub Authority

The Global Transportation Hub (GTH) is a new 1,800-acre facility located outside Regina, Saskatchewan. The purpose of the facility is to develop supply chain, logistics, and transportation infrastructure to support global trade, and to spur economic development in the Regina region. The facility is owned by the Global Transportation Hub Authority, an autonomous and self-governing inland port authority.

Since the facility was authorized in 2013 it has attracted \$485 million in private investment and 750 jobs. The Canadian Pacific operates a 300-acre intermodal facility at GTH, designed to move some 250,000 containers annually. Other clients include: cross-dock and LTL transportation services, a large food retailer's distribution center, container services (storage, drayage, transport, maintenance and handling), and on-site repair and maintenance service for truck and trailer units, among others.

Figure 19 – Global Transportation Hub Authority



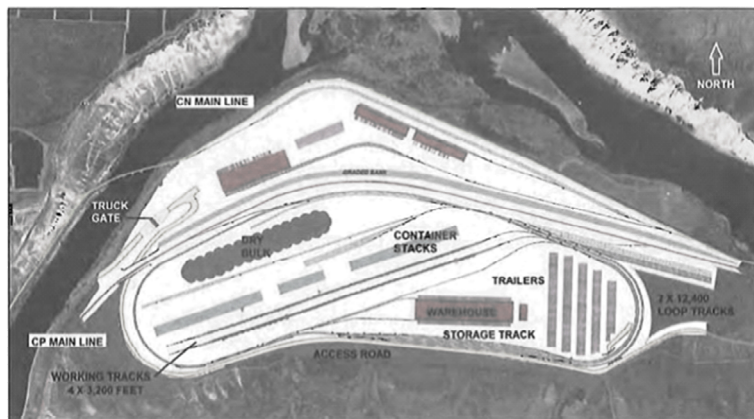
Ashcroft Terminal

Ashcroft Terminal is a privately owned facility located approximately 200 miles east of Vancouver, B.C. The purpose of the facility is to relieve truck traffic congestion and land development pressures in Vancouver, and to promote economic development in the Ashcroft area.

Ashcroft terminal has service from two Class I railroads, the Canadian National (CN) and Canadian Pacific (CP). Although the two railroads each own a main line between Ashcroft and Vancouver, this section is operated jointly in order to increase capacity. Ashcroft Terminal is located at the critical junction where this “co-production” begins and ends. Every piece of cargo moved by rail through any of the Vancouver marine terminals has to pass through the Ashcroft Terminal.

Ashcroft Terminal has 320 acres of industrial land, with an additional 350 acres of agricultural buffer land. Currently it has 32,000 ft. of rail servicing 18 users. Full Build out plans will see over 25 miles of internal track including a twinned 25,000 ft loop track directly off CP’s mainline with a CN inter-switch

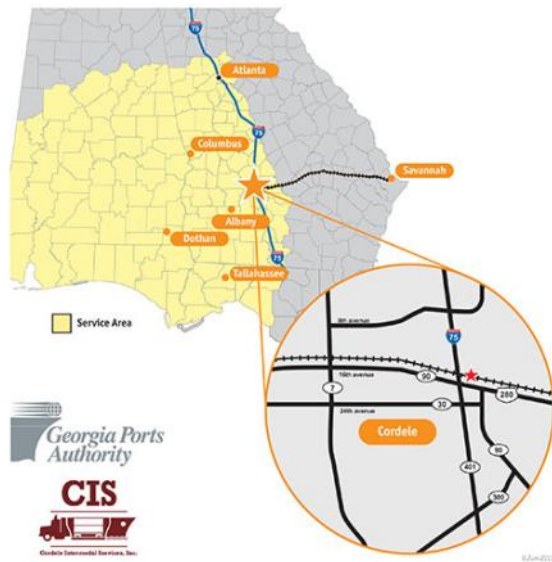
Figure 20 – Ashcroft Terminal



Cordele Inland Port, GA

The Cordele Inland Port is a privately owned facility 1,150-acre facility located in south central Georgia. The facility is designed to improve shipping services and reduce cost to and from firms in southwest Georgia, Alabama, Mississippi, and the panhandle of Florida.

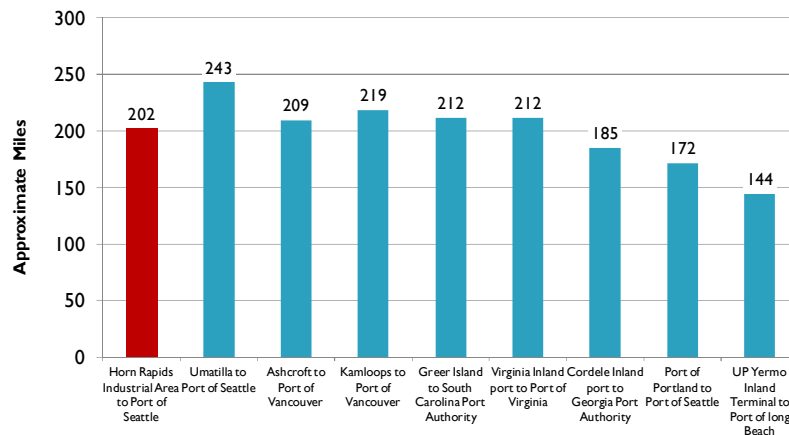
Rail service to Cordele Inland Port is provided by Class I carrier CSX and by several shortline railroads. Major truck route (I-75, Georgia highways 300 and 280) are less than one mile away. Overnight rail service to the Georgia Ports Authority is provided three times per week via the shortline railroads, Heart of Georgia and Georgia Central. Maersk, Mediterranean Shipping and other steamship lines use the facility to position containers for quick delivery to cotton gins and peanut warehouses within a 250-mile radius. Full containers are returned to Cordele for rail shipment to the seaport.

Figure 21 – Cordele Inland Port

Distance to Inland Ports

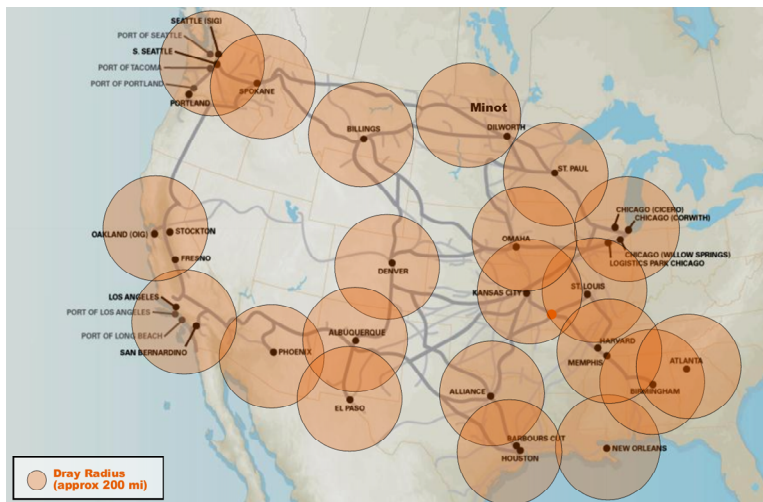
The average distance from inland ports to the seaports they serve is approximately 200 miles, as illustrated in Figure 22. The distances range from 144 miles to 243 miles. By road, Horn Rapids is 200 miles from Seattle. However, because the Stampede Pass rail line cannot accommodate double-stack container trains, this traffic would need to be routed through the Columbia River Gorge. This means containers on rail would move approximately twice as far as they now do by truck.

Distances are included in the graph for Portland to Seattle and for Umatilla to Seattle; these are both locations where shippers can load containers on to rail for movement to Seattle.

Figure 22 – Distance to Inland Ports

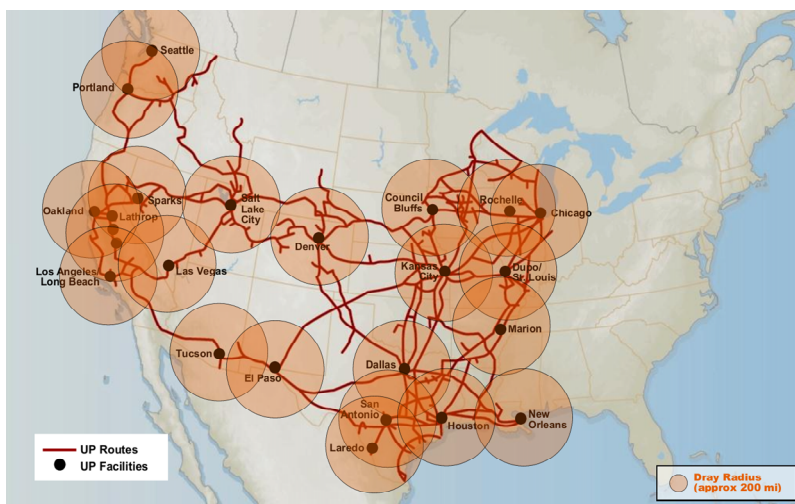
Source: Inland Intermodal Cargo Facility Study for the Corporation of Delta by Cargo Velocity Inc., August 15, 2014; BST Associates

Information from BNSF shows that 200 miles is the approximate market range for draying containers to intermodal ramps. The 200-mile dray radii for Seattle and Spokane ramps overlap the Horn Rapids area. (See Figure 23).

Figure 23 – Market Radius for BNSF Intermodal Ramps

Source: Inland Ports and High-Capacity, Asset-Intensive Transportation Networks, BNSF Railroad July 2012

The same document shows 200-mile dray radii for Union Pacific intermodal ramps in Portland and Seattle. Again, both of these ranges overlap the Horn Rapids area. (See Figure 24).

Figure 24 – Market Radius for UP Intermodal Ramps

Source: Inland Ports and High-Capacity, Asset-Intensive Transportation Networks, BNSF Railroad July 2012

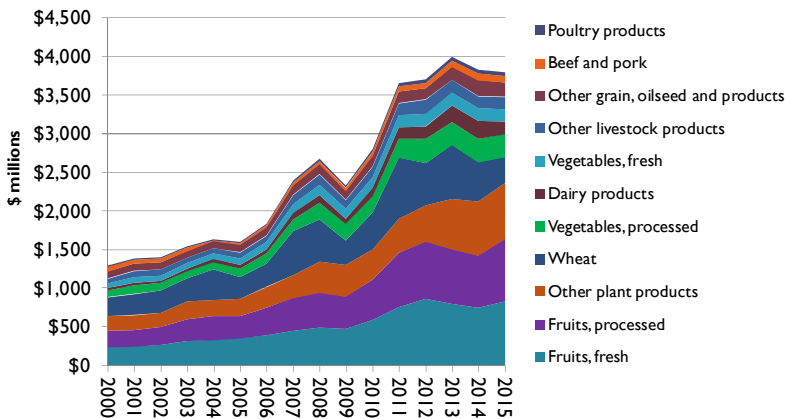
Washington Agricultural Exports

Exports of Washington agricultural products have seen tremendous growth over the past 15 years. According to data from the USDA, the export value of Washington agricultural products jumped from \$1.3 billion in 2001 to \$3.8 billion in 2015. Most of the export value is generated by products from eastern Washington, and these products represent potential opportunities for the Port of Benton.

Fresh fruits, processed fruits, and other plant products each account for approximately 20% of total export value. They also accounted for much of the growth, and each of these three commodity groups grew by 250% or more between 2001 and 2015.

Processed vegetables accounted for nearly 7.9% of exports in 2015, up from 6.9% in 2015, and their export value grew by nearly 240%. Dairy products' share of export value grew from 2.6% to 4.4%, and their value grew by more than 390%. (See Figure 25).

Figure 25 – Washington Agricultural Exports



Source: USDA Economic Research Service; USDA Foreign Agricultural Service

Conclusions

There is a substantial (and growing) volume of containerized cargo that moves between the Columbia Basin and the Ports of Seattle and Tacoma, the majority of which moves by truck. This typically involves a truck hauling a loaded container westbound and an empty container eastbound.

Several factors are likely to raise the cost of shipping containers by truck. These include a growing shortage of drivers, stricter regulation of driver time (hours of service), increasing congestion near the ports, and increasing competition for trucking services. These factors may increase the feasibility of an intermodal facility at Horn Rapids.

In order for an intermodal facility to be successful it will need to meet a number of criteria. Key among these are attracting a sufficient volume of cargo, and getting long-term service commitments from one or more railroads.

Thomas Keane, of New Harbor Consultants, produced a recent white paper on inland ports which included a list of 10 factors for inland port success¹³. These 10 factors are listed in Table 14, along with a brief analysis of how the Horn Rapids site meets these factors.

¹³ Keane, Thomas, <http://newharborllc.com/2016/08/05/inland-ports-on-track-for-growth/>, downloaded 10-24-2016

Table 14 – Factors for Inland Port Success

Horn Rapid Industrial Area Capability			
Criteria	Requirements	Preliminary Finding	Discussion
Demand	Can volumes reach 10,000-20,000+ lifts per year? Who are the anchor shippers?	Yes	The local area currently generates approximately 10,000+/- containers. Extending the region to 50 to 100 miles creates a market in excess of 20,000 containers. Local firms have indicated interest in an inland port if the service is reliable and cost competitive with trucking.
Port link	Are there close ties with a successful ocean container port, 200+ miles away?	Yes	NWSA staff has indicated interest in the project because it helps solidify market capture in the port's local hinterland and results in a shift from truck to rail which coincides with Port plans in Seattle and Tacoma.
Site	40+ acres for intermodal ramp, more for distribution facilities, near good highway access?	Yes	Horn Rapid Industrial area acreage exceeds 2,000 acres.
Rail	Situated on or near a mainline intermodal rail route, attractive to a Class I railroad?	Yes	Inland port would have access to BNSF and UP rail lines. The facility may be attractive to Class I railroads if intermodal volume can be attracted.
Cost	Competitive land, improvements, road links, operating costs, and taxes?	Yes	Horn Rapid Industrial area has competitive land values, operating costs and taxes but additional planning is required to bring the area into the UGA and to extend utilities and road access.
Labor	Access to a skilled, hardworking labor force?	Yes	The Tri-Cities area meets the requirements for a good labor force.
Business case	Value proposition that is attractive to a developer, railroad and tenants?	Maybe	Existing and potential tenants/users have indicated interest in the project. Further discussions needed with railroads and developers.
Environmental benefits	Can it replace truck with rail traffic, attractive in a congested region?	Maybe	A shift from truck to rail would provide environmental benefits for NWSA ports. May increase truck traffic in Richland area
Public support	Is there active involvement by local officials and support from the public?	Maybe	Local government is involved in development of the Horn Rapids Industrial Park. Level of public support is unknown.
Collaborative effort	Is strong leadership in place, with effective public-private collaboration?	Maybe	Port of Benton, Northwest Seaport Alliance, City of Richland are supportive, and leading the effort. Railroad collaboration will be needed.

Value of Rail-Related Industrial Development

This section provides an estimate of the contribution (value) of rail-related industrial development at Horn Rapids Industrial Park.

The value of the Port of Benton railroad can be measured in a number of ways. At its most basic, this could be measured as the value of the land and the track structures. However, this method doesn't take into account the value that the railroad provides to shippers, as measured in transportation cost savings. It also doesn't include benefits that accrue to other stakeholders, such as the taxes generated, the jobs supported, or the environmental benefits of shifting cargo from truck to rail. The following section provides estimates of the value generated by the railroad, including:

- Appraised value
- Value of development
- Taxes generated
- Employment
- Environmental benefits

Appraised Value

The Port of Benton recently retained a consultant to appraise the value of the Port's rail line, including land and structures¹⁴. This appraisal concluded that the total value of the railroad is \$25,600,000, including \$10,890,000 for the land and \$14,725,000 for the track structure.

Value of Development

The value of the railroad as tool of economic development includes more than just the track structure and the land on which it sits. Access to rail transportation is a key site attribute for many firms; according to TRIDEC, approximately 30% of the firms seeking information on property in the region list rail access as one of their criteria. Using this figure, the value of development that depends on rail access can be estimated.

ECONorthwest estimated that regional demand for industrial land will range between 493 and 2,361 acres over 20 years. Assuming that 30% of this demand will require rail access, the total rail-related demand for land will range between 148 and 708 acres. Finally, assuming that the Port of Benton is able to capture half of this market (conservative estimate), the total amount of rail-related land with access to the Port of Benton railroad will range between 74 and 354 acres.

The value of development on this acreage can be estimated using comparable developments in the region.

Three recent developments at Horn Rapids have improvements (buildings and other physical plant) whose value ranges between \$107,000 and \$2,701,000 per acre. This is calculated by dividing the assessed value of improvements by the total acreage of the development. This wide range of values includes one development that has a very expensive structure on a relatively small acreage (Preferred Freezer), and one that has relatively little structure on a very large acreage. A third development at Horn Rapids, Ferguson Enterprises, has an improvement value of \$365,000 per acre.

¹⁴ *Market Value Estimate of the Real Estate and Track Structure Assets, port of Benton Track, Richland, Washington*, Kenneth Young & Associates, July 2016.

The Pasco Processing Center provides another set of property values for comparison. Assessor records for seven properties at the Pasco Processing Center show improvement values ranging between \$184,000 and \$1,296,000 per acre, with a weighted average value of \$813,000 per acre.

Using the rail-related acreage estimates of 74 to 354 acres and the low and high value per acre of improvements, the total value of rail-related development over 20 years is estimated to range between \$37.6 million and \$288.2 million, as measure in 2016 dollars.

Taxes Generated

Property Tax

Improvements made on properties at Horn Rapids will generate property taxes for a number of different jurisdictions, including the City of Richland and the Port of Benton.

The City of Richland property tax rate for the Horn Rapids area is approximately \$2.63 per \$1,000 of assessed value. At full build-out, City property tax from rail related development may range between \$99,000 and \$757,000 per year.

Assuming that absorption of land occurs evenly across the next 20 years, the net present value of City property tax ranges between \$720,000 and \$5.52 million using a 3.0% discount rate, and between \$465,000 and \$3.57 million using a 7.0% discount rate. (See Table 15)

The Port of Benton property tax rate for the Horn Rapids area is approximately \$0.40 per \$1,000 of assessed value. At full build-out, Port property tax from rail related development may range between \$15,000 and \$115,000 per year.

Assuming that absorption of land occurs evenly across the next 20 years, the net present value of Port property tax ranges between \$109,000 and \$838,000 using a 3.0% discount rate, and between \$71,000 and \$541,000 using a 7.0% discount rate.

Other taxing authorities that will see increase property tax receipts include the State of Washington, Benton County, and the Richland School District. In total, property taxes generated by rail-related development may range from \$4.59 million to \$35.18 million in 2016 dollars. Using a 3.0% discount rate the net present value of property taxes may range from \$3.19 million to \$24.; using a 7.0% discount rate net present value may range from \$2.06 million to \$15.79 million.

Sales Tax

In Washington, most construction is subject to sales tax; the current sales tax rate in Richland is 8.6%. There is, however, an exception for machinery and equipment (“M & E”) used directly in a manufacturing operation or research and development operation. The amount of sales tax that would be generated by development of industrial property was estimated under two scenarios: 1) the first scenario assumes that all construction will be subject to the sales tax, and 2) the second scenario assumes that half of the construction would be exempt from sales tax.

The sales tax estimates used the same development timing and values described above.

Under the low acreage/low value scenario, rail-related development at Horn Rapids may generate \$3.23 million to \$24.78 million in sales and use tax over 20 years (assuming no M & E exemption), and \$1.62 million to \$12.39 million (assuming half is exempt).

Using a discount rate of 3.0%, the net present value of sales tax may range from \$1.84 million to \$14.13 million (assuming no M & E exemption), and from \$0.92 million to \$7.07 million (assuming half is exempt).

Using a discount rate of 7.0%, the net present value of sales tax may range from \$0.89 million to \$6.85 million (assuming no M & E exemption), and from \$0.45 million to \$3.43 million (assuming half is exempt). (See Table 15)

Summary of Taxes

Total taxes generated by rail-related development over 20 years are projected to range from \$10.87 million to \$33.89 million. These figures are based on: 1) average land value per acre, 2) average value of improvements per acre, and 3) average number of acres absorbed.

These figures should be considered conservative. The primary reason for this is that the acres of absorption assumes that: 1) the Horn Rapids area will attract only 50% of rail-related development in the Benton-Franklin area, 2) only 30% of firms looking for property in the area are interested in rail service. Given the amount of land available, the size of parcels available, and rail service from multiple railroads, it is possible that the Horn Rapids area will attract more than 50% of rail-related development.

Table 15 – Summary of Benefits from Rail-Related Development (\$millions of 2016\$)

Category	Low			High			Average		
	Discount Rate			Discount Rate			Discount Rate		
	7.0%	3.0%	Undisc.	7.0%	3.0%	Undisc.	7.0%	3.0%	Undisc.
Value of land sales	\$1.51	\$2.04	\$2.66	\$12.02	\$16.25	\$21.21	\$6.77	\$9.15	\$11.94
Value of construction	\$10.4	\$21.4	\$37.6	\$79.7	\$164.3	\$288.2	\$45.05	\$92.85	\$162.90
Sales tax on construction									
Assumes no exemption	\$0.89	\$1.84	\$3.23	\$6.85	\$14.13	\$24.78	\$3.87	\$7.99	\$14.01
Assumes half is exempt	\$0.45	\$0.92	\$1.62	\$3.43	\$7.07	\$12.39	\$1.94	\$4.00	\$7.01
Property tax – City of Richland	\$0.47	\$0.72	\$1.04	\$3.57	\$5.52	\$7.95	\$2.02	\$3.12	\$4.50
Property tax – Port of Benton	\$0.07	\$0.11	\$0.16	\$0.54	\$0.84	\$1.21	\$0.31	\$0.48	\$0.69
Property tax - Other	\$1.52	\$2.36	\$3.40	\$11.68	\$18.08	\$26.03	\$6.60	\$10.22	\$14.72
Property tax – Total	\$2.06	\$3.19	\$4.59	\$15.79	\$24.44	\$35.18	\$8.93	\$13.82	\$19.89
Total taxes w/o exemption	\$2.95	\$5.03	\$7.82	\$22.64	\$38.57	\$59.96	\$12.80	\$21.80	\$33.89
Total taxes w/ exemption	\$2.51	\$4.11	\$6.21	\$19.22	\$31.51	\$47.57	\$10.87	\$17.81	\$26.89

Note: These estimates assume that development occurs evenly over 20 years. Low estimate uses low value per acre and low acres developed, high estimate uses high value per acre and high acres developed.

Source: BST Associates

Employment

As discussed above, ECONorthwest recently produced the “Industrial Zoned Land Assessment” for the City of Kennewick. This analysis used employment density ranging between five jobs per acre and 15 jobs per acres as a basis for estimating the acreage demand. Based on the employment growth trend in the region, the region is projected to gain an additional 7,400 industrial jobs over the next 20 years. Employment density of five jobs per acre is nearly identical to that seen at the recent Preferred Freezer development. In contrast, employment density at Central Washington Corn Processors is less than one job per acre, due to the amount of acreage used by the rail loop.

In the combined Benton and Franklin Counties, the average wage for across all covered industries¹⁵ in 2015 was \$47,420, and total employment was 115,480. The government sector accounted for approximately one out of six jobs, and the average annual wage in this sector was \$55,820. The non-government sector accounted for five out of six jobs, with average annual wages of \$45,810.

The non-government sector is made up of a wide variety of industries, and the average wage for each of these industries varies widely. One of the highest paid of these is NAICS Code 54 (“Professional and technical services”). Total employment in this sector was 9,980 in 2015, and the average annual wage of \$92,230 was more than twice the regional average. Most of these jobs are tied to Hanford and the PNNL, and all but 400 of the jobs were in Benton County. Another sector tied closely to Hanford and the PNNL is NAICS Code 56 (“Administrative and waste services”). Total employment in this sector was 10,520, of which 9,360 jobs were in Benton County; the average wage for this sector was \$73,340.

When the two Hanford-related sectors are omitted, the average non-government annual wage in the region is \$36,220, with total employment of 76,440. The industry sectors targeted by TRIDEC pay wages that average higher, with average annual wages ranging from \$38,800 to \$56,700. These sectors include warehousing (NAICS Code 493), food manufacturing (NAICS Code 311), beverage manufacturing (NAICS Code 312), machinery manufacturing (NAICS Code 333), and chemical manufacturing (NAICS Code 333).

Table 16 provides a summary of potential employment and wages using five employees per acres, and Table 17 provides estimates of the types of occupations employed at each of these industries, and the average wages for those occupations. Summaries of key occupations are presented in the following section.

Annual wages in the warehousing sector average \$38,800. The predominant category of occupation for the warehousing industry is “Transportation and material moving occupations”, which accounts for 60.3% of jobs and pays an average of \$34,000 per year. “Office and administrative support occupations” accounts for another 22.3% of warehousing jobs, and these jobs also pay an average of \$34,000 per year. At the other end of the pay scale, “Management occupations” account for 3.5% of jobs in warehousing and pay \$113,100 per year, and “Business and financial operations occupations” account for 2.0% of jobs in warehousing and pay \$76,900 per year.

Annual wages in food manufacturing average \$38,900. “Production occupations” account for 52.6% of jobs in the industry, and pay an average of \$34,100 per year. “Transportation and material moving occupations” account for 17.1% of jobs, and pay \$32,700 per year. “Management occupations” account for 3.3% of jobs and pay an average of \$112,600, while “Business and financial operations occupations” account for 1.7% of jobs and pay \$78,500.

Annual wages in beverage manufacturing average \$42,800 per year. As in the food production industry, “Production occupations” account for the largest share of jobs (i.e. 29.5%), but this share is much lower than in food production. Average pay for production occupations is \$38,700 per year. “Transportation occupations” account for 18.1% of jobs and pay \$35,600 per year. “Sales and related occupations” is a relatively large category of jobs (i.e. 13.8%), and pays

¹⁵ The Quarterly Census of Employment and Wages Program is a cooperative program involving the Bureau of Labor Statistics (BLS) of the U.S. Department of Labor and the State Employment Security Agencies (SESAs). The QCEW program produces a comprehensive tabulation of employment and wage information for workers covered by State unemployment insurance (UI) laws and Federal workers covered by the Unemployment Compensation for Federal Employees (UCFE) program.

an average of \$39,400. In this industry 7.3% of jobs are in “Installation, maintenance, and repair occupations”, which pay \$50,500 per year. The beverage manufacturing industry has a higher share of jobs in “Management occupations” (i.e. 5.4%), compared with both the food manufacturing and warehousing industries. These jobs pay an average of \$113,700 per year, while “Business and financial operations occupations” pay \$70,800 per year and account for 2.7% of jobs.

Annual wages in the machinery manufacturing industry average \$55,400 per year. In the machinery manufacturing industry, “Production occupations” account for more than half of all jobs (i.e. 52.6%), but these production jobs pay more (\$42,400) than production jobs in food manufacturing or beverage manufacturing. Machinery manufacturing also has a larger share of jobs at higher pay levels, including “Architecture and engineering occupations” (i.e. 10.1% of jobs, \$91,600 average wages), “Management occupations” (6.6% of jobs, \$119,400 average wages), and “Business and financial operations occupations” (4.5% of jobs, \$74,900 average wages).

Annual wages in the chemical manufacturing industry average \$56,700 per year. While the largest share of jobs are in production occupations, the chemical manufacturing industry also employs a variety of higher-paying occupations. For example, “Life, physical, and social science occupations” account for 9.4% jobs, with average pay of \$85,800 per year. Jobs in this occupation category include chemists, chemical technicians, and biologists. “Management occupations” account for 8.5% of jobs, and pay an average of \$114,900 per year, “Architecture and engineering occupations” account for 5.7% of jobs and pay \$94,900 per year, and “Business and financial operations occupations” account for 5.6% of jobs and pay \$77,000. “Installation, maintenance, and repair occupations” account for 6.8% of jobs, and pay \$52,700 per year.

At full development, potential rail-related employment at Horn Rapids is estimated to range between 370 and 1,771, using an average of five employees per acre. Depending on the types of industries that locate at Horn Rapids, 370 jobs could generate total annual payroll of \$14.3 million to \$21.0 million, while 1,771 jobs could generate annual payroll of \$68.7 million to \$100.4 million.

Table 16 – Estimated Employment and Wages from Rail-Related Development

Sector	Jobs (Low)	Annual Wages	Total Wages (\$millions)	Jobs (High)	Annual Wages	Total Wages (\$millions)
Warehousing	370	\$38,800	\$14.3	1,771	\$38,800	\$68.7
Food Mfg.	370	\$38,900	\$14.4	1,771	\$38,900	\$68.9
Beverage Mfg.	370	\$42,800	\$15.8	1,771	\$42,800	\$75.8
Machinery Mfg.	370	\$55,400	\$20.5	1,771	\$55,400	\$98.1
Chemical Mfg.	370	\$56,700	\$21.0	1,771	\$56,700	\$100.4

Table 17 – Occupations and Average Wages for Selected Industries in the Benton-Franklin Area

Occupation category	Share of Jobs					Average Annual Wage				
	Warehousing	Food Mfg.	Beverage Mfg.	Machinery Mfg.	Chemical Mfg.	Warehousing	Food Mfg.	Beverage Mfg.	Machinery Mfg.	Chemical Mfg.
Management occupations	3.5%	3.3%	5.4%	6.6%	8.5%	\$113,100	\$112,600	\$113,700	\$119,400	\$114,900
Business and financial operations occupations	2.0%	1.7%	2.7%	4.5%	5.6%	\$76,900	\$78,500	\$70,800	\$74,900	\$77,000
Computer and mathematical occupations	0.5%	0.3%	0.3%	2.0%	2.0%	\$72,900	\$66,500	\$64,100	\$77,000	\$72,300
Architecture and engineering occupations	0.2%	0.5%	0.6%	10.1%	5.7%	\$97,500	\$96,900	\$94,400	\$91,600	\$94,900
Life, physical, and social science occupations	0.0%	1.0%	0.8%	0.2%	9.4%	\$-	\$58,000	\$78,600	\$84,600	\$85,800
Community and social service occupations	0.0%	0.0%	0.0%	0.0%	0.0%	\$-	\$48,000	\$-	\$-	\$-
Legal occupations	0.0%	0.0%	0.0%	0.1%	0.1%	\$-	\$95,000	\$-	\$78,100	\$86,500
Arts, design, entertainment, sports, and media occupations	0.1%	0.1%	1.6%	0.4%	0.3%	\$36,300	\$45,600	\$28,900	\$61,100	\$62,100
Healthcare practitioners and technical occupations	0.1%	0.2%	0.1%	0.1%	0.7%	\$89,100	\$82,500	\$93,000	\$88,300	\$82,500
Healthcare support occupations	0.0%	0.0%	0.0%	0.0%	0.1%	\$-	\$-	\$-	\$33,400	\$25,600
Protective service occupations	0.7%	0.1%	0.1%	0.0%	0.2%	\$38,700	\$39,800	\$39,800	\$39,800	\$42,300
Food preparation and serving related occupations	0.1%	2.3%	5.1%	0.0%	0.0%	\$-	\$24,200	\$26,200	\$-	\$27,800
Building and grounds cleaning and maintenance occupations	1.0%	1.5%	1.0%	0.5%	0.5%	\$29,300	\$29,400	\$29,200	\$29,100	\$29,300
Personal care and service occupations	0.0%	0.0%	0.2%	0.0%	0.0%	\$-	\$23,100	\$23,000	\$-	\$25,500
Sales and related occupations	1.7%	3.9%	13.8%	3.6%	2.6%	\$43,200	\$35,700	\$39,400	\$55,300	\$56,900
Office and administrative support occupations	22.3%	6.6%	9.9%	10.1%	9.7%	\$34,000	\$37,100	\$36,000	\$38,500	\$39,100
Farming, fishing, and forestry occupations	0.1%	1.2%	2.9%	0.0%	0.0%	\$36,400	\$31,500	\$29,500	\$34,900	\$34,900
Construction and extraction occupations	0.1%	0.3%	0.4%	1.2%	0.6%	\$59,200	\$69,600	\$70,200	\$72,700	\$69,300
Installation, maintenance, and repair occupations	3.2%	5.9%	7.3%	4.5%	6.8%	\$49,700	\$50,900	\$50,500	\$53,100	\$52,700
Production occupations	4.0%	54.1%	29.5%	52.6%	41.2%	\$38,300	\$34,100	\$38,700	\$42,400	\$37,100
Transportation and material moving occupations	60.3%	17.1%	18.1%	3.5%	6.0%	\$34,000	\$32,700	\$35,600	\$33,200	\$34,800
Total, all occupations	100.0%	100.0%	100.0%	100.0%	100.0%	\$38,800	\$38,900	\$42,800	\$55,400	\$56,700

Source: Source: Employment Projections program, U.S. Department of Labor, U.S. Bureau of Labor Statistics, and 2016 Occupational Employment and Wage Estimates from Washington Employment Security Dept.

Environmental Benefits

Shifting containerized export cargo that originates in the region around Richland from truck to rail is likely to generate a variety of environmental benefits, including:

- Reduced operating costs
- Reduced highway maintenance
- Reduced accidents
- Reduced emissions

Each of these benefits can be quantified following standard methodology. Details are provided in the following sections.

Key Inputs

Estimation of the environmental benefits of substituting rail for truck movement uses several key inputs. For the purpose of this analysis, the following factors were assumed:

- The intermodal yard will begin operating in January 2018.
- A full intermodal train is assumed to carry 440 TEU (twenty-foot equivalent units), or 220 FEU (forty-foot equivalent units).
- One train will operate per week initially with an increased number of trains per week as demand warrants.
- Volumes will ramp up over time, growing from 30% of train capacity in 2018 to 75% of capacity in 2023, and to 100% of capacity in 2028.
- The average truck distance from Richland to Seattle-Tacoma is 229 miles.
- The average truck distance to Richland from local producers is 40 miles.
- The average rail distance from Richland to Seattle-Tacoma is 346 miles.
- Trucks move one ton of freight 240 miles per gallon of fuel.
- Trains move one ton of freight 640 miles per gallon of fuel.
- Trucks and trains both move full containers from Richland to Seattle-Tacoma and empty containers back.

Reduced Highway Maintenance

Based on the assumptions outlined above, total truck miles saved are projected to grow from approximately 1.3 million round-trip miles in 2018 (first year of operation) to 4.3 million miles per year at full operation (years 2028 through 2037).

According to WSDOT, diverting cargo from trucks to rail will reduce highway maintenance costs by \$0.12 per mile. Using this figure, road maintenance savings grow from approximately \$155,000 in 2018 to nearly \$518,000 per year at full operation, as measured in 2016 dollars. Total highway maintenance savings from 2018 through 2037 is estimated to be approximately \$8.5 million, prior to discounting for inflation. Using a discount rate of 3% the net present value of highway maintenance savings is estimated to be approximately \$5.9 million, and using a discount rate of 7% it is estimated to be \$3.8 million.¹⁶

Reduced Accidents

The value of reduced accidents can be calculated using a method similar to that used for calculated the value of reduced highway maintenance. Guidance from the USDOT recommends using a factor of 1.08 fatal accidents per 100 million miles of truck travel, and an average value of \$9,600,000 per fatality.

As described above, round-trip truck miles saved are projected to grow from approximately 1.3 million miles in 2018 to 4.3 million miles per year from 2028 through 2037. Using these figures with the accident rate and value per fatality from USDOT, the value of reduced accidents is estimated to grow from approximately \$134,000 in 2018 to \$447,000 per year at full operation, as measured in 2016 dollars. The net present value of reduced accidents associated with a shift from truck to rail from 2018 through 2037 is estimated to be approximately \$7.4 million, prior to discounting for inflation. Using a discount rate of 3% the net present value of reduced accidents

¹⁶ USDOT recommends discounting at 3% and 7% as a part of the Tiger Grant program.

is estimated to be approximately \$5.1 million, and using a discount rate of 7% it is estimated to be \$3.3 million.

Savings in Operational Costs

The savings in operational costs are based upon the cost of operations per mile, which is estimated at \$0.10 per mile for trucks and \$0.029 per mile for rail. The net present value of savings in operational costs is estimated to be approximately \$76.5 million, prior to discounting for inflation. Using a discount rate of 3% the net present value of operational savings is estimated to be approximately \$52.8 million, and using a discount rate of 7% it is estimated to be \$33.9 million.

Reduced Emissions

Using guidance from the USDOT, the value of the reduced emissions of carbon dioxide can be estimated. The value of reduced emissions is estimated to be approximately \$3.5 million, prior to discounting for inflation. Using a discount rate of 3% the net present value of reduced emissions is estimated to be \$2.4 million, and using a discount rate of 7% it is estimated to be \$1.5 million.

Summary of Benefits from Inland Port Assuming One Train per Week

As shown in Table 18, the total of benefits associated one unit train per week is estimated to be \$95.9 million (undiscounted), \$66.1 million (discounted at 3%) and \$42.5 million (discounted at 7%). If two unit trains were operated, the benefits would be twice the values in Table 18.

These benefits should be considered conservative, due primarily to the level of container traffic used in the model. This container traffic was assumed to originate in the Tri-Cities area, and did not include traffic originating farther away. For example, shippers in the Lewiston area might be able to truck product to the Horn Rapids area for rail shipment to Seattle/Tacoma, rather than trucking the product the entire distance.

Table 18 – Summary of Environmental Benefits (\$millions of 2016\$)

Category	Discount Rate		
	7.0%	3.0%	Undiscounted
Highway maintenance cost savings using rail vs truck	\$3.8	\$5.9	\$8.5
Reduced severity of accidents due to VMT reduction	\$3.3	\$5.1	\$7.4
Savings in operational cost of switching to rail	\$33.9	\$52.8	\$76.5
GHG reduced (CO2 only)	<u>\$1.5</u>	<u>\$2.4</u>	<u>\$3.5</u>
Total	<u>\$42.5</u>	<u>\$66.1</u>	<u>\$95.9</u>

Source: BST Associates

The total value of the benefits generated by the Port of Benton rail line is much greater than the line's appraised value of \$25.6 million. As detailed in Table 19, at a minimum these benefits may be worth \$142.4 million, but may be as high as \$304.6 in 2016 dollars.

Even when these values are discounted over time the totals remain higher than the appraised value of the rail line. Using a very conservative discount rate of 7.0% and the lowest value estimates, the total value of all benefits is \$56.9 million. Using a discount rate of 3.0% and the lowest value estimates the total value of all benefits is \$93.7 million.

In addition to these benefits, rail-related development at Horn Rapids may support between 370 and 1,771 jobs. Total annual payroll from these jobs may range from \$14.3 million to \$100.4 million.

Table 19 – Summary of Rail Benefits (\$millions of 2016\$)

	Low			High			Average		
	Discount Rate			Discount Rate			Discount Rate		
Category	7.0%	3.0%	Undisc.	7.0%	3.0%	Undisc.	7.0%	3.0%	Undisc.
<i>Rail-Related Development</i>									
Value of land sales	\$1.51	\$2.04	\$2.66	\$12.02	\$16.25	\$21.21	\$6.77	\$9.15	\$11.94
Value of construction	<u>\$10.4</u>	<u>\$21.4</u>	<u>\$37.6</u>	<u>\$79.7</u>	<u>\$164.3</u>	<u>\$288.2</u>	<u>\$45.05</u>	<u>\$92.85</u>	<u>\$162.90</u>
Total land and construction	<u>\$11.91</u>	<u>\$23.44</u>	<u>\$40.26</u>	<u>\$91.72</u>	<u>\$180.55</u>	<u>\$309.41</u>	<u>\$51.81</u>	<u>\$101.99</u>	<u>\$174.84</u>
<i>Tax Benefits</i>									
Sales tax on construction									
Assumes no exemption	<u>\$0.89</u>	<u>\$1.84</u>	<u>\$3.23</u>	<u>\$6.85</u>	<u>\$14.13</u>	<u>\$24.78</u>	<u>\$3.87</u>	<u>\$7.99</u>	<u>\$14.01</u>
Assumes half is exempt	<u>\$0.45</u>	<u>\$0.92</u>	<u>\$1.62</u>	<u>\$3.43</u>	<u>\$7.07</u>	<u>\$12.39</u>	<u>\$1.94</u>	<u>\$4.00</u>	<u>\$7.01</u>
Property tax									
City of Richland	\$0.47	\$0.72	\$1.04	\$3.57	\$5.52	\$7.95	\$2.02	\$3.12	\$4.50
Port of Benton	\$0.07	\$0.11	\$0.16	\$0.54	\$0.84	\$1.21	\$0.31	\$0.48	\$0.69
Other	<u>\$1.52</u>	<u>\$2.36</u>	<u>\$3.40</u>	<u>\$11.68</u>	<u>\$18.08</u>	<u>\$26.03</u>	<u>\$6.60</u>	<u>\$10.22</u>	<u>\$14.72</u>
Total	<u>\$2.06</u>	<u>\$3.19</u>	<u>\$4.59</u>	<u>\$15.79</u>	<u>\$24.44</u>	<u>\$35.18</u>	<u>\$8.93</u>	<u>\$13.82</u>	<u>\$19.89</u>
Total taxes w/o exemption	<u>\$2.95</u>	<u>\$5.03</u>	<u>\$7.82</u>	<u>\$22.64</u>	<u>\$38.57</u>	<u>\$59.96</u>	<u>\$12.80</u>	<u>\$21.80</u>	<u>\$33.89</u>
Total taxes w/ exemption	<u>\$2.51</u>	<u>\$4.11</u>	<u>\$6.21</u>	<u>\$19.22</u>	<u>\$31.51</u>	<u>\$47.57</u>	<u>\$10.87</u>	<u>\$17.81</u>	<u>\$26.89</u>
<i>Environmental Benefits</i>									
Highway maintenance cost savings using rail vs truck	\$3.80	\$5.90	\$8.50	\$3.80	\$5.90	\$8.50	\$3.80	\$5.90	\$8.50
Reduced severity of accidents due to VMT reduction	\$3.30	\$5.10	\$7.40	\$3.30	\$5.10	\$7.40	\$3.30	\$5.10	\$7.40
Savings in operational cost of switching to rail	\$33.90	\$52.80	\$76.50	\$33.90	\$52.80	\$76.50	\$33.90	\$52.80	\$76.50
GHG reduced (CO2 only)	<u>\$1.50</u>	<u>\$2.40</u>	<u>\$3.50</u>	<u>\$1.50</u>	<u>\$2.40</u>	<u>\$3.50</u>	<u>\$1.50</u>	<u>\$2.40</u>	<u>\$3.50</u>
Total Environment Benefits	<u>\$42.50</u>	<u>\$66.10</u>	<u>\$95.90</u>	<u>\$42.50</u>	<u>\$66.10</u>	<u>\$95.90</u>	<u>\$42.50</u>	<u>\$66.10</u>	<u>\$95.90</u>
<i>Grand Total</i>									
w/o exemption	<u>\$57.36</u>	<u>\$94.57</u>	<u>\$143.98</u>	<u>\$156.86</u>	<u>\$285.22</u>	<u>\$465.27</u>	<u>\$107.11</u>	<u>\$189.90</u>	<u>\$304.63</u>
with exemption	<u>\$56.92</u>	<u>\$93.65</u>	<u>\$142.37</u>	<u>\$153.44</u>	<u>\$278.16</u>	<u>\$452.88</u>	<u>\$105.18</u>	<u>\$185.91</u>	<u>\$297.63</u>

Appendix B –

Engineers Opinion of Probable Cost for Infrastructure



ENGINEER'S OPINION OF PROBABLE COST

2810 W. Clearwater Ave. Suite 201, Kennewick, WA 99336

PROJECT: Port of Benton
2017 NHRAMP **DATE:** 2-Apr-17

DESCRIPTION: Road "A" - 5,300 Lineal Feet

J-U-B PROJ. NO.: 30-16-045

ITEM No.	DESCRIPTION	SCHEDULE OF VALUES			
		QTY	UNIT	UNIT PRICE	TOTAL COST
1.00	Mobilization			8.0%	\$ 90,233
2.00	Clearing and Grubbing	12	AC	\$ 1,500	\$ 18,251
3.00	Hydroseeding	6	AC	\$ 1,500	\$ 9,125
4.00	Earthwork	15,704	CY	\$ 10	\$ 157,037
5.00	4-Inch HMA	5,312	TON	\$ 92	\$ 488,684
6.00	Soil Residual Herbicide	32,978	SY	\$ 1	\$ 32,978
7.00	SPCC	1	EA	\$ 2,000	\$ 2,000
8.00	2-Inch Crushed Surfacing Top Course	3,644	TON	\$ 20	\$ 72,881
9.00	8-Inch Crushed Surfacing Base Course	10,258	TON	\$ 18	\$ 184,652
10.00	Roadway Striping	21,200	LF	\$ 2	\$ 42,400
11.00	Roadway Monument Case and Cover	2	EA	\$ 750	\$ 1,500
12.00	Roadway Signage	6	EA	\$ 400	\$ 2,400
13.00	Temporary Erosion and Sediment Controls	1	LS	\$ 10,000	\$ 10,000
14.00	Street Lighting System	1	LS	\$ 106,000	\$ 106,000
15.00	Construction Staking	1	LS	3.0%	\$ 33,837
16.00	Materials Testing	1	LS	2.0%	\$ 22,558
17.00	City of Richland ROW Permit Fee	1	LS	5.0%	\$ 56,395
18.00	Primary Electrical Service	1	LS	\$ 318,000	\$ 318,000
19.00	Telecommunications	1	LS	\$ 106,000	\$ 106,000
20.00	Rail Crossing	1	EA	\$ 100,000	\$ 100,000
ESTIMATED CONSTRUCTION SUBTOTAL ⁴⁵					\$ 1,854,931
<i>Contingency</i> ¹					\$ 463,733
<i>Planning, Engineering, & Administrative Costs</i> ²					\$ 579,666
<i>Washington State Sales Tax</i>					\$ 249,000
TOTAL PROBABLE COST IN 2016 DOLLARS ³⁴⁵					\$ 3,147,329

1 Estimated at 25% of construction subtotal

2 Planning, Engineering, & Administrative costs include: Geotechnical Evaluations, Design, Survey, Construction Management, O&M Manuals, Record Drawings, and Administration.
Estimated at 25% of construction subtotal, including contingency

3 Costs are in 2016 dollars and should be inflated appropriately to the mid-point of construction for budgeting purposes.

4 Excludes Stevens Drive and George Washington Way Intersection Improvements

5 No easement acquisition or legal costs are included.



ENGINEER'S OPINION OF PROBABLE COST

2810 W. Clearwater Ave. Suite 201, Kennewick, WA 99336

PROJECT: Port of Benton
2017 NHRAMP **DATE:** 2-Apr-17

DESCRIPTION: Road "B" - 3,200 Lineal Feet

J-U-B PROJ. NO.: 30-16-045

ITEM No.	DESCRIPTION	SCHEDULE OF VALUES			
		QTY	UNIT	UNIT PRICE	TOTAL COST
1.00	Mobilization			8.0%	\$ 55,248
2.00	Clearing and Grubbing	7	AC	\$ 1,500	\$ 11,019
3.00	Hydroseeding	4	AC	\$ 1,500	\$ 5,510
4.00	Earthwork	9,481	CY	\$ 10	\$ 94,815
5.00	4-Inch HMA	3,207	TON	\$ 92	\$ 295,054
6.00	Soil Residual Herbicide	19,911	SY	\$ 1	\$ 19,911
7.00	SPCC	1	EA	\$ 1,500	\$ 1,500
8.00	2-Inch Crushed Surfacing Top Course	2,200	TON	\$ 20	\$ 44,004
9.00	8-Inch Crushed Surfacing Base Course	6,194	TON	\$ 18	\$ 111,488
10.00	Roadway Striping	12,800	LF	\$ 2	\$ 25,600
11.00	Roadway Monument Case and Cover	6	EA	\$ 750	\$ 4,500
12.00	Roadway Signage	8	EA	\$ 400	\$ 3,200
13.00	Temporary Erosion and Sediment Controls	1	LS	\$ 10,000	\$ 10,000
14.00	Street Lighting System	1	LS	\$ 64,000	\$ 64,000
15.00	Construction Staking	1	LS	3.0%	\$ 22,375
16.00	Materials Testing	1	LS	2.0%	\$ 13,812
17.00	City of Richland ROW Permit Fee	1	LS	5.0%	\$ 34,530
18.00	Primary Electrical Service	1	LS	\$ 192,000	\$ 192,000
19.00	Telecommunications	1	LS	\$ 64,000	\$ 64,000
ESTIMATED CONSTRUCTION SUBTOTAL ⁴⁵					\$ 1,073,000
<i>Contingency ¹</i>					<i>\$ 268,000</i>
<i>Planning, Engineering, & Administrative Costs ²</i>					<i>\$ 335,000</i>
<i>Washington State Sales Tax</i>					<i>\$ 144,000</i>
TOTAL PROBABLE COST IN 2016 DOLLARS ³⁴⁵					\$ 1,820,000

1 Estimated at 25% of construction subtotal

2 Planning, Engineering, & Administrative costs include: Geotechnical Evaluations, Design, Survey, Construction Management, O&M Manuals, Record Drawings, and Administration.
Estimated at 25% of construction subtotal, including contingency

3 Costs are in 2016 dollars and should be inflated appropriately to the mid-point of construction for budgeting purposes.

4 Excludes Kingsgate Way and Horn Rapids Road Intersection Improvements

5 No easement acquisition or legal costs are included.



ENGINEER'S OPINION OF PROBABLE COST

2810 W. Clearwater Ave. Suite 201, Kennewick, WA 99336

PROJECT: Port of Benton
2017 NHRAMP **DATE:** 2-Apr-17

DESCRIPTION: Road "C" - 12,100 Lineal Feet

J-U-B PROJ. NO.: 30-16-045

ITEM No.	DESCRIPTION	SCHEDULE OF VALUES			
		QTY	UNIT	UNIT PRICE	TOTAL COST
1.00	Mobilization			8.0%	\$ 204,635
2.00	Clearing and Grubbing	28	AC	\$ 1,500	\$ 41,667
3.00	Hydroseeding	14	AC	\$ 1,500	\$ 20,833
4.00	Earthwork	35,852	CY	\$ 10	\$ 358,519
5.00	4-Inch HMA	12,127	TON	\$ 92	\$ 1,115,674
6.00	Soil Residual Herbicide	75,289	SY	\$ 1	\$ 75,289
7.00	SPCC	1	EA	\$ 1,500	\$ 1,500
8.00	2-Inch Crushed Surfacing Top Course	8,319	TON	\$ 20	\$ 166,388
9.00	8-Inch Crushed Surfacing Base Course	23,420	TON	\$ 18	\$ 421,564
10.00	Roadway Striping	48,400	LF	\$ 2	\$ 96,800
11.00	Roadway Monument Case and Cover	6	EA	\$ 750	\$ 4,500
12.00	Roadway Signage	8	EA	\$ 400	\$ 3,200
13.00	Temporary Erosion and Sediment Controls	1	LS	\$ 10,000	\$ 10,000
14.00	Street Lighting System	1	LS	\$ 242,000	\$ 242,000
15.00	Construction Staking	1	LS	3.0%	\$ 82,877
16.00	Materials Testing	1	LS	2.0%	\$ 51,159
17.00	City of Richland ROW Permit Fee	1	LS	5.0%	\$ 127,897
18.00	Primary Electrical Service	1	LS	\$ 726,000	\$ 726,000
19.00	Telecommunications	1	LS	\$ 242,000	\$ 242,000
ESTIMATED CONSTRUCTION SUBTOTAL ⁴⁵					\$ 3,993,000
<i>Contingency</i> ¹					\$ 998,000
<i>Planning, Engineering, & Administrative Costs</i> ²					\$ 1,248,000
<i>Washington State Sales Tax</i>					\$ 537,000
TOTAL PROBABLE COST IN 2016 DOLLARS ³⁴⁵					\$ 6,776,000

1 Estimated at 25% of construction subtotal

2 Planning, Engineering, & Administrative costs include: Geotechnical Evaluations, Design, Survey, Construction Management, O&M Manuals, Record Drawings, and Administration.
Estimated at 25% of construction subtotal, including contingency

3 Costs are in 2016 dollars and should be inflated appropriately to the mid-point of construction for budgeting purposes.

4 Excludes Kingsgate Way and Horn Rapids Road Intersection Improvements

5 No easement acquisition or legal costs are included.



ENGINEER'S OPINION OF PROBABLE COST

2810 W. Clearwater Ave. Suite 201, Kennewick, WA 99336

PROJECT: Port of Benton
2017 NHRAMP **DATE:** 2-Apr-17

DESCRIPTION: Road "D" - 5,000 Lineal Feet

J-U-B PROJ. NO.: 30-16-045

ITEM No.	DESCRIPTION	SCHEDULE OF VALUES			
		QTY	UNIT	UNIT PRICE	TOTAL COST
1.00	Mobilization			8.0%	\$ 85,461
2.00	Clearing and Grubbing	11	AC	\$ 1,500	\$ 17,218
3.00	Hydroseeding	6	AC	\$ 1,500	\$ 8,609
4.00	Earthwork	14,815	CY	\$ 10	\$ 148,148
5.00	4-Inch HMA	5,011	TON	\$ 92	\$ 461,022
6.00	Soil Residual Herbicide	31,111	SY	\$ 1	\$ 31,111
7.00	SPCC	1	EA	\$ 1,500	\$ 1,500
8.00	2-Inch Crushed Surfacing Top Course	3,438	TON	\$ 20	\$ 68,756
9.00	8-Inch Crushed Surfacing Base Course	9,678	TON	\$ 18	\$ 174,200
10.00	Roadway Striping	20,000	LF	\$ 2	\$ 40,000
11.00	Roadway Monument Case and Cover	6	EA	\$ 750	\$ 4,500
12.00	Roadway Signage	8	EA	\$ 400	\$ 3,200
13.00	Temporary Erosion and Sediment Controls	1	LS	\$ 10,000	\$ 10,000
14.00	Street Lighting System	1	LS	\$ 100,000	\$ 100,000
15.00	Construction Staking	1	LS	3.0%	\$ 34,612
16.00	Materials Testing	1	LS	2.0%	\$ 21,365
17.00	City of Richland ROW Permit Fee	1	LS	5.0%	\$ 53,413
18.00	Primary Electrical Service	1	LS	\$ 300,000	\$ 300,000
19.00	Telecommunications	1	LS	\$ 100,000	\$ 100,000
ESTIMATED CONSTRUCTION SUBTOTAL ⁴⁵					\$ 1,663,000
<i>Contingency ¹</i>					<i>\$ 416,000</i>
<i>Planning, Engineering, & Administrative Costs ²</i>					<i>\$ 520,000</i>
<i>Washington State Sales Tax</i>					<i>\$ 224,000</i>
TOTAL PROBABLE COST IN 2016 DOLLARS ³⁴⁵					\$ 2,823,000

1 Estimated at 25% of construction subtotal

2 Planning, Engineering, & Administrative costs include: Geotechnical Evaluations, Design, Survey, Construction Management, O&M Manuals, Record Drawings, and Administration.
Estimated at 25% of construction subtotal, including contingency

3 Costs are in 2016 dollars and should be inflated appropriately to the mid-point of construction for budgeting purposes.

4 Excludes Kingsgate Way and Horn Rapids Road Intersection Improvements

5 No easement acquisition or legal costs are included.



ENGINEER'S OPINION OF PROBABLE COST

2810 W. Clearwater Ave. Suite 201, Kennewick, WA 99336

PROJECT: Port of Benton
2017 NHRAMP **DATE:** 28-Sep-16

DESCRIPTION: Kingsgate Way and Horn Rapids Road Intersection

J-U-B PROJ. NO.: 30-16-045

ITEM No.	DESCRIPTION	SCHEDULE OF VALUES			
		QTY	UNIT	UNIT PRICE	TOTAL COST
1.00	Mobilization			8.0%	\$ 3,213
2.00	Clearing and Grubbing	1	AC	\$ 1,500	\$ 1,500
3.00	Hydroseeding	1	AC	\$ 1,500	\$ 1,500
4.00	Earthwork	500	CY	\$ 12	\$ 6,000
5.00	4-Inch HMA	50	TON	\$ 100	\$ 5,011
6.00	Soil Residual Herbicide	311	SY	\$ 2	\$ 622
7.00	SPCC	1	EA	\$ 1,500	\$ 1,500
8.00	2-Inch Crushed Surfacing Top Course	34	TON	\$ 28	\$ 963
9.00	8-Inch Crushed Surfacing Base Course	97	TON	\$ 26	\$ 2,516
10.00	Roadway Striping	1,400	LF	\$ 2	\$ 2,800
11.00	Roadway Monument Case and Cover	1	EA	\$ 750	\$ 750
12.00	Roadway Signage	4	EA	\$ 500	\$ 2,000
13.00	Temporary Erosion and Sediment Controls	1	LS	\$ 5,000	\$ 5,000
14.00	Street Lighting System	1	LS	\$ 10,000	\$ 10,000
15.00	Demolition	1	LS	\$ 20,000	\$ 20,000
16.00	Fence Relocation	1	LS	\$ 15,000	\$ 15,000
17.00	Traffic Control	1	LS	\$ 10,000	\$ 10,000
18.00	Construction Staking	1	LS	3.0%	\$ 2,465
19.00	Materials Testing	1	LS	3.0%	\$ 2,285
20.00	City of Richland ROW Permit Fee	1	LS	5.0%	\$ 3,808
ESTIMATED CONSTRUCTION SUBTOTAL ⁴⁵					\$ 97,000
<i>Contingency ¹</i>					<i>\$ 24,000</i>
<i>Planning, Engineering, & Administrative Costs ²</i>					<i>\$ 30,000</i>
<i>Washington State Sales Tax</i>					<i>\$ 13,000</i>
TOTAL PROBABLE COST IN 2016 DOLLARS ³⁴⁵					\$ 164,000

1 Estimated at 25% of construction subtotal

2 Planning, Engineering, & Administrative costs include: Geotechnical Evaluations, Design, Survey, Construction Management, O&M Manuals, Record Drawings, and Administration.
Estimated at 25% of construction subtotal, including contingency

3 Costs are in 2016 dollars and should be inflated appropriately to the mid-point of construction for budgeting purposes.

4 No easement acquisition or legal costs are included.



ENGINEER'S OPINION OF PROBABLE COST

2810 W. Clearwater Ave. Suite 201, Kennewick, WA 99336

PROJECT:	Port of Benton 2017 NHRAMP	DATE:	2-Apr-17
DESCRIPTION:	Sewer Main Extension		

J-U-B PROJ. NO.: 30-16-045

ITEM No.	DESCRIPTION	SCHEDULE OF VALUES			
		QTY	UNIT	UNIT PRICE	TOTAL COST
1.00	Mobilization			8.0%	\$ 178,000
2.00	Construction Traffic Control			5.0%	\$ 111,000
3.00	Gravity Sewer Pipe				
3.01	8" PVC Gravity Sewer Pipe	400	LF	\$ 16	\$ 6,400
3.02	10" PVC Gravity Sewer Pipe		LF	\$ 18	\$ -
3.03	12" PVC Gravity Sewer Pipe		LF	\$ 20	\$ -
3.04	15" PVC Gravity Sewer Pipe		LF	\$ 30	\$ -
3.05	18" PVC Gravity Sewer Pipe		LF	\$ 40	\$ -
3.06	21" PVC Gravity Sewer Pipe		LF	\$ 50	\$ -
3.07	24" PVC Gravity Sewer Pipe	17,000	LF	\$ 65	\$ 1,105,000
3.08	30" PVC Gravity Sewer Pipe		LF	\$ 80	\$ -
3.09	36" PVC Gravity Sewer Pipe		LF	\$ 110	\$ -
3.10	Import Bedding and Foundation Material		LF	\$ 15	\$ -
4.00	Gravity Trench Excav./Backfill				
4.01	4-10 ft.		LF	\$ 20	\$ -
4.02	4-10 ft. Alley		LF	\$ 25	\$ -
4.03	10-16 ft.	17,400	LF	\$ 30	\$ 522,000
4.04	10-16 ft. Alley		LF	\$ 40	\$ -
4.05	16-20 ft.		LF	\$ 50	\$ -
4.06	16-20 ft. Alley		LF	\$ 60	\$ -
4.07	20-24 ft.		LF	\$ 70	\$ -
4.08	24-28 ft.		LF	\$ 100	\$ -
4.09	28-30 ft.		LF	\$ 150	\$ -
4.10	Import Backfill and Foundation Material		CY	\$ 25	\$ -
5.00	Surface Repair				
5.01	Natural Ground	17,400	LF	\$ 20	\$ 348,000
5.02	Gravel Roadway		LF	\$ 25	\$ -
5.03	Asphalt - Trench Patch width per City Standards (Required for 4-16' Depth Sewer)		LF	\$ 35	\$ -
5.04	Asphalt - ½ Street width per City Standards (Required for 16-20' Depth Sewer)		LF	\$ 50	\$ -
5.05	Asphalt - Full Street width per City Standards (Required for 20-30' Depth Sewer)		LF	\$ 80	\$ -
6.00	Manholes				
6.01	48" Manholes, 4-10 ft.		EA	\$ 3,500	\$ -
6.02	48" Manholes, 10-16 ft.	46	EA	\$ 4,000	\$ 184,000
6.03	48" Manholes, 16-20 ft.		EA	\$ 5,500	\$ -
6.04	60" Manholes, 7-16 ft.		EA	\$ 7,500	\$ -
6.05	60" Manholes, 16-24 ft.		EA	\$ 15,000	\$ -
6.06	60" Manholes, 24-30 ft.		EA	\$ 18,000	\$ -
7.00	Project Specific Considerations				
8.00	Miscellaneous Other				
8.01	Bypass Pumping			0.0%	\$ -
8.03	Bonding / Admin			2.5%	\$ 54,000
ESTIMATED CONSTRUCTION SUBTOTAL					\$ 2,508,000
Contingency ¹					\$ 627,000
Planning, Engineering, & Administrative Costs ²					\$ 784,000
Washington State Sales Tax					\$ 337,000
TOTAL PROBABLE COST IN 2015 DOLLARS³					\$ 4,256,000

1 Estimated at 25% of construction subtotal

2 Planning, Engineering, & Administrative costs include: Geotechnical Evaluations, Design, Survey, Construction Management, O&M Manuals, Record Drawings, and Administration. Estimated at 25% of construction subtotal, including contingency

3 Costs are in 2015 dollars and should be inflated appropriately to the mid-point of construction for budgeting purposes. No easement acquisition or legal costs are included.



ENGINEER'S OPINION OF PROBABLE COST

2810 W. Clearwater Ave. Suite 201, Kennewick, WA 99336

PROJECT: Port of Benton
2017 NHRAMP **DATE:** 2-Apr-17

DESCRIPTION: Water Main Extension

J-U-B PROJ. NO.: 30-16-045

ITEM No.	DESCRIPTION	SCHEDULE OF VALUES			
		QTY	UNIT	UNIT PRICE	TOTAL COST
1.00	Mobilization			8.0%	\$ 906,000
2.00	Construction Traffic Control			5.0%	\$ 567,000
3.00	Water Pipe				
3.01	12" PVC Water Pipe	28,000	LF	\$ 91	\$ 2,548,000
3.02	8" DI Water Pipe	600	LF	\$ 42	\$ 25,200
3.03	6" DI Water Pipe	2,800	LF	\$ 30	\$ 84,000
3.04	Fire Hydrant Assembly	47	EA	\$ 3,200	\$ 149,333
3.05	8" Gate Valve	6	EA	\$ 1,500	\$ 9,000
3.06	12" Butterfly Valve	25	EA	\$ 2,500	\$ 62,500
4.00	Trench Excav./Backfill				
4.01	4-10 ft.	30,800	LF	\$ 20	\$ 616,000
4.02	4-10 ft. Alley		LF	\$ 25	\$ -
4.03	10-16 ft.		LF	\$ 30	\$ -
4.04	10-16 ft. Alley		LF	\$ 40	\$ -
4.05	16-20 ft.		LF	\$ 50	\$ -
4.06	16-20 ft. Alley		LF	\$ 60	\$ -
4.07	20-24 ft.		LF	\$ 70	\$ -
4.08	24-28 ft.		LF	\$ 100	\$ -
4.09	28-30 ft.		LF	\$ 150	\$ -
4.10	Import Backfill and Foundation Material		CY	\$ 25	\$ -
5.00	Surface Repair				
5.01	Natural Ground	28,000	LF	\$ 20	\$ 560,000
5.02	Gravel Roadway		LF	\$ 25	\$ -
5.03	Asphalt - Trench Patch width per City Standards (Required for 4-16' Depth Sewer)		LF	\$ 35	\$ -
5.04	Asphalt - ½ Street width per City Standards (Required for 16-20' Depth Sewer)		LF	\$ 50	\$ -
5.05	Asphalt - Full Street width per City Standards (Required for 20-30' Depth Sewer)		LF	\$ 80	\$ -
6.00	Project Specific Considerations				
6.01	2 MG Storage Reservoir	2,000,000	GAL	\$ 2.00	\$ 7,000,000
7.00	Miscellaneous Other				
7.01	Bypass Pumping			0.0%	\$ -
7.02	Bonding / Admin			2.5%	\$ 276,000
ESTIMATED CONSTRUCTION SUBTOTAL					\$ 12,803,000
<i>Contingency ¹</i>					\$ 3,201,000
<i>Planning, Engineering, & Administrative Costs ²</i>					\$ 4,001,000
<i>Washington State Sales Tax</i>					\$ 1,720,000
TOTAL PROBABLE COST IN 2015 DOLLARS ³					\$ 21,725,000

¹ Estimated at 25% of construction subtotal

² Planning, Engineering, & Administrative costs include: Geotechnical Evaluations, Design, Survey, Construction Management, O&M Manuals, Record Drawings, and Administration.
Estimated at 25% of construction subtotal, including contingency

³ Costs are in 2015 dollars and should be inflated appropriately to the mid-point of construction for budgeting purposes. No easement acquisition or legal costs are included.

CITY OF RICHLAND/PORT OF BENTON

1,341 ACRE MASTER PLAN URBAN GROWTH AREA EXPANSION CAPITAL FACILITIES ANALYSIS

NOVEMBER 2016

Prepared By:



J-U-B ENGINEERS, Inc.
2810 W. Clearwater Ave., Ste., 201
Kennewick, WA 99336

In Coordination with the City of Richland and Port of Benton

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INTRODUCTION

The City of Richland and Port of Benton recently acquired 1,341 acres of federally transferred property from the Department of Energy (DOE). Approximately 884 of the 1,341 acres are located outside of the current City of Richland Urban Growth Boundary (UGB). As a result, the City of Richland and the Port of Benton have requested to expand the UGB to include this additional property. The request includes adding an additional 300 acres of land recently acquired by Energy Northwest from DOE. The total Urban Growth Area (UGA) request covers approximately 1,187 acres. However, included in the request is to remove approximately 283 acres of DOE property that is located within the existing City UGB. This property is generally known as a portion of the 300 area. DOE has no plans to incorporate a portion of the 300 area into the City of Richland in the near future.

As a result, this report evaluates the capacity of the City of Richland to provide the necessary capital facilities to service the expanded proposed UGA, an area of approximately 1,187 acres, shown in Figure 1. With 283 acres of existing UGA to be removed, the net overall UGA expansion to the City of Richland is approximately 904 acres. Capital facility requirements and service capacities for this area are projected for the both the 6-year and 20-year time periods. In addition, capital facility costs are projected for the 6-year time period.

The Washington State Growth Management Act (GMA) of 1990 requires that cities conduct a Capital Facilities Analysis (CFA), that shows they have the capacity to serve the Urban Growth Area (UGA) within their jurisdiction and that they adopt a Capital Facilities Plan (CFP) as part of their comprehensive plans, in order to ensure that utilities, transportation, and other public facilities will be reasonably available to accommodate planned growth over the next twenty years. Capital facilities provide the basic infrastructure of the community and are critical if growth is to be accommodated.

This CFP complies with the Growth Management Act (RCW 36.70A.070 (3) and WAC 365-195-315) in order to assure that the 1,341 Acre Master Plan Urban Growth Area (UGA) can meet the concurrency requirements of RCW 36.70A.020 (12), and WAC 365-195-210. RCW 36.70A.020 (12) of the Growth Management Act includes a goal to:

“..ensure that those public facilities and services necessary to support development shall be adequate to service the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards”.

WAC 365-196-415(1) and RCW 36.70A.070 (3) requires that CFPs must address at least the following:

- (a) An inventory of existing capital facilities owned by public entities, also referred to as "public facilities," showing the locations and capacities of the capital facilities;*
- (b) A forecast of the future needs for such capital facilities based on the land use element;*
- (c) The proposed locations and capacities of expanded or new capital facilities;*
- (d) At least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and*
- (e) A requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element.*

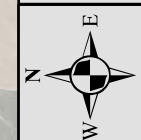
Figure 1

UGA Study Area

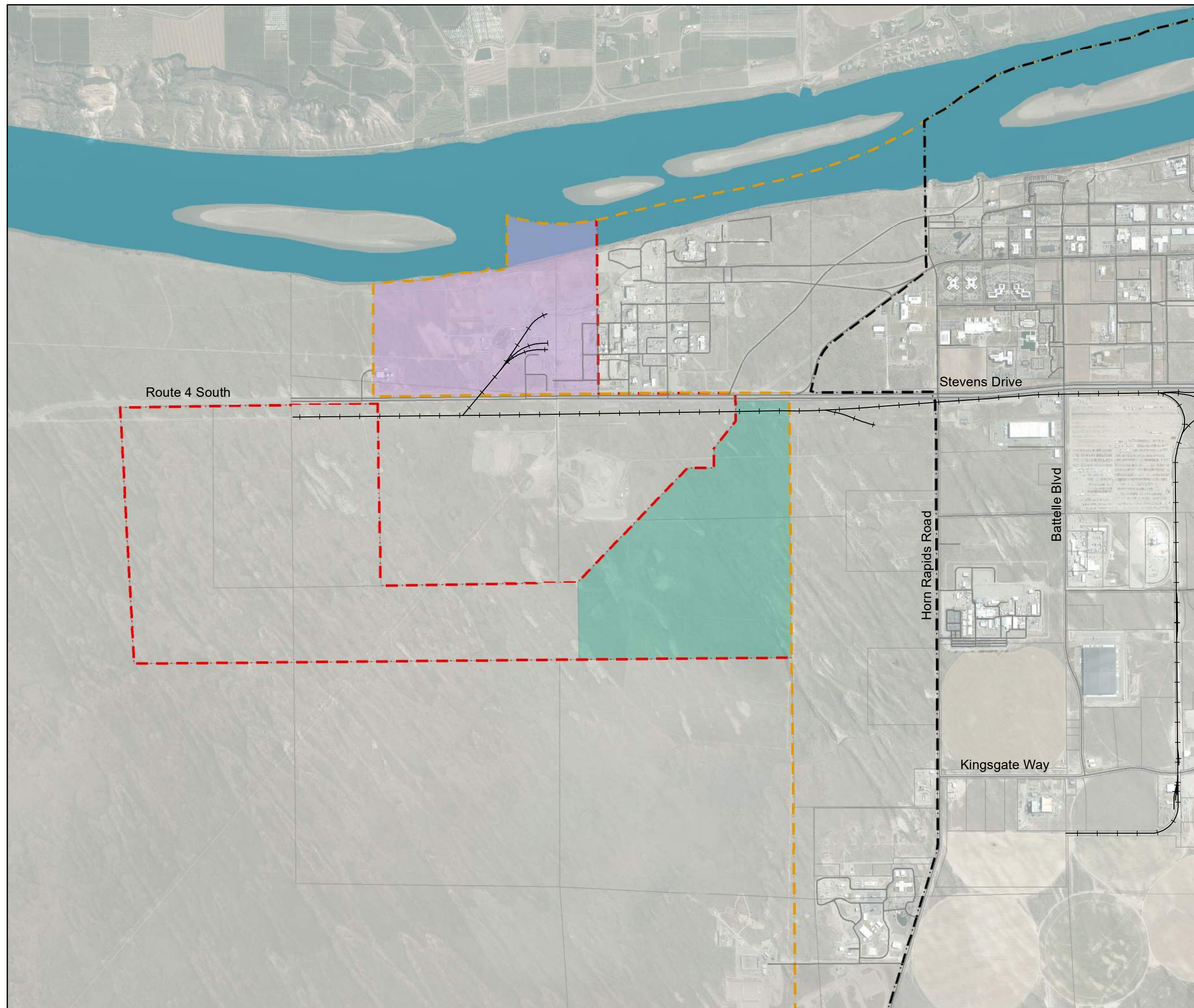
Legend

-  City Limits
-  Existing UGA Boundary
-  Proposed UGA Boundary (1,187 acres)
-  Existing UGA To Be Removed (283 acres)
-  6-Year Planning Area (385 acres)

0 2,000 4,000 Feet



Date: Nov 7, 2016



PROPOSED LAND USE DESIGNATION

Currently the City of Richland has designated a majority of an area in North Richland as Industrial west of Stevens Drive and Business Research Park east of Stevens Drive. It is anticipated that there is a need for future Industrial land in this area to accommodate expanding population.

The entire proposed UGA expansion area is proposed for Industrial land use. Several inquiries to develop this area for large lot (200+ acres sites) light industrial and public uses over the past few years also occurred due to the site features. As the City continues to develop the Horn Rapids Industrial Area to the south of the UGA Expansion area, the amount of large industrial sites is unavailable. This issue continues to increase the need to expand urban services to this site where large 200+ acre lots are available for single users to develop. It is anticipated that potential users would purchase large lots for the ability to expand and/or to allow for property buffering if needed in the future. Specific industrial, manufacturing, and/or research related uses are anticipated to be located in this area.

DEFINITIONS

While the GMA requires jurisdictions to prepare a Capital Facilities Plan it does not specifically define what a Capital Facility is. The GMA defines public facilities as including “streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreational facilities, and schools.” It defines public services as including “fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.” The GMA also defines “urban governmental service” or “urban service” in WAC 365-196-200 (19) to include:

“...those public services and public facilities at intensity historically and typically provided in cities, specifically including storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated with urban areas and normally not associated with rural areas.”

While the Growth Management Act does not specifically define a Capital Facility, over the years the Growth Management Hearings Board (GMHB) has provided the following guidance:

For purposes of conducting the inventory required by RCW 36.70A.070(3)(a), “public facilities” as defined in RCW 36.70A.030(13) are synonymous with “capital facilities owned by public entities.” *West Seattle Defense Fund v. City of Seattle, CPSGMHB Case 94-3-0016, FDO April 4, 1995, as cited in EWGMHB Case 06-1-0009c, FDO March 12, 2007.*

The board further defined capital facilities as what is required to fulfill the GMA obligation:

“The Board holds that a Capital Facilities Element (CFE) must include all facilities that meet the definition of public facilities set forth in RCW 36.70A.030(12). All facilities included in the CFE must have a minimum standard [level of service] (LOS) clearly labeled as such (i.e., not “guidelines” or “criteria”), must include an inventory and needs assessment and include or reference the location and capacity of needed, expanded, or new facilities. (RCW 36.70A.070(3)(a), (b) and (c). In addition, a CFE must explicitly state which of the listed public facilities are determined to be “necessary for development” and each of the facilities so designated must have either a “concurrency mechanism” or an “adequacy mechanism” to trigger appropriate reassessment if service falls below the baseline minimum standard. Transportation standards are the only facilities required to have a concurrency mechanism, although a local government may choose to adopt a concurrency mechanism for other facilities.” Jody L. McVittie v. Snohomish County, CPSGMHB Case No. 01-3-0002, FDO, July 25, 2001, as cited in EWGMHB Case 06-1-0009c, FDO March 12, 2007.

And in Wilma et al v. Stevens County, EWGMHB Case 06-1-0009c, FDO March 12, 2007, the Eastern Board included:

“streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreational facilities, and schools...fire protections and suppression, law enforcement, public health, education, recreation, environmental protection and other governmental services. (WAC 365-195-200(12) and (13).”

The Washington Administrative Code (WAC) was updated in 2010, after the cases above were determined. WAC 365-196-415 provides guidance as to which capital facilities should be included in the inventory. At a minimum, they should include water systems, sanitary sewer systems, storm water facilities, reclaimed water facilities, schools, parks and recreational facilities, police and fire protection facilities.

“Public Facilities” are defined by WAC 365-196-200 (14) to include:

“..streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreational facilities, and schools.”

“Public Services” are defined by WAC 365-196-200 (15) to include:

“...fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.”

In addition, WAC 395-196-210 provides the following definitions:

"Concurrency" means that adequate public facilities are available when the impacts of development occur, or within a specified time thereafter. This definition includes the concept of "adequate public facilities"...".

"Adequate public facilities" means facilities which have the capacity to serve development without decreasing levels of service below locally established minimums.

"Utilities" or "public utilities" means enterprises or facilities serving the public by means of an integrated system of collection, transmission, distribution, and processing facilities through more or less permanent physical connections between the plant of the serving entity and the premises of the customer. Included are systems for the delivery of natural gas, electricity, telecommunications services, and water, and for the disposal of sewage.

The GMA further requires each jurisdiction to define capital facilities and identify which capital facilities and public services are included in their CFP. Additionally, each jurisdiction should clearly identify which capital facilities and public services are necessary to support development.

For the purposes of preparing this CFP, a “Capital Facility”, as identified in the City of Richland Capital Improvement Plan, is an existing City facility/infrastructure or new construction projects that add to the City’s infrastructure assets. The minimum threshold for a Capital Facility project is \$25,000 and may span over several years with multiple funding sources.

In order to limit capital facilities to major components which can be analyzed at a level of detail which is both manageable and reasonably accurate for this initial CFP, this report does not include capital outlay for such items as equipment, or the city's rolling stock. In addition, capital facilities that are normally provided by a private developer to service individual lots or businesses, such as minor streets and side sewers as a normal part of the subdivision or land development permit process, are not included.

Based on this, the City of Richland has determined that capital facilities must be in place or funding available, within six years to meet this concurrency requirement as required by RCW 36.70A.070(6). Using the above requirements and definitions, the City has identified the following is a list of the types of capital facilities that are required to meet the concurrency requirement:

- Parks and Recreation Facilities
- Schools
- Municipal Facilities
- Fire and Emergency Service Facilities
- Police Service Facilities
- Emergency Dispatch Communications Facilities
- Library Facilities
- Irrigation District Facilities.
- Transportation
- Sewers

- Surface and Stormwater Management
- Domestic Water
- Other Governmental Services
- Solid Waste
- Electrical

The capital facilities listed above are further divided into three main categories that classify the level of concurrency required. These categories are identified as follows:

Category 1 - Locally Provided Regulatory Concurrency

A public facility or service, owned and operated by the City of Richland, that is either in place, or for which there is a financial commitment in place, to provide the service within six (6) years. All Category 1 capital facilities will be subject to City of Richland GMA concurrency requirements.

Based on the wording of WAC 360.196.840(2) the City of Richland may determine which public facilities and services will be required to “support development” and therefore meet the concurrency requirements of the GMA. Consequently, after reviewing all of the capital facilities that will be required for growth when the expanded urban growth area comes under city control, the City of Richland has determined that **streets and roads, domestic water, sanitary sewers, and electric power** are Category 1 capital facilities and will be subject to the concurrency requirements of the Growth Management Act.

Streets and roads are included under this category as a result of both the requirements of RCW 36.70A.070(6)(a) of the Growth Management Act and because of concerns relating to traffic congestion and safety. Sewer, water, and power are included because of both the requirements and recommendations of WAC 365.196.840(2) and because of their critical relationship to public health and safety, and environmental quality.

Category 2 - Locally Provided Planning Concurrency

A public facility or service, owned and operated by the City of Richland for which goals and policies have been adopted, capital facilities planned, and funding needs projected, which is not required to either be in place or have a financial commitment at time of development.

The City of Richland has determined that **fire protection, law enforcement, parks and recreation, solid waste, and storm water management** are all Category 2 capital facilities. For fire protection this decision is based on the ability of current laws to assure that new growth will meet minimum fire protection standards. For the remaining facilities and services, it is based on the range of acceptability in service levels for these facilities, and the less quantifiable impacts these facilities have directly on public health and safety. Upon the annexation of this urban growth area by the City of Richland, these capital facilities will be funded as part of the City’s ongoing adopted capital facilities budget. This budget process, upon approval of the Richland City Council, will then become the funding level for these facilities.

Category 3 - Provided by others Planning Concurrency

A public facility or service, which is either owned or operated by the state or federal government, or an independent district or utility, and that: 1) is in place or has a financial commitment in place to provide the service within six (6) years; or 2) for which goals and policies have been adopted, capital facilities planned, and funding needs projected, which is not required to be in place or have a financial commitment at the time of development.

The City of Richland has determined that **schools** (Kennewick & Richland School Districts), **libraries** (Richland Public Library), **transit** (Ben Franklin Transit), **natural gas** (Cascade Natural Gas and Williams-Northwest Pipeline), and **communications** (Frontier and other local providers) are all Category 3 capital

facilities and are not subject to concurrency requirements. The City will work with these service providers to reach an agreement on ways to ensure that these services are reasonably available when needed to serve projected growth. This decision was based on: 1) The inability of the City of Richland to allocate the required funding for these facilities; 2) The broader range of acceptability in service levels for some of these facilities as determined through public involvement; and, 3) The less quantifiable impacts some of these facilities have on public health and safety.

As identified in Categories 2 and 3 these public facilities and services only require planning concurrency by the City of Richland. The City of Richland has established goals and policies regarding the siting of these capital facilities, and has determined whether these capital facilities have sufficient capacity to serve the projected growth. The City is not required to commit financing for the development of these facilities, for Category 2 facilities, only a general financial commitment needs to be in place, and a general commitment is all that is required for a Category 3. Coordination with the purveyors of these facilities and services to assure that adequate facilities are available to accommodate growth is required. Where the City of Richland does not have the authority to commit financing for the maintenance of Category 2 and 3 public facilities and services, there is not a requirement for concurrency.

The purpose of this analysis is to identify whether the City of Richland has the capacity to provide Category 1 services to the proposed UGA expansion area and to identify the financial commitment required by the City to provide these services within six (6) years.

LEVELS OF SERVICE

As established above, the levels of service standards, for regulatory concurrency purposes, apply only to Category 1 capital facilities (streets and roads, water, sewer, and electrical power). The following paragraphs and tables define and establish levels of service for the Category 1 capital facilities.

“Level of service” (LOS) means an established minimum capacity for public facilities or services that must be provided per unit of demand or other appropriate measure of need, and is used as a gauge for measuring the quality of service. Levels of service need to be consistent with the growth projections of the Land Use Element of the City of Richland Comprehensive Plan. Under the concurrency requirements of GMA, if levels of service are set too high, it may result in the community not achieving its growth objectives. On the other hand, if levels of service are set too low, it may adversely impact the quality of life in the community. Even if concurrency is not required, LOS standards are valuable planning and budgetary tools.

LOS standards were initially established under the City of Richland Comprehensive Plan. These standards were reviewed, evaluated, and approved by the Richland City Council as a balance between economic feasibility and community benefit. For the purposes of this analysis, the City of Richland’s Level-of-Service criteria contained in their 2008 Comprehensive Plan were used. This was based on the assumption that Richland will have the ultimate responsibility for providing the necessary capital facilities for this area.

Table 1 defines LOS standards for Category 1 public facilities including; roads, water, and sewer. These LOS standards have been adopted as the standards that the City of Richland will use to evaluate future development approvals and will establish the basis for the future submission of capital budgets for approval within the UGA area.

Table 1. LOS Standards

Facility	Adopted LOS
Streets and Roads	
Local Roads	LOS D
Arterials	LOS D
Signalized Intersections	LOS D
Unsignalized Intersections	LOS D
Domestic Water	
Commercial Unit Flows	1,000 gallons/acre/day
Industrial Unit Flows	1,000 gallons/acre/day
Commercial Fire Flow	3,500 gpm for 3 hours
Industrial Fire Flow	4,000 gpm for 4 hours
Heavy Industrial Fire Flow	4,500 gpm for 5 hours
Sewer	
Residential Unit Flows	160 gallons/dwelling unit
Commercial Unit Flows	625 gallons/acre/day
Industrial Unit Flows	1,250 gallons/acre/day
Manning Pipe Roughness Coefficient	0.012
Minimum Sewer Velocity	2 feet/second

CAPITAL FACILITY INVENTORY

This section discusses existing facilities, owned by public entities, and provides information about the service provider, along with the location and capacity of the existing facilities.

Transportation

Streets

There is no existing roadway network internal to the proposed Urban Growth Area (UGA) Expansion Area. Only Stevens Drive, running north-south along the eastern side of the proposed Urban Growth Expansion Area provides immediate access. Roadways that will provide service to the proposed Urban Growth Area are described below.

Stevens Drive is a principal arterial roadway with a speed limit of 55 MPH that serves the Hanford area to the north of the proposed UGA Expansion Area. It has 6 lanes south of Horn Rapids Road and 4 lanes north of Horn Rapids Road. There are acceleration and deceleration lanes at intersections. North of Horn Rapids Road, Stevens Drive enters the Hanford Area and becomes Route 4 South.

Horn Rapids Road is a 2 lane minor arterial roadway that runs east-west within the existing Urban Growth Boundary approximately one-half mile to the south of the existing northern boundary of the UGA.

Kingsgate Way is a north-south minor arterial roadway with one lane in each direction and a two-way left turn lane. It has curb and gutter and a detached sidewalk on the east side just north of SR 240 along the RV Park frontage, but is a rural section further to the north. There are streetlights the full length of the roadway. It has a posted speed limit of 40 MPH. It provides access to residential development to the south of SR 240 but is discontinuous further south, with plans to extend it to Van Giesen Street (SR 224).

SR 240 is also known as the Vantage Highway west of Stevens Drive and is an east-west expressway that connects the City of Richland to areas to the west including the Hanford Site. It has a single through lane in each direction but at the intersection of Kingsgate Way it has deceleration lanes for right turns and, exclusive left turn lanes as well as acceleration lanes in both directions for vehicles turning onto the highway. A traffic signal will be constructed at the SR 240/Kingsgate Way intersection in 2017. The speed limit is 55 MPH. There are no sidewalk facilities as it has roadside ditches for stormwater. The City has programmed a multi-use pathway on the north side from Stevens Drive to Kingsgate Way.

George Washington Way parallels Stevens Drive to the east and serves the Tri-Cities Research District, the Port of Benton and the Pacific Northwest National Laboratories and Washington State University Tri-Cities. It is a 5 lane principal arterial through the heart of Richland. North of Horn Rapids Road, George Washington Way curves to the west to join Stevens Drive. Northbound, as it approaches Stevens Drive the only movement allowed is the northbound merge. Southbound Stevens Drive provides a left turn lane to access George Washington Way.

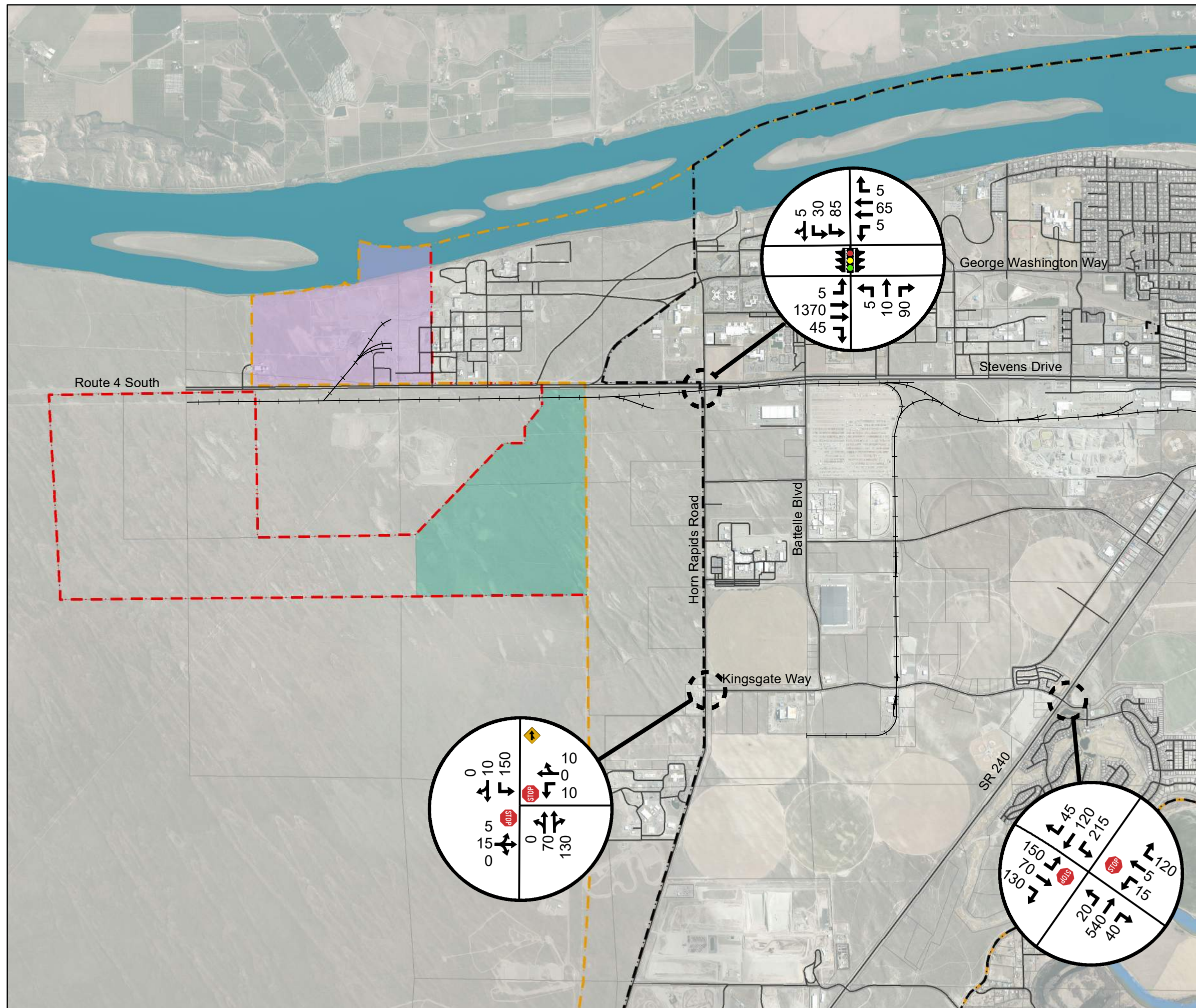
Traffic Volumes

Three existing intersections will provide primary access to the proposed UGA Expansion area and were evaluated for capacity purposes as part of this Capital Facilities Plan. Manual PM peak period turning movement volumes were collected in July 2016 at the three existing study intersections from 3:30 – 5:30 PM. Existing intersection lane configurations, traffic control and PM peak hour traffic volumes are depicted in Figure 2.

Figure 2

Existing Lane Configuration, Traffic Control and Volumes

- Legend**
 - City Limits
 - Existing UGA Boundary
 - Proposed UGA Boundary
 - Existing UGA To Be Removed
 - 6-Year Planning Area



0 2,500 5,000 Feet

Level of Service

The analysis of Level-of-Service (LOS) is a means of quantitatively describing the quality of operational conditions of a roadway segment or intersection, and the perception by motorists and passengers. Service levels are identified by letter designation, A to F, with LOS “A” representing the best operating conditions and LOS “F” the worst. Each LOS represents a range of operating conditions, and one or more measures of effectiveness (MOE) are used to quantify the LOS of a roadway element. For intersections, the MOE used is average control delay (seconds) per vehicle. While there are several methodologies for estimating the LOS of intersections, the most commonly used is that presented in the Highway Capacity Manual and is the methodology used in this study (HCM 2010). The Highway Capacity Manual LOS criteria for signalized and unsignalized intersections are summarized in Table 2.

Table 2. Level-of-Service Criteria for Intersections

Level of Service (LOS)	Average Control Delay (seconds/vehicle)	
	Signalized Intersections	Unsignalized Intersections
A	< =10	< =10
B	>10 - < 20	>10 - < 15
C	>20 - < 35	>15 - < 25
D	>35 - < 55	>25 - < 35
E	>55 - < 80	>35 - < 50
F	>80	>50
Source: Highway Capacity Manual 2010, Transportation Research Board, National Research Council, Washington, D.C., 2000.		

The signalized method is based on the capacity available to service the various movements at a signalized intersection, based on the amount of green time provided for each movement. The impacts of any conflicting movements, etc. for unsignalized intersections delay is based on the availability of gaps in the major street to allow minor street movements to occur. Delay results in driver frustration and anxiety, loss of time, unnecessary fuel consumption, and contributes to unnecessary air pollution.

The Benton Franklin Council of Governments and the City of Richland have adopted regional standards for intersection service standards at LOS “D”. These proposed criteria will be the basis for determining appropriate mitigation actions for future traffic volumes.

Peak hour traffic volumes and intersection geometry from Figure 2 were used to determine the delay and Level of Service at the intersections. The results of the capacity analysis and intersection delay for existing conditions are shown in Table 3.

Table 3. Summary of Existing PM Peak Hour Delay (sec) and Level of Service

Intersection	PM Peak Hour	
	Overall Intersection	Worst Approach
Stevens Drive/Horn Rapids	13.8/B	WB—68.3/E
Horn Rapids Road/Kingsgate Way	*	SB—12.9/B
SR 240/Kingsgate Way	* (1)	SB-268/F

LEGEND

60.8/E Delay and Level of Service using existing lane configurations

* Uncontrolled Movements (major street through) not provided for overall intersection Analysis for Two-way Stop Controlled Intersections

NB = northbound, SB = southbound, WB = westbound, EB = eastbound

- (1) The LOS with the traffic signal installed in 2017 will result in much improved service, providing LOS B and 15 seconds of delay for the overall intersection and LOS C with 22 seconds of delay for the worst (NB approach).

As shown in Table 3, the intersections of Stevens Drive/Horn Rapids Road and Horn Rapids Road/Kingsgate Way function with good Levels of Service. However, the intersection of SR 240/Kingsgate Way currently functions with an unacceptable Level of Service during the PM peak hour. This is caused by a steady stream of traffic on SR 240 during peak hours, this limits gaps which side-street traffic can cross or enter the flow of mainline traffic and has been the situation for several years. The City has funded, and the Washington State Department of Transportation has committed to constructing a traffic signal at the intersection of sr 240/Kingsgate Way in 2017..

Sanitary Sewer Service

Currently, there is no sanitary sewer service in the UGA Expansion Area. Sanitary sewer service in this area will be provided by the City of Richland. The City of Richland updated its General Sewer Plan (GSP) in 2016. The GSP update discusses the total capacity, utilized capacity, and remaining capacity of both the Wastewater Treatment Plant (WWTP) and the sanitary sewer collection system. The following is a summary of the WWTP capacity and the sanitary sewer collection system based upon this planning document.

Wastewater Treatment Plant

The City of Richland operates a wastewater treatment plant (WWTP) with primary sedimentation and secondary activated sludge treatment. Chlorine is injected prior to discharge to the Columbia River for disinfection. Solids are thickened with rotary drum thickner, anaerobically digested, dewatered on belt presses, and transported to the City composting facility to attain a Class A compost which is sold to the public through wholesale distributors.

The WWTP is sized for 11.4 million gallons per day (mgd) of sewer flow as noted in Table 4. According to the GSP, the maximum monthly flow for 2015 was 6.3 mgd (55% of rated capacity) and maximum monthly flow is projected to reach approximately 9 mgd (80% of rated capacity) in the next 20 years. The GSP identifies that Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) loading are both currently at approximately 80% of rated capacity. The Washington State Department of Ecology (WDOE) recommends improvement planning begin once average flow/load exceeds 85% for three consecutive

months or exceeds 100% design capacity for one month. Based upon this requirement, the GSP projects the need for a WWTP re-rating study to occur in 2020.

Table 4. Design Criteria – 2016 NPDES Permit

Parameter	Design Criteria	85% of Design
Average flow for maximum month	11.4 mgd	9.7 mgd
BOD ₅ loading for maximum month	17,250 lbs/day	14,663 lbs/day
TSS loading for maximum month	21,200 lbs/day	18,020 lbs/day
NH ₃ -N loading for maximum month	2,750 lbs/day	2,338 lbs/day

Collection System

The City of Richland sanitary sewer collection system consists of over 262 miles of pipe ranging in size from 6-inch to 54-inch in diameter. The total area that can be provided with public sewer service totals over 25,000 acres. The existing collection system also includes 14 sanitary sewer lift stations, which are classified as either local service or interceptor service depending on the area they serve.

The natural ground topography of the UGA Study Area is a gentle slope of 0.5% towards the south. Therefore, the entire UGA Study Area will have only one drainage basin to be served by one sanitary sewer gravity interceptor pipe. There is an existing 24-inch diameter sewer interceptor (Logston Interceptor) that extends as far north as Battelle Boulevard. Figure 3 depicts the existing sanitary sewer collection system in the vicinity of the UGA Study Area.

Potable Water Service

The UGA Study Area is outside of the current water service area of the City of Richland water system. The City of Richland prepared an update to its Water System Plan (WSP) in 2016, which provides 20-year planning numbers for water supply, demand, and distribution. The following is a summary of the City's potable water source capacity and the distribution system based upon this planning document.

Source Capacity

According to the WSP, the City of Richland has a total available water right of 34,948 acre-feet per year and 43,786 gpm for instantaneous flow. This total available water right converts to a Maximum Day Demand (MDD) of 63.0 MGD. The 2015 population-based MDD is 38.4 MGD per the WSP. The planning period for the WSP limited the future demand projections to year 2035 when MDD is projected as 55.25 mgd.

The City of Richland potable water sources include a wellfield and the Columbia River Water Treatment Plant (WTP). According to the WSP update, the wellfield has a total of 15 MGD capacity while the WTP has a capacity of 36 MGD.

Distribution System

There are currently twelve pressure zones in the City's water distribution system that receive water service. The natural topography of the UGA Study Area (elevation 410' to 380') places it within the City's Core 548 Pressure Zone which serves elevations 353'- 427'. There are existing Core 548 water pipes as far north as Horn Rapids Road. Figure 4 depicts the existing water distribution system near the UGA Study Area.

Figure 3

Existing Sewer System

Legend

- 

City Limits
- 

Existing UGA Boundary
- 

Proposed UGA Boundary
- 

Existing UGA To Be Removed
- 

6-Year Planning Area
- 

Property Lines
- 

Sewer Lift Station

Existing Pipe Size (in)

- 

Collector
- 

10
- 

12
- 

15
- 

18
- 

21
- 

24
- 

27
- 

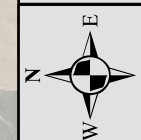
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36
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42
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54

0
2,000
4,000 Feet



Date: Oct 18, 2016

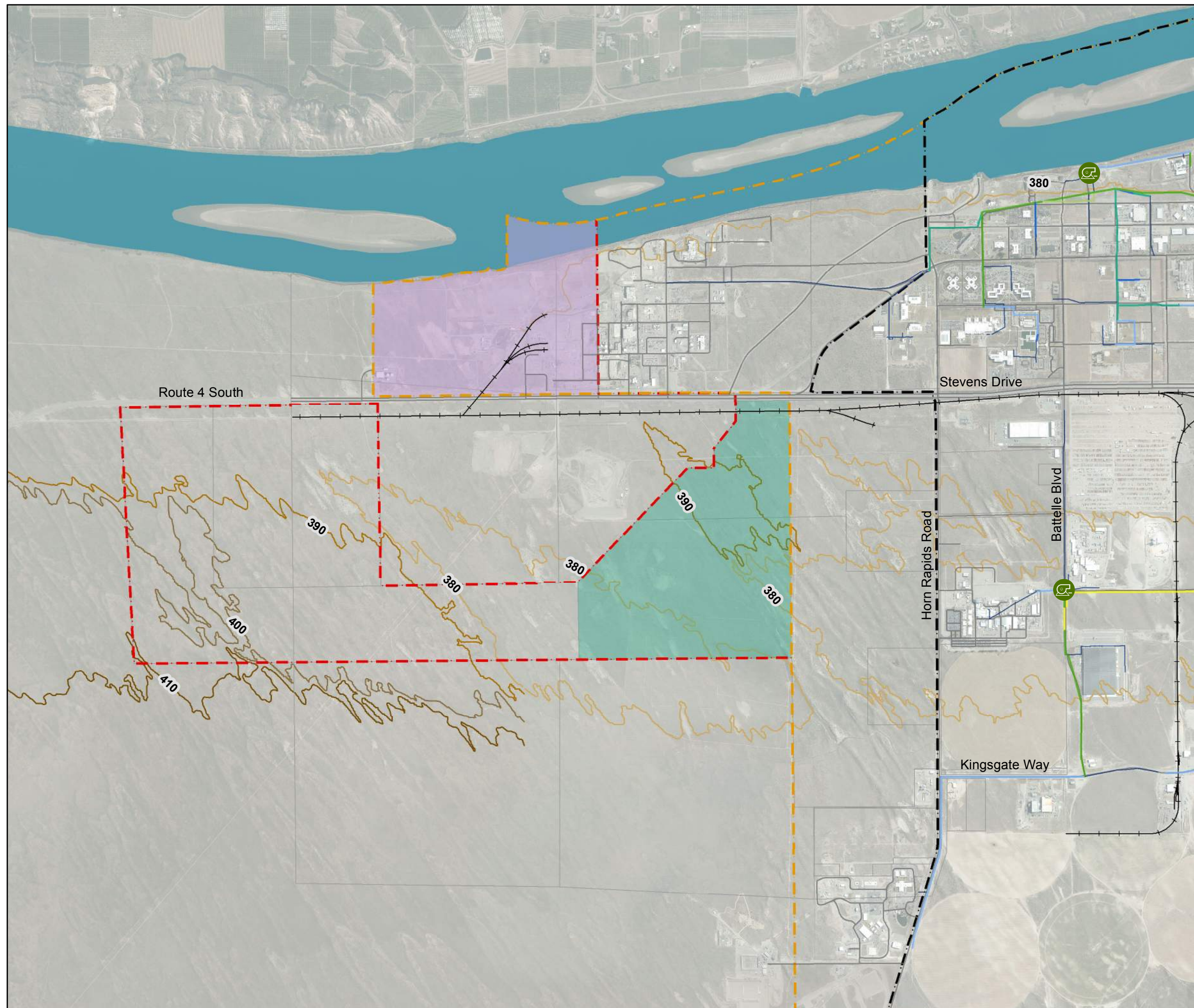


Figure 4

Existing Water System

Legend

- 

City Limits
- 

Existing UGA Boundary
- 

Proposed UGA Boundary
- 

Existing UGA To Be Removed
- 

6-Year Planning Area
- 

Booster Pump

Existing Pipe Size (in)

- 

6
- 

8
- 

10
- 

12
- 

14
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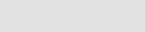
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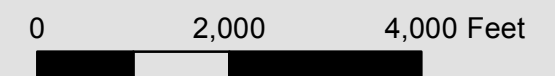
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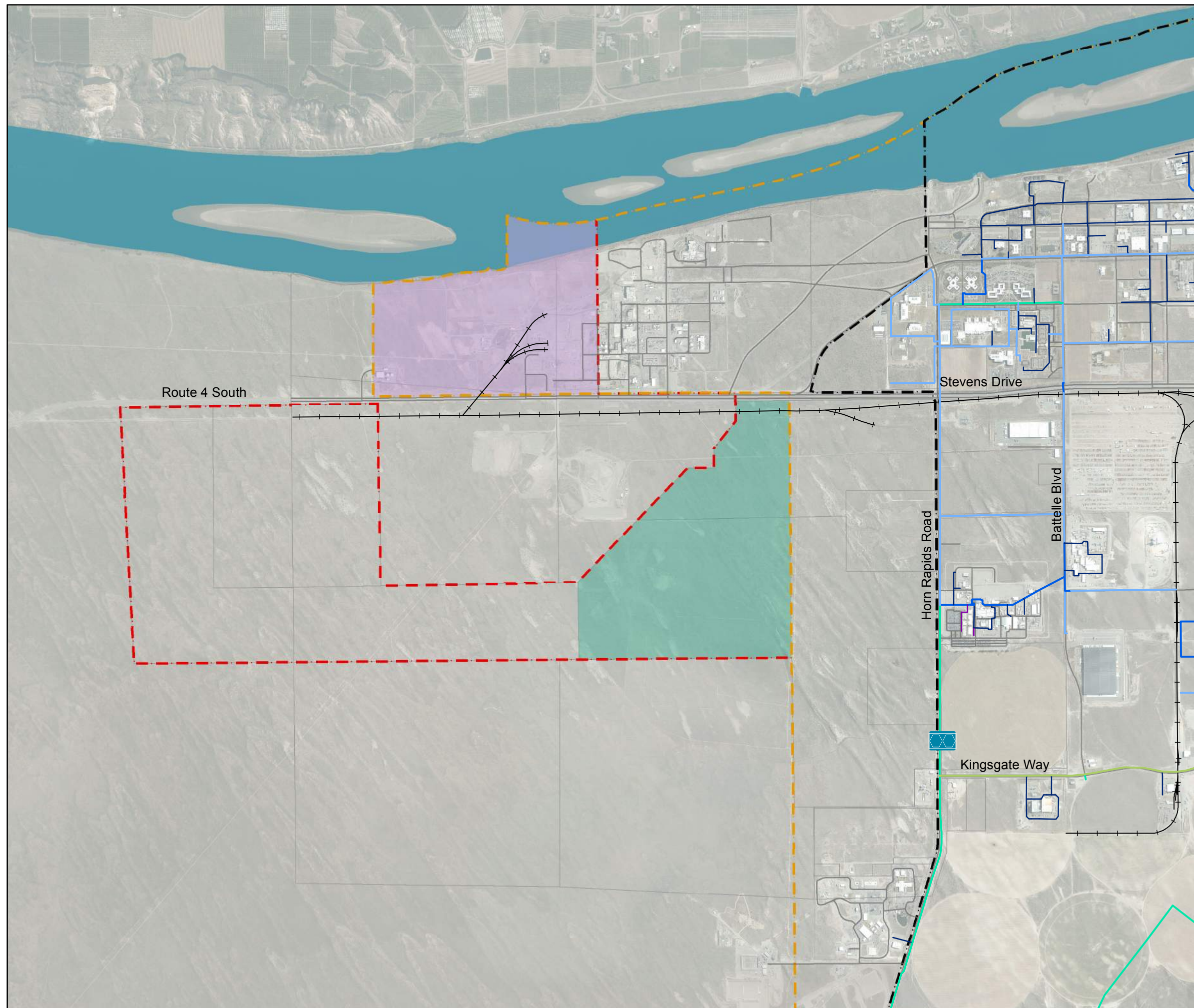
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36



Date: Oct 18, 2016



Surface and Storm Water Management

Currently, there are no storm water systems within the UGA Study Area. There is a restriction of the placement of swales, ponds and other storm drainage facilities within the UGA study area. The southerly restriction area is located 1,969 feet north of the centerline of Horn Rapids Road and extends 15,781 feet north of the centerline of Horn Rapids Road. This is noted in the property deed restrictions Exhibit H item 5. Refer to Figure 5 for a graphical representation of the restriction area.

Other Governmental Services

Power

The City of Richland Energy Services currently has no electrical power services specified for the UGA Study Area. There are existing electrical facilities along Horn Rapids Road (east/west) and Stevens Drive (north/south) that provide service to existing developed area. City of Richland Energy Services has the ability to provide electrical service to the UGA Study Area. The Bonneville Power Administration (BPA) has an overhead transmission line that crosses the UGA Study Area east to west. The BPA transmission line cannot be used for electrical services for the UGA Study Area.

Natural Gas

The natural gas utility for the UGA expansion area is Cascade Natural Gas Corporation (CNGC). CNGC has an existing 6-inch steel high-pressure main running north/south along Stevens Drive. There is also a 4-inch intermediate pressure main located along Horn Rapids Road (east/west). CNGC has stated that their existing natural gas services are currently 100% utilized and that no further natural gas services can be accounted for in the UGA Study Area. CNGC is currently working on plans to provide additional natural gas services so that the UGA Study Area can account for natural gas utility services. They have estimated additional natural gas services can be accounted for by the middle/end of 2017.

Communications

In regards to landline telecommunication service, the UGA Study Area is located in Frontier Communication's service area. Landline telecommunication service to the UGA Study Area is not currently available and would require additions to Frontier's current network. Other landline telecommunication providers would need to make similar improvements. Service coverage for cellular telecommunication is expected to be available in the UGA Study Area as nearby urban areas receive cellular service. Internet service to the UGA Study Area would be limited to wireless internet service providers (ISPs) until a fiber optic network connection could be extended to the area.

Telecommunications

Telecommunications includes the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means. This includes telephone, cellular telephone and cable and satellite television.

Changes in technology are having a major impact on telecommunications. Much of these technologies are merging with much less distinction between data, video, and voice technologies. Some of these utilities are regulated by the Washington State Utilities and Transportation Commission to meet a specific level of service to their service areas.

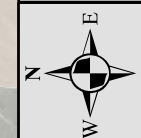
Figure 5

Stormwater Restriction Area

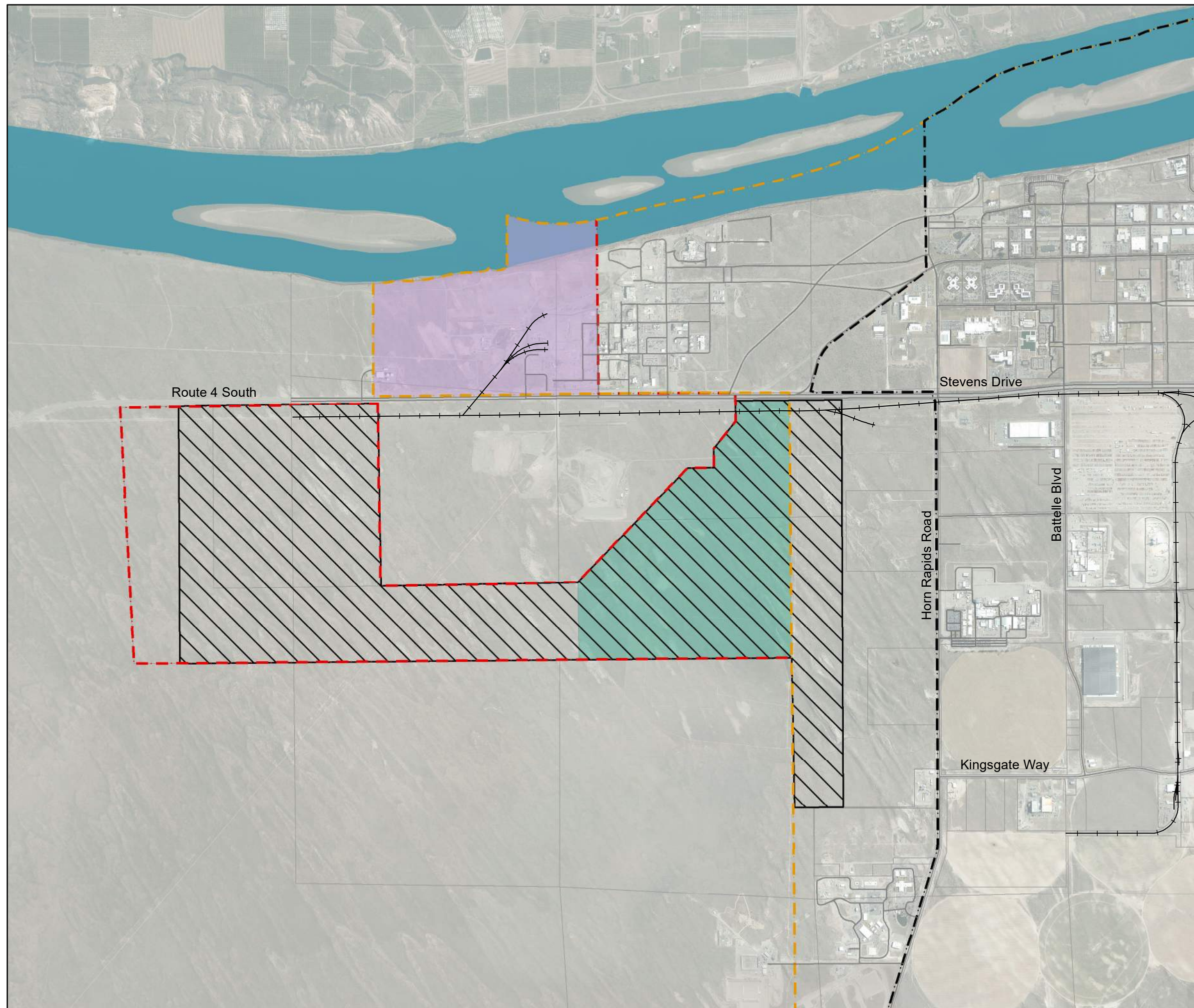
Legend

-  City Limits
-  Existing UGA Boundary
-  Proposed UGA Boundary
-  Existing UGA To Be Removed
-  6-Year Planning Area
-  Stormwater Restriction Area

0 2,000 4,000 Feet



Date: Nov 7, 2016



Frontier Communications provides standard phone service to the UGA Study Area. There are existing communication services along Horn Rapids Road (east/west) and along Stevens Drive (north/south). There are no communications services within the UGA Study Area.

U.S. Cellular, AT&T, Sprint, Verizon and Nextel currently provide cellular phone service within the Tri-Cities area. Due to the close proximity to urban areas, it is anticipated that all of these services will have acceptable reception.

Irrigation

Separate irrigation services are not provided by an irrigation district within the UGA Study Area. All irrigation within this the UGA Study area will need to be provided through the City of Richland Domestic Water System or via a private on site well source(s). It is noted that non-potable water is available with an existing irrigation pipeline at the corner of Stevens and Horn Rapids Road. It's not anticipated that the targeted developments will need this service; however, if a significant non-potable demands are requested by development irrigation service would be provided by this non-potable water system and most likely not from the domestic potable water system.

FACILITY REQUIREMENTS

This section of the UGA Capital Facilities Analysis presents capital improvement projects required by the City of Richland and others, to meet and maintain the level of service standards discussed earlier, based on the land use projections outlined.

Transportation

2022 Without UGA Expansion Conditions

An evaluation of future conditions in year 2022 without the UGA Expansion at study intersections was prepared for comparative purposes. The year 2022 was selected for the analysis year to be consistent with the State of Washington Growth Management Act and the requirement to provide acceptable Levels of Service over a 6-year time frame before allowing developments to proceed.

Although this section does not account for growth within the study area, accounting for background growth is typical for such studies. Traffic volumes in the study area are highly dependent on employment associated with the Department of Energy Hanford site to the north of the study area. Volumes can fluctuate up or down over time. For the purposes of this study, a background growth rate of 1.5% per year was applied to existing traffic volumes to represent year 2022 volumes without the UGA Expansion. For the purposes of this analysis, no reduction in traffic volumes was made associated with the 283 acres proposed to be removed from the UGA

The only significant roadway improvement anticipated during the next 6 years in the study area is the installation of a traffic signal at the intersection of SR 240/Kingsgate Way.

**Table 5. Summary of 2022 PM Peak Hour Delay (sec) and Level of Service
Without UGA Expansion**

Intersection	PM Peak Hour	
	Overall Intersection	Worst Approach
Stevens Drive/Horn Rapids	16/B	WB—71.3/E
Horn Rapids Road/Kingsgate Way	*	SB—12.9/B
SR 240/Kingsgate Way	15.2/B	NB-22.1/C

LEGEND

60.8/E Delay and Level of Service using existing lane configurations

* Uncontrolled Movements (major street through) not provided for overall intersection Analysis for Two-way Stop Controlled Intersections

NB = northbound, SB = southbound, WB = westbound, EB = eastbound

As shown in Table 5, all intersections in the study area are anticipated to operate with good overall Levels of Service. The high delay for the westbound approach at the intersection of Stevens Drive/Horn Rapids Road is for a relatively small number of vehicles. In order to maximize the throughput of the high demand volume on Stevens Drive which feeds the SR 240 By-Pass Highway, a long signal cycle length of 150 seconds is used. These long cycle lengths can cause lengthy delay for side street movements which is the case at Stevens Drive/Horn Rapids Road resulting in existing LOS E for some movements.

2022 with UGA Expansion

The proposed UGA Expansion Area consists of approximately 1,187 acres. There are also 283 acres that are proposed to be removed from the existing UGA on the east side of Stevens Drive, as previously discussed and shown in Figure 1.

The portion of the UGA Expansion area anticipated to be developed during the next six years comprises approximately 385 acres at the southern end. The land use of the entire site would be for light industrial purposes. Currently, the City has very few sites which can accommodate large industrial type development greater than 50 acres, such as is common in the Horn Rapids Industrial Park immediately to the south of the UGA Expansion area. Similarly, there are very few sites in the state that can accommodate industry with needs greater than 100 acres. The City and Port of Benton have been approached by businesses with needs similar to the AREVA site of 100 acres situated on Horn Rapids Road between Kingsgate Way and Stevens Drive. The intent of the UGA Expansion is to serve as many such businesses as possible.

Given the intent of the type of development anticipated for the UGA Expansion area, a relatively light roadway network, is proposed for the 6-year time period. It would consist of the following roadways that would be constructed consistent with the Horn Rapids Industrial Park Industrial Roadway section with 40' of paved roadway including 3 12' lanes and 2' shoulders:

- An east-west roadway (Road "A") connecting with Stevens Drive near its existing intersection with George Washington Way approximately 1-mile north of Horn Rapids Road, just north of and parallel to the existing BPA power lines, and extending west approximately 3 miles to a future extension of Kingsgate Way to the north. The western portion of this roadway within the existing UGA is approximately 3,260' and estimated to cost \$2.28 million.
- A Kingsgate Way extension (Road "B") to the north approximately 1 mile to connect with a new east-west roadway (Road "A"), a length of approximately 3,220' at a cost of approximately \$2.18 million.
- One additional north-south roadway (Road "C") along the western boundary of the UGA Expansion area that will provide access to the area north of the new east-west roadway (Road "A") in order to preserve maximum lot size capabilities. This roadway is outside the existing UGA and will be paid for by development of the UGA.

Depending on the actual development that occurs, and the lot acreage sizes incorporated into the UGA Expansion area, it may be meaningful for secondary or emergency services access or for phasing purposes to extend the north-south roadway from Horn Rapids Road rather than beginning at the new east-west roadway. For the 20-year time period, the new north-south roadway (Road "C") would be extended to the northern portion of the UGA Expansion area to connect with an additional east-west roadway (Road "D") that would connect to Stevens Drive.

In order to determine potential future roadway traffic volumes, the ITE 9th Edition of "Trip Generation" was consulted. This publication is produced based on national research that provides typical trip generation rates for various types of land uses. The trip generation rates for General Light Industrial and General Heavy Industrial were examined. A traffic count was also conducted at the entrance to the AREVA site during the PM peak hour to estimate the trip generation of these large facilities. A combination of these three land uses was felt to best estimate potential future trips generated within the next 6 years on the 385 acres. Trip generation rates for the land uses used are as follows:

- Light Industrial: 51.8 trips per acre on a typical weekday
- Light Industrial: 7.26 trips per acre during the PM peak hour (22% inbound, 78% outbound)
- Heavy Industrial: 6.75 trips per acre on a typical weekday
- Heavy Industrial: 2.16 trips per acre during the PM peak hour (22% inbound 78% outbound)
- AREVA Site: 0.69 trips per acre during the PM peak hour (5% inbound, 95% outbound)

For the purposes of this analysis it was assumed that 200 acres of the 385 would develop with similar trip generation characteristics as the AREVA site, and that 125 acres would develop with trip generation similar to that of typical heavy industrial and the remaining 60 acres would develop with Light Industrial trip generation characteristics. This would result in a total of 162 new inbound trips and 682 outbound trips from the UGA Expansion area.

In order to add the new trips to the roadway network, some assumptions were made as to the travel routes that the trips would use. Existing traffic patterns were examined in light of a knowledge of the housing available in the region for future workers in order to determine likely travel routes to and from the UGA Expansion area. The percentages of trips using the various potential travel routes are shown in Figure 6 along with the resulting Site Generated Trips. Traffic volumes shown in Figure 6 were added to the 2022 No-Build traffic volumes to represent the year 2022 Traffic Volumes with UGA Expansion and are shown in Figure 7.

Using the 2022 Traffic Volumes with UGA Expansion developed and shown in Figure 7, capacity analysis was again performed. The results of the analysis are shown in Table 6.

**Table 6. Summary of 2022 PM Peak Hour Delay (sec) and Level of Service
With UGA Expansion**

Intersection	PM Peak Hour	
	Overall Intersection	Worst Approach
Stevens Drive/Horn Rapids	8.3/A	WB—73.3/E
Horn Rapids Road/Kingsgate Way	*	WB—32.4/D
SR 240/Kingsgate Way	21.2/C	SB-30.2/C
Stevens Drive/George Washington Way/New east-west Road	18.9/B	EB-41.8/D

LEGEND

60.8/E Delay and Level of Service using existing lane configurations

* Uncontrolled Movements (major street through) not provided for overall intersection Analysis for Two-way Stop Controlled Intersections

NB = northbound, SB = southbound, WB = westbound, EB = eastbound

In addition to the roadway Improvements needed to provide access to the new UGA Expansion area described above, the following intersection improvements will be needed to provide acceptable Levels of Service as described below:

- At the intersection of Kingsgate Way/Horn Rapids Road two lanes for each approach will be needed, to reduce delay for various movements. Also, with the higher traffic volumes coming from the north leg rather than the east leg, conversion from north-south being STOP controlled to east west being STOP controlled will be needed at some point during the six year time period to reduce delay for southbound traffic. These improvements are estimated at \$165,000.

Figure 6

2022 PM Peak Hour Site Generated Trips

- Legend**
 - City Limits
 - Existing UGA Boundary
 - Proposed UGA Boundary
 - Existing UGA To Be
 - 6-Year Planning
 - Road "A"
 - Road "B"
 - Road "C"
 - Road "D"
 - Future 20-Year Road Extension

X% Inbound
(X%) Outbound

02,5005,000 Feet



Date: Nov 7, 2016

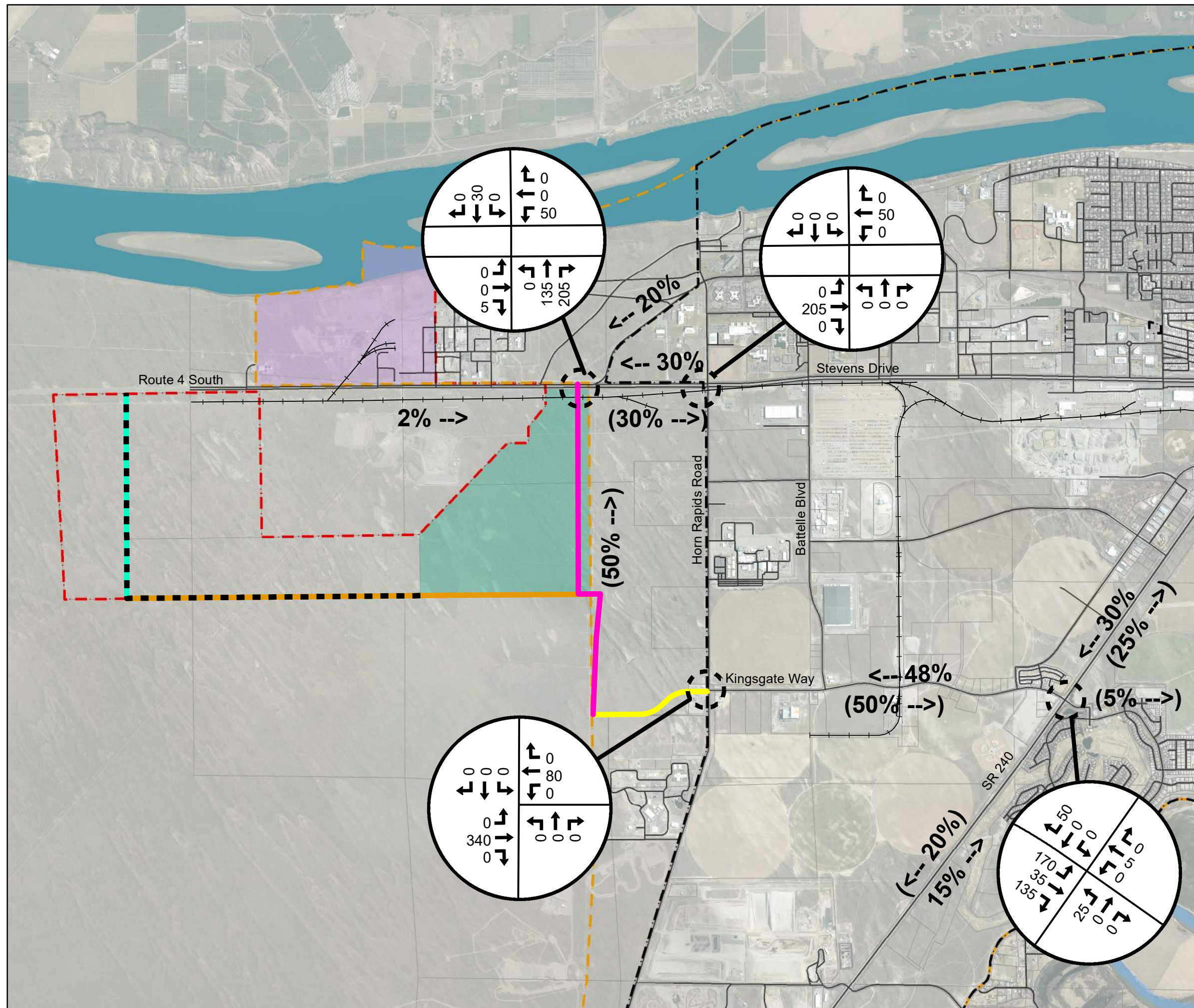
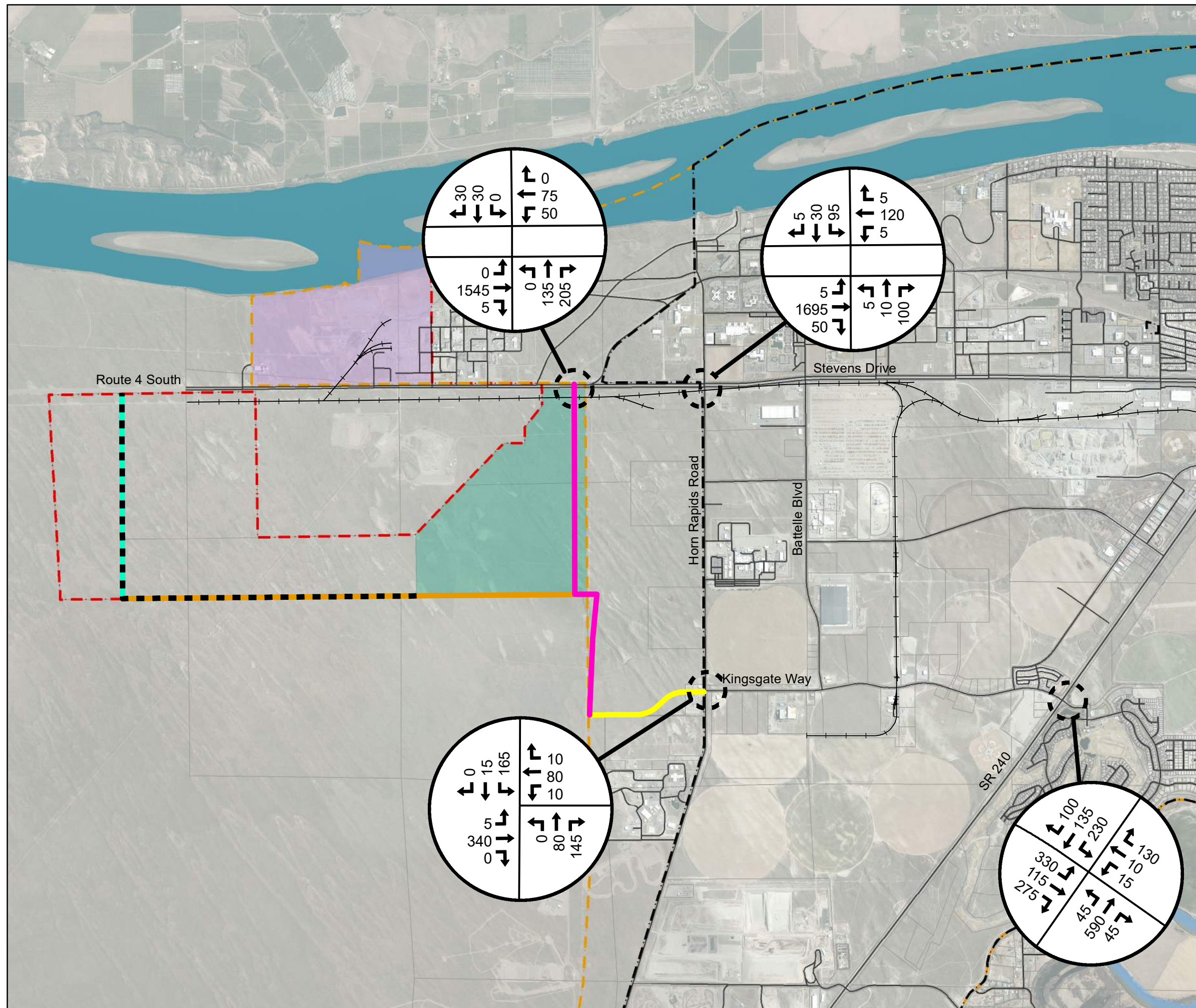


Figure 7

2022 PM Peak Hour Volumes with UGA Expansion

- Legend**
 - City Limits
 - Existing UGA Boundary
 - Proposed UGA
 - Existing UGA To Be
 - 6-Year Planning
 - Road "A"
 - Road "B"
 - Road "C"
 - Road "D"
 - Future 20-Year Road

0
2,500
5,000 Feet



- At the new intersection at Stevens Drive/George Washington Way/new east-west road, a traffic signal will be needed in order to provide adequate gaps in the Stevens Drive flow of traffic for other movements to occur. It is anticipated that this intersection would have exclusive left and right turn lanes on all approaches and that the existing sweeping right turn for George Washington Way to northbound Stevens Drive could be retained. At some point in the future, development on the east side of Stevens Drive could incorporate network changes that would more closely represent a grid network without the need to modify this intersection further. These improvements are estimated at \$755,000.

2036 With UGA Expansion

For the 20 year traffic analysis general roadway capacity was examined to determine what potential large capacity capital projects might be anticipated. It is inherent in this analysis that intersection improvements will need to occur over time, but specific improvements for the 20-year period at the intersection level are difficult to determine for such a long-range forecast with so many variables.

There are an additional 1,317 acres within the proposed UGA Expansion area beyond those evaluated for the year 2022 discussed above. One known future land use is associated with 300 acres owned by Energy Northwest who anticipates placing solar panels on 100 acres. These 100 acres would generate very few trips for maintenance purposes.

If similar land development assumptions are made for the 1,317 acres, such that 50% or 650 acres develops with similar trip making characteristics to those explained earlier with the AREVA site, and 600 acres of heavy industrial with 67 acres of light industrial, it could be expected that 415 inbound and 1,816 outbound trips could be made during the PM peak hour. It is likely, due to the proximity to Stevens Drive that the vast majority of these trips would access Stevens Drive.

Part of the purpose of the transfer of the 1,341 acres from the Department of Energy to the City of Richland and the Port of Benton is to provide alternate opportunities for employment as the Hanford Site clean-up eventually draws to a close in the long term. As a result of this shift in employment, the southbound traffic volumes on Stevens Drive are likely to decrease somewhat, however the extent and timing of this shift is unknown.

More detailed evaluation will be required in the future, when specific site proposals are presented, to better understand future traffic patterns and impacts of proposed developments. However, It is anticipated that Stevens Drive would need to be widened to 6 lanes north from Horn Rapids road through the UGA Expansion area to the northernmost new access roadway. A traffic signal would be needed at that northernmost roadway as well, which would provide gaps for other potential large parcel development on the west side of Stevens Drive. Traffic signalization may also be needed at Kingsgate Way/Horn Rapids Road.

Sanitary Sewer Service

Sanitary sewer service will be provided by the City of Richland. The following sections describe the projected flows and necessary expansion of the sanitary sewer system to serve the UGA Study Area for both the 6-year (2022) and the 20-year (2036) planning periods.

Estimated Sewer Flows

The GSP suggests using 1,250 gallons per acre per day (gpac) for industrial areas. This is consistent with the reference text Wastewater Engineering: Treatment and Reuse, by Metcalf & Eddy, gross-area sewer flows for industrial areas are estimated to be between 1,000 and 1,500 gpac. Therefore, for the purposes of this study, an average discharge of 1,250 gpac is assumed for the UGA Study Area. Infiltration and

inflow were considered low and therefore excluded due to the location of the study area being high in elevation and thus less affected by groundwater and because the age of the collection system piping will be new.

Master planning of sanitary sewer service for non-residential land uses is difficult because of the wide range of potential discharges. It should be noted that the 2015 General Sewer Plan Update identified that some of the heavy industrial permitted users contributed sewer flows of 3,000 gpad while some light industrial users contributed only 60 gpad. Therefore, each potential industrial use should be analyzed separately at the time of development to determine effects their specific industry will have on the collection system and the wastewater treatment plant.

2016-2022 with UGA Expansion

The total area for the 6-year study area is 385 acres. For 6-year planning purposes, maximum daily sewer flow for the UGA Study Area will be approximately 0.48 MGD for industrial use. This is based upon a gross-area approximation of 1,250 gpad and the extent of development planned for 6 years.

- Maximum Daily Flow = 1,250 gpad x 385 acres = 481,250 gpd (0.48 MGD)

2016-2036 with UGA Expansion

The 20-year planning period assumes full build-out of the UGA Study Area. The total area is approximately 1,702 acres. Based upon the 1,250 gpad assumption the following is the estimated sewer flow for 20-year planning purposes:

- Maximum Daily Flow = 1,250 gpad x 1,702 acres = 2,127,500 gpd (2.13 MGD)

Facility Improvements Required Outside the UGA Study Area

The following sections address the impacts to two major facility categories of the sanitary sewer system: the collection system and the wastewater treatment plant. It is assumed that utilities will be extended only as far as the southern boundary of the UGA Study Area.

Collection System

As previously noted, the natural ground topography of the UGA Study Area creates one singular sanitary sewer service area. A strategy for providing gravity sanitary sewer service to this UGA Study Area was included in the 2015 GSP. The 24-inch diameter Logston Interceptor will be extended at minimum slope (0.10%) northward to the edge of the study boundary.

It should be noted that although 6-year flows and pipe sizes are provided below, any sanitary sewer extensions to these areas that are constructed should be sized for the expected build-out flows from the study area, which are calculated to be the 20-year flows in this study. Modern materials and installation/inspection techniques are expected to result in 50-100 year lifespans for sewer pipe that is installed today. Because the majority of the capital cost is in the installation rather than the materials, it is recommended to size pipes for long-term planning needs. The following are the recommended improvements to the collection system:

2016-2022 with UGA Expansion

For the 6-year planning period, the service area consists of approximately 385 acres. For 6-year flows, approximately 7,500 LF of 12-inch diameter pipe would be need to be extended from the Logston interceptor. However, this pipe should be upsized to 24-inch in order to accommodate master plan flows per the GSP. Figure 8 depicts the alignment proposed for the sewer trunk extension. The Engineer's Opinion of Probable Cost in Year 2016 dollars for this improvement is estimated to be \$1.8 million.

The GSP confirms that the existing sewer collection system has available capacity for the estimated 6-year flows from the UGA Study Area.

2016-2036 with UGA Expansion

For the 20-year planning period, the service area consists of approximately 1,702 acres. The 7,500 LF of 12-inch diameter pipe needed for 6-year flows will need to be upsized to 24-inch for buildout flow – which matches the size and grade selected in the GSP. Figure 8 depicts the alignment proposed for the sewer trunk extension.

The GSP confirms that the existing sewer collection system has available capacity for the estimated 20-year buildout flows from the UGA Study Area.

Wastewater Treatment Plant

2016-2022 with UGA Expansion

For 6-year planning purposes, average daily sewer flow for the UGA Study Area will be approximately 0.48 mgd for industrial use. The GSP projects that maximum month flows for the WWTP in 2022 will be approximately 7.2 MGD; therefore, the UGA Study Area will add approximately 6% to the total peak monthly flows at the WWTP for 6-year planning purposes. This peak monthly flow will be 7.68 MGD – which is 67% of the WWTP design capacity. Therefore, the WWTP has available capacity for the 6-year sanitary sewer flows from the UGA Study Area.

2016-2036 with UGA Expansion

For 20-year planning purposes, average daily sewer flow for the UGA Study Area will be approximately 2.13 MGD for industrial use. The GSP identifies that peak month flows for the WWTP in 2036 will be approximately 9.1 MGD; therefore, the UGA Study Area will add approximately 20% to the total peak monthly flows at the WWTP for 20-year planning purposes. This peak monthly flow will be 11.23 MGD – which approaches the current design capacity of the WWTP (11.4 MGD). The WWTP has available capacity for the buildout sanitary sewer flows from the UGA Study Area; however, it may trigger the need for expansion planning to begin sooner than otherwise planned.

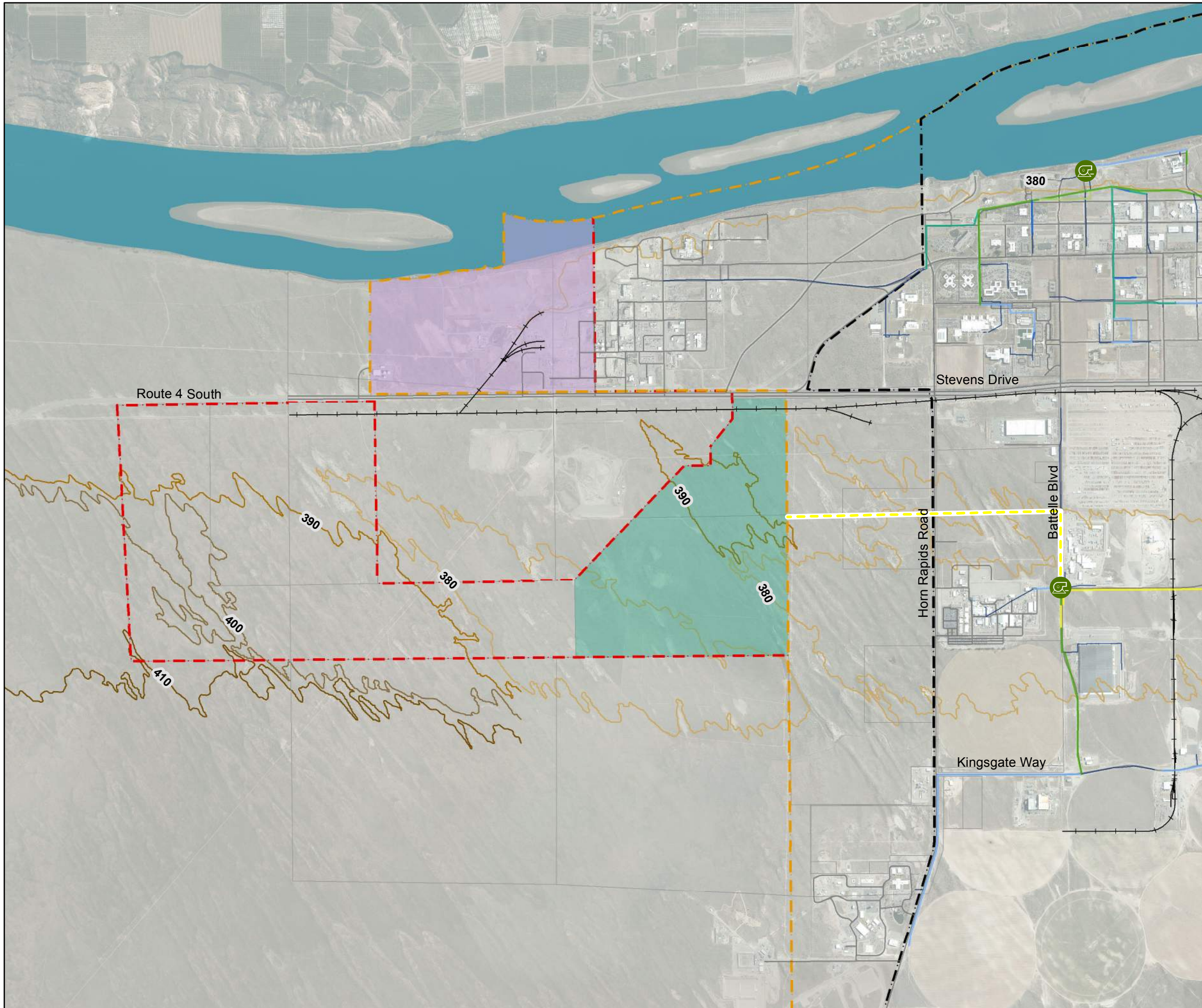


Figure 8

Sewer Improvements

Legend

- City Limits
- Existing UGA Boundary
- Proposed UGA Boundary
- Existing UGA To Be Removed
- 6-Year Planning Area
- Property Lines
- Sewer Lift Station

Existing Pipe Size (in)	MP Pipe Size (in)
Collector	Collector
10	10
12	12
15	15
18	18
21	21
24	24
27	27
30	30
36	36
42	42
54	54

0 2,000 4,000 Feet

Potable Water Service

Potable water service will be provided by the City of Richland. The following sections describe the projected water demands and necessary expansion of the potable water system to serve the UGA Study Area for both the 6-year (2022) and the 20-year (2036) planning periods.

Estimated Water Demands

Master planning of potable water service for non-residential land uses is difficult because of the wide range of potential industrial water needs. For the purposes of this study, a gross-area demand of 1,250 gallons per acre per day (gpad) is assumed, which is consistent with the estimated sewer demand. It is recommended that each potential industrial user should be analyzed separately at the time of development to determine effects on the distribution system and source capacity.

2016-2022 with UGA Expansion

The total area for the 6-year study area is 385 acres. For 6-year planning purposes, water demands for the UGA Study Area will be approximately 0.48 mgd for the 385 acres of industrial use.

- Maximum Daily Demand = 1,250 gpad x 385 acres = 481,250 gpd (0.48 MGD)

2016-2036 with UGA Expansion

The 20-year planning period assumes full build-out of the UGA Study Area. The total area is approximately 1,702 acres. Based upon the 1,250 gpad assumption the following is the estimated water demand for 20-year planning purposes:

- Maximum Daily Demand = 1,250 gpad x 1,702 acres = 2,127,500 gpd (2.13 MGD)

Facility Improvements

The following sections address the impacts to four major areas of the City of Richland's potable water system: system-wide water demands, source capacity, distribution system performance, and storage requirements. It should be noted that although 6-year planning and buildout infrastructure sizes are provided, any domestic water improvements to the UGA Study Area that are constructed should be sized for the expected build-out demands for the study area, which are calculated to be the 20-year demands in this study.

System-Wide Water Demands

As previously identified, the total available water rights for the City allow for 54 MGD of maximum daily flow. Currently, the City uses 38 MGD maximum daily flow and plans to be using approximately 46 MGD in the year 2022 and 55 MGD in the year 2036. The six-year maximum daily demands for the UGA Study Area are 0.48 MGD while buildout demands are 2.13 MGD. The addition of the 2.13 MGD peak flows at buildout for the Study Area will have little impact on the instantaneous water rights.

Encroachment toward the total available water right can be relieved through the use of the Quad-Cities water right. The Quad-Cities were issued a water right in 2003 that provides a maximum of 86 mgd to be developed and put into use by the Quad-Cities by 2051. The permit has specific requirements that limit water appropriations at various times per year and include mitigation of the consumptive portion of water use. Through the use of the Quad City water right, the City has adequate maximum day water rights for the Study Area.

Source Capacity

According to the WSP update, the City's two largest sources of water, the wellfield and the WTP, each pump directly into the Core 548 Zone and have a combined capacity of 51 MGD. Currently, the City uses 38 MGD maximum daily flow and plans to be using approximately 46 MGD in the year 2022 and 55 MGD in the year 2036. The six-year maximum daily demands for the UGA Study Area are 0.48 MGD while buildout demands are 2.13 MGD. Therefore, there is adequate capacity for the 6-year projections but the addition of the UGA Study Area may trigger the need for increased source capacity within the next 20 years.

Distribution System

A hydraulic analysis was performed in order to determine impacts on the existing distribution system as well as proposed sizing for distribution system expansion to serve the UGA Study Area. This hydraulic analysis is documented in a letter from RH2 Engineering, Inc. dated April 23, 2015. The results from the analysis are incorporated and summarized below.

2016-2022 with UGA Expansion

The UGA Study Area will be served by the City's Core 548 Pressure Zone. Water supply will be provided directly from the WTP and wellfield sources. The closest Core 548 Zone transmission main is located on Horn Rapids Road.

A connection to the 16-inch Core 548 Zone transmission main in Horn Rapids Road is proposed to be extended on the west side of the UGA Study Area. To ensure the reliability of service, a redundant source of water is needed. A second service location, on the east side of the UGA Service Area, would connect to the 12-inch transmission main in Horn Rapids Road. These two service connections must be looped within the UGA Study Area in order to provide the required fire flow capacity as well as a reliable source of water. The hydraulic analysis identified this improvement as a 12-inch diameter pipe loop. It should be noted that this analysis assumes the cost of the loop will be an onsite cost and only the cost of the two service extensions to the UGA Study Area boundary is hereby included in the costs. Figure 9 depicts the alignment proposed for the water transmission main extensions.

The Engineer's Opinion of Probable Cost in Year 2016 dollars for the 12-inch water pipe connections is estimated to be \$2.5 million.

The hydraulic analysis indicates that the pipe loop alone will not provide the required fire flow for the UGA Study Area. An elevated onsite storage tank will be required in order to provide the required fire flow – as discussed below.

2016-2036 with UGA Expansion

The distribution system improvements identified for 6-year improvements are also adequate to meet buildout needs. This is because the required fire flow dictates a minimum pipe size of a 12-inch loop to serve the UGA Study Area.

Figure 9

Water Improvements

Legend

 City Limits

 Existing UGA Boundary

 Proposed UGA Boundary

 Existing UGA To Be Removed

 6-Year Planning Area

 Property Lines

 Booster Pump

Existing Pipe Size (in)

 6
  8
  10
  12
  14
  16
  18
  20
  24
  27
  30
  36

MP Pipe Size (in)

 6
  8
  10
  12
  14
  16
  18
  20
  24
  27
  30
  36

0
 2,000
 4,000 Feet



Storage Capacity

The WSP indicates that the City has a surplus of storage in the Core 548 Zone for both 6-year and 20-year planning horizons. However, the hydraulic analysis indicates that onsite storage is needed at the UGA Study Area in order to provide the required fire flow for the UGA Study Area. Several alternative storage tank locations have been identified; however, the option that provides the most reliable service to the UGA Study Area is an elevated tank located on the UGA Study Area site. The elevated tank could be located anywhere in the UGA Study Area.

Reservoir storage has three main components: Standby Storage, Equalizing Storage, and Fire Flow Storage. Standby Storage provides a supply of water during emergency conditions such as a transmission main failure. Equalizing Storage ensures that peak instantaneous demands can be met at any time. Fire Flow Storage ensures meeting fire flow planning level requirements under all conditions including power outages and/or the loss of the source supply. Typically, fire flow storage is the largest driver for tank sizing. The WSP used assumptions of 4,000 gpm for four hours for industrial land use and 4,500 gpm for five hours for heavy industrial land use. To be conservative, the required fire flow storage for the UGA Study Area is planned for the heavy industrial requirement of 4,500 gpm for 5 hours, which is 1,350,000 gallons. The Total Required Storage value is the sum of each of the three reservoir storage components. These storage value calculations are based on the planning assumptions discussed in the WSP and can be further adjusted with a more specific study.

2016-2022 with UGA Expansion

For 6-year planning, the UGA Study Area will require a storage volume of 1.5 MG; however, it should be sized for 2 MG in order to serve the buildout demands of the Study Area. The Engineer's Opinion of Probable Cost in Year 2016 dollars for a 2.0 MG reservoir is estimated to be \$7.0 million as shown in Table 7

2016-2036 with UGA Expansion

For 20-year buildout planning, the UGA Study Area will require a storage volume of 1.7 MG. A 2.0 MG tank was used for cost estimating purposes.

Power

The City of Richland Energy Services has reviewed the UGA Study Area and they have determined it will require additional electrical infrastructure to support the UGA Study Area. Additional electrical services will be necessary along the frontage of the proposed roadway network within the UGA Study Area. Electrical services are to be looped from Horn Rapids Road to Stevens Drive. Until more specific power requirements of UGA Study Area have been further identified, it is not possible to accurately predict total power demand for the UGA Study Area. The City of Richland Energy Services has anticipated that a substation will be required further to the north of the UGA Study Area and that the necessary infrastructure will be required to be installed as part of the UGA Study Area. Estimated electrical power costs are included in the Engineer's Opinion of Probable Cost in Year 2016 dollars are included in the streets and roads section located in Table 7.

Surface and Storm Water Management

The public roadway network within the UGA Study Area shall have roadside ditches to convey and retain storm water runoff from the public roadway network. Storm water runoff shall be retained in the roadside ditches. Refer to the industrial roadway section shown in Figure 10 for the drainage ditch section. Storm water runoff from the public roadway network into roadside ditches are not considered a part of the

storm water restriction as shown in Figure 5; however, no underground infiltration facilities and/or large retention ponds will be allowed for the development of the public roadways. The roadway network shall avoid large drainage basins that would concentrate large amounts of storm water runoff.

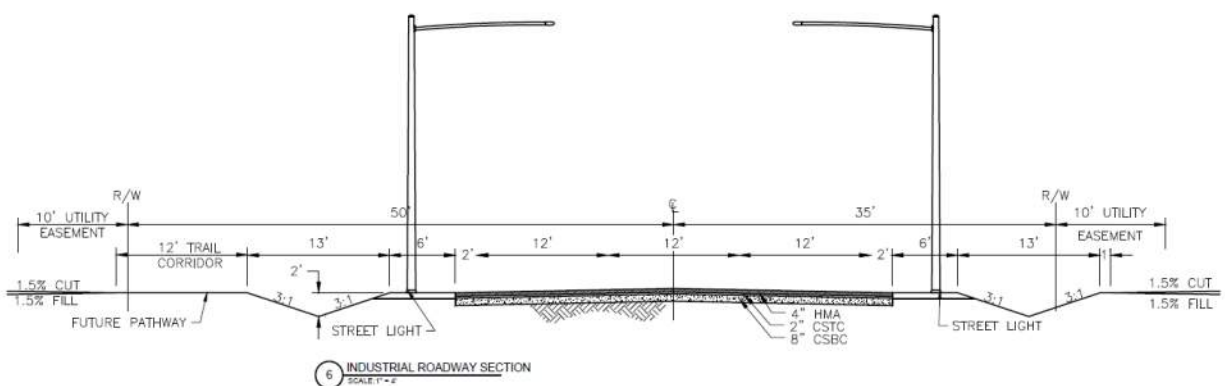
The City of Richland has adapted the Storm Water Management Manual for Eastern Washington (SWMMEW) as the basis for storm water management. For hydrologic volume control, roadside ditches shall be designed based upon the following criteria: Washington, Region 2, Benton County; SCS Type 1A – 24 Hour storm for storm volume with a 25-year return period. The flow-rate of the public storm drainage system shall be designed using the 2-Year, 3-Hour short duration Eastern Washington storm for pipe and inlet sizing using SCS or Santa Barbara method. Refer to Section 3 – Design Guidelines item C-Storm Drainage Collection Systems of the City of Richland Public Infrastructure Construction Plan Requirements and Design Guidelines for additional storm water design information.

The UGA Study Area has no defined upstream and/or downstream drainage channels. Therefore, no upstream and/or downstream storm water improvements for the UGA Study Area are anticipated

Any storm water costs associated with the development of the public right of way facilities are included in the costs of those facilities in the streets and road section in Table 7.

All development considered as private and/or non-public is not a part of the UGA Study Area. All private and/or non-public storm water facilities shall be retained on-site and the private developer shall encumber all associated costs. Storm water restrictions will be applicable to all private and/or non-public developments. It is anticipated that private and/or non-public storm water facilities will be collected and conveyed on-site to lined evaporation ponds for those developments within the storm water restriction area. Maintenance and operation of the private storm water facilities will be provided by Owner/Developer.

Figure 10. Proposed Industrial Roadway Section



Other Governmental Services

Natural Gas

CNGC has stated that their existing natural gas services are currently 100% utilized and that no further natural gas services can be currently accounted for in the UGA Study Area. CNGC is currently working on plans to provide additional natural gas services so that the UGA Study Area can account for natural gas utility services. They have estimated additional natural gas services can be accounted for by the middle/end of 2017. No estimated costs to extend natural gas to the UGA Study Area are included in this plan since the cost to extend natural gas sewer service would be incurred by CNGC and/or private development.

Telecommunications

Telecommunications includes the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means. This includes telephone, cellular telephone and cable and satellite television.

Changes in technology are having a major impact on telecommunications. Much of these technologies are merging with much less distinction between data, video, and voice technologies. Some of these utilities are regulated by the Washington State Utilities and Transportation Commission to meet a specific level of service to their service areas.

Frontier Communications can provide standard phone service to the UGA Study Area. There are existing communication services along Horn Rapids Road (east/west) and along Stevens Drive (north/south). Communications services will need to be extended to the UGA Study Area. Communication services will parallel the City of Richland Energy Services facilities along the proposed public roadway network frontage in the UGA Study Area. Estimated costs to extend communication services in the UGA Study Area are included in the streets and roads section located in Table 7

U.S. Cellular, AT&T, Sprint, Verizon and Nextel currently provide cellular phone service within the Tri-Cities area. Due to the close proximity to urban areas, it is anticipated that all of these services will have acceptable reception.

Irrigation

All irrigation within this the UGA Study area will need to be provided through the City of Richland Domestic Water System or via a private on site well source(s). It is noted that non-potable water is available with an existing irrigation pipeline at the corner of Stevens and Horn Rapids Road. It's not anticipated that the targeted developments will need this service; however, if a significant non-potable demands are requested by development irrigation service would be provided by this non-potable water system and most likely not from the domestic potable water system. No estimated costs to provide irrigation service to the UGA Study Area from the existing non-potable water service are included in this plan since it is anticipated that minimal non-potable water service demand will be requested and would ultimately be provided by the domestic potable water system.

FUNDING SOURCES

This section discusses many of the existing and potential revenue sources, debt capacity and options for using debt financing by the City of Richland to fund needed capital improvements related to growth.

The City of Richland uses a number of different financing sources to pay for capital projects. Typically, large capital projects are financed through long-term bonded debt and grants and loans. For the purposes of this CFP, it is assumed that the cost of capital improvements will be funded by a variety of funding sources which range from the City of Richland, Port of Benton, late comer agreements and grants and loans.

The following discusses the various revenue sources available to the City of Richland. Not all of these sources are currently being used by the City to fund capital improvements. Those that are being currently used are identified.

Taxes

Property Taxes

RCW 84.52 authorizes this tax on the assessed valuation of real and personal property, subject to two limitations: Initiative 747 limits growth of regular property taxes to 1% of the highest amount levied in the previous year, before adjustments for new construction and annexations; and, The State Constitution limits the total regular property taxes to 1% of assessed valuation or \$10.00 per \$1,000 of value (if the taxes of all districts exceed this amount, each is proportionately reduced until the total is at or below the 1% limit).

Voters may approve excess property tax levies over the constitutional and statutory limits for a number of years to pay off general obligation bonds for construction, or a single year levy (two years for school districts) for general operating purposes. The constitution requires 40% voter turnout in the previous general election and a 60% favorable majority vote (RCW 41 and 84).

RCW 85.55 allows cities that are levying property taxes at a rate lower than the statutory maximum, to lift the levy lid by more than 1%. A simple majority vote is required. The purpose for which the money will be used does not need to be specified. Cities that are levying at their statutory maximum rate can raise their rate for one year. This is called an Operations and Maintenance Levy and also requires 40% voter turnout in the previous general election and a 60% favorable majority vote. The purpose for which the money will be used does not need to be specified.

Retail Sales and Use Tax

There is levied a total of 8.6% on all retail sales, except for off-premise food and drugs. The allocation of the 8.6% is as follows:

- State - 6.5%
- County - 0.15%
- County - Criminal Justice - 0.10%
- City - 0.85%
- City - Criminal Justice - 0.10%
- City – 2015 – Criminal Justice - 0.30%
- Ben Franklin Transit - 0.60%

The City does not need to designate how their portion of the sales taxes will be spent.

Real Estate Excise Taxes

The state authorizes a tax of 1.28% on the sale of all real estate. RCW 82.46 authorizes cities, planning under the GMA, to assess an additional tax on real estate sales of .25%. These funds must be spent on capital projects listed in the capital facilities plan. A second .25% may also be levied to help defray the costs of development and rehabilitation. The City levies both .25% taxes for use in funding capital projects.

Lodging Excise Taxes

RCW 67.28 authorizes a 2% tax on all charges for lodging furnished for a continuous period of less than one month. This tax is taken as a credit against the 6.5% State sales tax assessed on the lodging charges for the promotion of tourism, acquisition and or operation of tourism related facilities (i.e. specific stadium, convention, performance or visual arts facilities). An additional 2% tax can be levied for a total rate of 4%. The additional 2% levy does not reduce the sales tax rate.

Leasehold Excise Tax

RCW 82.29A authorizes a 12.84% tax on the permanent occupancy of publicly-owned premises for private use for 30 days or more. The tax is a substitute for regular property taxes to compensate for services provided. The tax is sent to the Department of Revenue which keeps 6.84%, with 2% of the remaining 6% going to the County and 4% going to the City. The purpose for which the money will be used does not need to be specified.

Commercial Parking Tax

The Transportation Improvement Act authorizes a tax on commercial parking based on either gross proceeds, the number of parking stalls or on the number of users. Revenues must be spent for general transportation purposes, including highways, public transportation, high capacity transportation, transportation planning, etc. Currently, the City of Richland does not impose a Commercial Parking Tax.

Business and Occupation Tax

RCW 35.11 authorizes cities to collect this tax on gross or net income of businesses, not to exceed a rate of 0.2 percent. Revenue may be used for capital facility acquisition, construction, maintenance, and operations. Voter approval is required to initiate the tax or increase the tax rate. Currently, the City of Richland does not impose a Business and Occupation Tax.

Gambling Tax

RCW 9.46 provides for a tax on gambling revenues. Currently the City collects 5% of the gross revenue less the amount paid for prizes for bingo and raffles, 5% of gross receipts for punch boards and pull-tabs, and 10% of gross receipts on all card games. Funding is primarily used for gambling enforcement.

Admission Tax

5% of all for profit admission feed within the city.

Intergovernmental Revenues

Liquor Revenues and Liquor Excise Taxes:

The City receives distributions from the state for liquor related taxes through Liquor Excise Taxes and Liquor Board Profits. 2% of all liquor revenues received must be used for an approved alcohol and drug addiction program under RCW 71.24.555. Initiative 1183 passed November 2011 privatized the distribution and retail sale of liquor effective June 1, 2012.

Liquor Excise Taxes:

In 2012, the state legislature diverted all liquor excise tax revenue to the state general fund for FY2013. For FY2014, \$10 million was permanently diverted to the state general fund, the majority of which comes from the City portion. For the 2013-2015 budget, the state legislature increased the share of liquor taxes collected and remitted under RCW 82.08 that is deposited into the state general fund effectively decreasing the local share to 17.5%. The increased share for the state general fund will end on June 30, 2015, however, the permanent diversion of \$10 million per year will not.

Liquor Board Profits:

The markups on liquor have been replaced as a state revenue source by license fees that are paid to the state by retailers and distributors. A portion of these fees goes to cities, counties and border cities and counties. They are apportioned in a manner that provides that each category of recipients received in the aggregate, no less than it received from the liquor revolving fund during comparable periods prior to December 8, 2011. An additional distribution of \$10 million per year from the spirits license fees must be provided to border areas, counties, cities and towns for the purpose of enhancing public safety programs.

The result is a 0.3% of the total amount distributed to border cities and counties. Of the remaining 97%, 80% goes to cities and 20% to counties. The City must use 20.23% of its distribution for public safety programs.

Motor Vehicle Fuel Tax

The State of Washington provides a state-collected gasoline tax that is shared with cities (RCW 82.36). The base tax in Washington State is 37.5 cents per gallon. Of this amount, the City receives 10.6961% of 23 cents and 8.3333% of 3 cents. These funds are placed in the city street fund and can be used for general anew construction, repair or reconstruction of streets identified in the City's six-year street improvement program and approved by the state. Cities are required to spend 0.42% of gas tax receipts on paths and trails unless the amount is less than \$500.

Local Option Fuel Tax

The Transportation Improvement Act authorizes the County, with voter approval, to levy a local option tax equivalent to 10% of the statewide Motor Vehicle Fuel Tax and a special fuel tax of 2.3 cents per gallon. Revenues are distributed to the County and cities on a weighted per capita basis, i.e. 1.5 County/1.0 City. City of Richland does not have a local option fuel tax at this time. These revenues must be spent for highway purposes, including construction, maintenance and operation.

City Assistance

RCW 43.08.290 authorizes a distribution of up to \$100,000 annually to those cities who collect less than 50% of the state-wide average per capita level of sales and use tax revenues or those cities whose per capita assessed property is less than 55% of the statewide average per capita assessed property value. These funds can be used for any municipal purpose. The \$100,000 can be increased each year by the increase in the July implicit price deflator for personal consumption expenditures. Total distributions can be proportionally decreased if funds are not available statewide to fund all entities eligible for these distributions.

Licenses and Permits

The City collects fees for a number of licenses and permits, including Business Licenses, Building Permits and permit fees for zoning plan review and inspections.

Utility Taxes and Franchise Fees

RCW35A.82 authorizes the collection of taxes on the operating revenues of private and public utilities within the City. The City levies taxes on electric, gas, telephone, cable, water, sewer, irrigation, stormwater and garbage utilities operating within the City.

The maximum statutory rate that can be collected is 6% for electric, gas and telephone utilities. Additional taxes can be levied on these utility operations with a vote of the electorate. There are no restrictions on the rate levied for water, sewer, irrigation, stormwater and garbage utility operations. For cable utilities, the rate levied is governed by the Cable Communications Policy Act of 1984 which requires the rate to be comparable to the rates levied for other utility operations.

The following are the rates levied by the City by type of utility:

- Water – 12.26%
- Sewer – 10.5%
- Solidwaste – 10.5%
- Electric - 8.5%
- Storm Water - 8.5%
- Ambulance – 1.0%
- Telephone – 8.5%
- Natural Gas – 8.5%
- Brokered Natural Gas – 8.5%
- Cable TV – 7.5%

Additional franchise fee charges can be levied on electric, gas and telephone utilities for administrative costs for permitting, reviewing plans, monitoring construction and preparing SEPA documents. Cable TV franchise fees are governed by federal law. Rates may be levied at 5% of gross revenues without a restriction on the purpose. Cable TV franchise fees within the City is 5%.

Privilege Taxes

The state levies a privilege tax on electric generating facilities of public utility districts for the privilege of operating. The tax is measured by gross income derived from the sale of electric energy, the number of kilowatt hours of self-generated energy distributed to consumers or resold to other utilities and the wholesale value of energy produced in thermal plants. A rate of 1.5% is levied on Energy Northwest's WNP#2 operated on the Hanford Reservation. The 1.5% is distributed as follows:

- 10.2% - State General Fund
- 44.9% - State General Fund for public schools
- 19.8% - Counties within the impacted area
- 20.6% - Cities within the impacted area
- 2.7% - Fire districts within the impacted area
- 1.8% - Certain Library districts within the impacted area

The City is impacted by the operation of WNP#2 and therefore receives a distribution of privilege taxes.

Charges for Services

Park User Fees and Program Fees

The City charges fees for using park facilities, or for participating in recreational programs.

Sewer User Fees

The state authorizes sewer charges to wastewater generators. In the City of Richland, these fees are usually based on the amount of potable water consumed based on the assumption that there is a correlation between water consumption and wastewater generation. Residential customers pay flat (base) rate only. Commercial customers pay base and consumption rate. Revenue may be used for capital facilities, operations and maintenance.

Water User Fees

State authorized rate charged to each residential and commercial customer, based on the volume of water used. Revenue may be used for capital facilities, operations and maintenance.

Road Impact Fees

ESHB 2929 authorizes impact fees to pay for roads required to serve new development. Impact fees must be used for capital facilities needed for growth, and not to meet current deficiencies and cannot be used for operating expenses. Road impact fees must also be directly related to the impacts created by the development and must be utilized within 5 years or returned.

Fire Protection and Emergency Services Impact Fees

ESHB 2929 authorizes impact fees to pay for fire protection and emergency service facilities required due to new development. These fees are usually collected at the issuance of building permits or certificates of occupancy. Fire and emergency services fees are usually based on a flat rate for dwelling units by type and per square foot for non-residential uses. Adjustments must be made to fee calculations to account for fire and Emergency Services costs that are paid by other sources of revenue. Additional credit can also be given to developers that contribute land, improvements or other assets. These impact fees are in addition to any mitigation or voluntary payments authorized by SEPA, local improvement districts, etc. Impact fees must be used for capital facilities needed for growth, and not to meet current deficiencies, and cannot be used for operating expenses. Fire and emergency services impact fees must also be directly related to the impacts created by the development and must be utilized within 5 years or returned. Currently, City of Richland does not impose fire protection and emergency services impact fees.

Park and Recreation Impact Fees

ESHB 2929 authorizes impact fees to pay for park and recreation facilities required due to new development. These fees are usually collected at the issuance of building permits or certificates of occupancy. Adjustments must be made to fee calculations to account for park and recreation costs that are paid by other sources of revenue. Additional credit can also be given to developers that contribute land, improvements or other assets. These impact fees are in addition to any mitigation or voluntary payments authorized by SEPA, local improvement districts, etc. Impact fees must be used for capital facilities needed for growth, and not to meet current deficiencies, and cannot be used for operating expenses. By City Ordinance, Park and Recreation impact fees must also be directly related to the impacts created by the development and must be utilized within 6 years or returned. Currently, the City of Richland charges an impact fee for parks and recreation based on the total population generated.

Bonds

General Obligation/Councilmanic Bonds

There are two types of General Obligation Bonds: Voter approved and Councilmanic. Voter approved bonds are backed by the value of the property within the jurisdiction. They increase the property value rate, with increased tax revenues dedicated to paying the principal and interest on the bonds. Councilmanic Bonds are authorized without voter approval and paid from general tax sources without an

increase in tax revenue. The total amount of local government debt, without a 60% majority vote of qualified electors, is restricted to 2.5% of the taxable value of all property in the jurisdiction for general purpose; 2.5% for utility bonds; and, 2.5% for utilities.

Special Assessment District Bonds

Special assessment districts, such as Local Improvement Districts (LID), Road Improvement Districts (RID) and Utility Local Improvement Districts (ULID), may be formed by the city to finance capital facilities required by other entities (property owners, developers, etc.). These capital facilities are funded through the issuance of special assessment bonds, paid for by the entities benefited. Use of special assessment bonds is restricted to the purpose for which the special assessment district is created.

Grants and Loans

Community Development Block Grants

Department of Community Development grants of up to 100% may be available through the Federal Department of Housing and Urban Development for public facilities projects, economic development, housing, etc. which benefit low and moderate income households.

Community Economic Revitalization Board Grants

Department of Trade and Economic Development revenue are available for low interest loans and grants to finance sewer, water, access roads, etc. to facilitate private sector industrial development that supports the trading of goods or services outside of the State, and either creates or maintains jobs.

Public Works Trust Fund Loans

Department of Community Development low interest loan funds are available for capital facilities, emergency planning, and capital improvement planning. Applicants must have a capital facilities plan, must be levying the 1/4% real estate excise tax, and must be in compliance with UGA requirements. Capital improvement planning projects are limited to planning for streets and utilities.

Federal Bridge Replacement Program

Grants (80% Federal/20% Local) issued by the Washington State Department of Transportation (WSDOT) State Aid Division, are available for replacement of structurally deficient or functionally obsolete bridges. The bridge must be on the Washington State Inventory of Bridges.

National Highway System Grants

WSDOT State Aid Division revenue is available for construction and improvement of the National Highway System. The project must be on the Regional Transportation Improvement Program (TIP) list and must be a component of the National Highway System (NHS), including all highways classified as principal arterials. These funds are available on an 86.5% Federal/13.5% Local match, based on the highest ranking projects from the Regional TIP list.

Transportation Improvement Board (TIB) Grants

State Transportation Improvement Board (TIB) grants are available for roadway and sidewalk projects caused by economic development or growth, development activities, and partially funded locally. Grants are funded 80% State/20% Local.

- Urban Arterial Program (UAP) - best suited for roadway projects that improve safety and mobility.

- Urban Sidewalk Program (SP) – Best suited for sidewalk projects that improve safety and connectivity.
- Arterial Preservation Program (APP) – provides funding for overlay of federally classified arterial streets in cities with a assessed valuation less than \$2 billion.

Transportation Partnership Program (TPP)

Transportation Improvement Board grants are available for projects to relieve and prevent traffic congestion. Preference is given to projects that are structurally deficient, congested by traffic, and has geometric deficiencies or accident incidents. Grants are funded 80% State 20% Local.

Surface Transportation Program

WSDOT State Aid Division block grant revenue is available for road construction and maintenance, transit capital projects, bridge projects, transportation planning, research and development, participation in wetland mitigation and wetland banking. Funds are distributed generally at 80% federal/20% local based on the highest ranking projects from Regional Transportation Improvement Program list.

State Parks and Recreation Commission Grants

State Parks and Recreation Commission grants are available for the acquisition of land and capital improvement projects for parks and recreation purposes. Funds come from both State and Federal sources and are granted on a 50% State and 50% Local basis.

Department of Health Grants & Loans

State grants & loans for technical assistance and updating existing water systems, are available for ensuring effective management, and achieving maximum conservation of safe drinking water. Matching requirements for grant vary depending on the program and loan rates for loan programs.

Centennial Clean Water Fund

Department of Ecology grants for the design, acquisition, construction, and improvement of Water Pollution Control facilities (WPC), and related activities, are available to meet state and federal WPC requirements and protect and improve water quality.

Department of Ecology administers low interest loans and loan guarantees. Applicants must show water quality need, have a facility plan, have the ability to repay, and conform to other State and Federal WPC requirements.

Department of Ecology Grants

State of Washington supplies grants for a variety of programs related to solid waste, including Remedial Action Grants to assist with local hazardous waste sites, Moderate Risk/Hazardous Waste Implementation Grants to manage local hazardous waste, and Food and Yard Waste Composting Grants.

Local Revitalization Financing (LRF) program

In the 2009 Legislative Session Senate Bill 2SSB 5045 Chapter 270 was adopted creating the Local Revitalization Financing (LRF) program. The program helps local governments finance public improvement projects that encourage private development within a revitalization area. The LRF program authorizes cities and counties to create “revitalization areas” and allows certain increases in local sales and use tax revenues and local property tax revenues generated from within the revitalization area, additional funds from other local public sources, and a state contribution to be used for payment of bonds issued for financing local public improvements within the revitalization area. The state contribution is provided

through a new local sales and use tax that is credited against the state sales and use tax (sometimes referred to as the “LRF tax”). This tax does not increase the combined sales and use tax rates paid by consumers.

The Department of Revenue administers the LRF program. The state provides money to the local government sponsoring the LRF area through a local sales and use tax under RCW 82.14.510 (commonly referred to as the “LRF tax”). This local sales and use tax is credited against the state sales and use tax, so it does not increase the sales and use tax rate for the consumer. Instead, the LRF tax shifts revenue from the state general fund to the sponsoring local government.

The maximum amount allowed statewide for state contributions to LRF is \$4.75 million per state fiscal year. Of this amount, \$2.25 million is allocated for the seven demonstration projects, and \$2.5 million is allocated for the other projects approved on a first-come basis. The maximum amount of state contribution for each demonstration project is specified in the bill and ranges from \$200,000 to \$500,000 per project. The maximum state contribution for each project approved on a first-come basis is \$500,000.

The City of Richland currently utilizes this financing option for the Richland Revitalization Area for Industry, Science and Education (RAISE) area and anticipates that this will be a viable option for funding the UGA infrastructure in the future as well.

Tiger Grant Funding Program

The Transportation Investment Generating Economic Recovery, or TIGER Discretionary Grant program, provides a unique opportunity for the U.S. Department of Transportation to invest in road, rail, transit and port projects that promise to achieve critical national objectives. Since 2009, Congress had dedicated more than \$4.1 billion to the program: \$1.5 billion for TIGER I, \$600 million for TIGER II, \$527 million for TIGER III, \$500 million for TIGER IV, \$474 million for TIGER V, \$600 million for TIGER VI, and \$500 million for TIGER VII.

\$1.5 billion for TIGER I, \$600 million for TIGER II, \$526.944 million for FY 2011, \$500 million for FY 2012, \$473.847 million for FY2013, and \$600 million for the FY 2014 round of TIGER Grants to fund projects that have a significant impact on the Nation, a region or a metropolitan area.

The competitive structure of the TIGER program and its broad eligibility allow project sponsors at the State and local level to avoid narrow, formula-based categories, and fund multi-modal, multi-jurisdictional projects not eligible for funding through traditional DOT programs. TIGER can fund port and freight rail projects, for example, which play a critical role in our ability to move freight, but which are not eligible for any other sources of Federal funds. Similarly, TIGER can provide capital funding directly to any public entity, including municipalities, counties, port authorities, tribal governments, MPOs, or others in contrast to traditional Federal programs which provide funding to very specific groups of applicants (mostly State DOTs and transit agencies). This flexibility allows TIGER and traditional state and local partners to work directly with a host of entities that own, operate and maintain much of our transportation infrastructure, but otherwise cannot turn to the Federal government for support.

CAPITAL FACILITIES FUNDING

The Growth Management Act requires that funding for capital facilities be reasonably available to meet the projected growth at the adopted level of service for at least a 6-year period. This section discusses the funding for those public facilities for which additional capital improvements will be required over the next 6 years.

Funding for capital facilities, projected growth rates and desired LOS need to be in balance. This balancing effort has been achieved for the UGA with the assistance of City staff and technical consultants.

Projected Capital Facility Cost

Table 7 below summarizes the total public capital facilities costs as well as the proposed amount the city would be required to contribute to serve the UGA Expansion Area for the period 2016 to 2022. These costs are based on the information provided in the previous Section, Facility Requirements, and were calculated based on 2016 construction costs.

Table 7. Estimated Capital Facilities Costs 2016-2022

Capital Facility	Estimated Total Cost
Street and Roads	
Construct Road "A" - 3,260 LF	\$2,281,717
Construct Road "B" - 3,110 LF	\$2,176,000
Kingsgate Way & Horn Rapids Road Intersection Improvements	\$165,000
George Washington Way & Stevens Drive Intersection Improvements	\$755,000
Total Streets and Roads	\$5,377,717
Sanitary Sewer	
Extend 7,500 LF of 24-inch Diameter Sewer Main	\$1,800,000
Total Sanitary Sewer	\$1,800,000
Domestic Water	
Extend 12-inch Diameter Water Main	\$2,500,000
2.0 MG Reservoir	\$7,000,000
Total Domestic Water	\$9,500,000
TOTAL CAPITAL COST	\$16,677,717

Source: City of Richland/Port of Benton/JUB

All costs are in current dollars, are rounded to the nearest hundred, and include all applicable fees and contingency costs. Current costs are used under the assumption that both construction costs and projected income would rise at similar rates because of the difficulty of projecting costs and income into the future. The above costs identify do not include costs for capital facilities normally provided by developers as part of their projects or by non-City utilities such as telephone and cable. Also not included are costs for projects that may be partially funded by developers in order to meet concurrency requirements and to mitigate projected impacts (on-site infrastructure). For City provided utilities, only those capital facilities that are in excess of normal line expansion covered by the City's normal utility hook-up fees are included.

Projected Capital Facilities Revenue Sources

Revenues to fund transportation capital facilities will come from general funds, LID's, grants, the Motor Vehicle Fuel Tax (both Restricted and Unrestricted), and developer contributions to fund capital improvements. Revenues to fund capital improvements of sewers and water facilities will come from consumer utility rates, developer contributions and state and federal loans and grants. In addition, because the City of Richland and Port of Benton own the property, the revenue from the land sale will also be used to pay for capital facility costs.

Revenue Projections

The following forecasts the revenues that are reasonably available to the City to meet projected growth for the 2016 to 2022 planning period. Revenue sources are in current dollars. Table 8 identifies the assumptions made for the identified revenue sources.

Table 8: Tax Revenue Assumptions

General Revenue Factors:			
Market Value:	\$0.75	per	SF
Assessor's Value Adjustment:	93.7%	of	Market
Existing Tax Rate:	\$2.63	per	\$1,000
Excise Tax Rate:	0.0050	per	\$1.00
Sales Tax on Construction:	0.85%		
Port of Benton Tax Rate:	\$0.39846	per	\$1,000
Land Value:	\$0.75	per	SF
Average Structure Value:	\$125.00	per	SF
Total Land Area:	16,770,600		SF
Total Building Area:	2,934,855		SF

Source: City of Richland/Port of Benton/JUB

Tables 9 through 12 summarize specific revenue sources available to the City to meet Capital Facility requirements. Not all of the revenue sources will be used to fund any specific capital facility but these sources do provide a range of options for meeting capital facility requirements.

Table 9: Income from Excise Tax

Land Use	Value ¹
Total Sale Price	\$12,577,950
Excise Tax Rate	0.0050
Total Excise Tax Return	\$62,890

¹Assumes only property transfer by 2022.

Source: City of Richland/Port of Benton/JUB

Table 10: Sales Taxes on Construction

Land Use	Total Costs ¹	Tax Rate	City of Richland share of Sales Tax Revenue
Industrial	\$366,856,875	0.85%	\$3,118,283

¹Based on off-site and on-site improvements and structures

Source: City of Richland/Port of Benton/JUB

Table 11: Income from Property Taxes

Land Use	Land	Structures	Total Value
Industrial	\$12,577,950	\$366,856,875	\$379,434,825
		93.70%	\$355,530,431
	City of Richland Property Tax Rate		0.0026264
	Total Annual Property Tax		\$933,765
	Port of Benton Property Tax Rate		0.0003985
	Total Annual Property Tax		\$141,665
City and Port Revenue Generated over Development Period			\$6,452,579

Source: City of Richland /Port of Benton/JUB

Developer Contributions

Recent State Supreme Court decisions and State law have limited developer contributions to those which directly relate to the impact that a specific development will have on a capital facility. The City must show a direct relationship, or “nexus”, between a specific project and the mitigation measure being imposed. The exception to this is where a development will result in a lack of concurrency in the Level of Service for a Category 1 Capital Facilities. However, due to the unique situation where the City and Port own the property and will most likely be the developer, it is assumed that there will be no developer contributions required related to the future development. Instead, it is assumed that all money generated from the sale of the properties within the Proposed UGA expansion area will be used toward the payment of the capital facilities.

Income/Expense Analysis

Table 12, below, summarizes the total income and expenses for capital facilities over the next 6 years. This table assumes that both income and expenses will be consistent over the 6-year period. Realistically, this will not be the case. Capital expenditures are generally required prior to the development. Property and Sales tax revenues generally lag by one to two years from the date of construction. In addition, State and Federal loans and grants may not be available at the time the capital facility is required. This means that, for any given year, total revenues may be less than capital facility expenditures.

In addition, typically income generated from Real Estate Excise Taxes are assumed as projected revenue for capital facility expenses. Since the property within the proposed UGA expansion area is publicly owned, these taxes are exempt and will not be a viable revenue sources. Instead, it is assumed that all proceeds from the sale of the property will be used to pay for Capital Costs.

Table 12. Revenue Assumptions

Capital Costs		Projected Revenue	
Item	Total Costs	Item	Total Revenues
Streets and Roads	\$5,377,717	City Property Taxes	\$5,602,591
Sewers	\$1,800,000	² Port Property Taxes	\$424,994
Domestic Water	\$9,500,000	Property Sales	\$12,577,950
Storm Drainage	\$0	Sales Taxes on Construction	\$3,118,283
Sub Total Capital Costs	\$16,677,717	Retail Sales Taxes	\$0
¹ Interest on Debt	\$500,322	³ Developer Contributions	\$0
		⁴ Grants	\$1,717,805
Total Capital Costs	\$17,178,049	Total Revenues	\$23,441,623

¹Interest on debt based on projected total historic debt interest at 3% of total capital costs

²Port of Benton Tax Contributions is estimated at 50% property taxes received for the proposed UGA.

³Developer Contributions based on requirements to meet concurrency @ 0% of total Capital Costs

⁴Grants based on Assumed Level of Approximately 10% of the Total Capital Cost

Source: City of Richland/Port of Benton/JUB

Summary

Based on Table 12 above, the tax revenues, property sales and grants are expected to be sufficient to provide the capital improvements required to meet the growth projected for the UGA Expansion Area over the next 6 years. In addition, other sources of revenue from the sale of City and Port owned property located adjacent to the study area are anticipated to help pay for additional development costs. Immediately south of the proposed UGA Expansion Area, the City and Port own an addition 454 acres, located within the City of Richland UGA, which will be developed concurrently with the UGA Expansion Area. As a result, the sales of this additional property is estimated to generate an additional \$14,832,180 and \$7,609,015 in property taxes over a 6-year period.

Attachment 9

Stevens, Mike

From: Buechler, Ken
Sent: Monday, August 7, 2023 7:05 AM
To: Stevens, Mike
Subject: RE: North Horn Rapids Industrial Park Annexation

Fire is Good!



Kenneth Buechler
Fire Marshal

625 Swift Blvd., MS-16 | Richland, WA 99352
(509) 942-7556
(509) 578-9321

From: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Sent: Monday, July 31, 2023 4:41 PM
To: Acevedo, Mizael <macevedo@CI.RICHLAND.WA.US>; Anderson, Ryan (ECY) <rand461@ECY.WA.GOV>; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; BC Planning - Michelle Cooke <Michelle.Cooke@co.benton.wa.us>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Bill Barlow <bbarlow@bft.org>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; Catherine Dickson <catherinedickson@ctuir.org>; Corrine Camuso, Yakama Nation <Corrine_Camuso@Yakama.com>; Hamilton, Craig <C.Hamilton@bces.wa.gov>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; Darrick Dietrich <darrick@basindisposal.com>; Davis, Deanna <d.davis@bces.wa.gov>; Deborah Rodgers <dxrogers@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; FormerOrchards@ecy.wa.gov; Gary Graff <gary.graff@ecy.wa.gov>; gis@co.benton.wa.us; Greg Wendt <greg.wendt@co.benton.wa.us>; Hester, Laura <lhester@CI.RICHLAND.WA.US>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Hogan, Jodi <jhogan@CI.RICHLAND.WA.US>; Jason McShane <jmcsbane@kid.org>; Jessica Lally, Yakama Nation <Jessica_Lally@Yakama.com>; John Lyle <john.lyle@bentoncleanair.org>; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; Joseph Cottrell <jecottrell@bpa.gov>; Junior Campos <junior.campos@charter.com>; Katherine Cichy <katherine.cichy@ziply.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Michael Tovey <michael.tovey@ziply.com>; Nancy Lang <langn@bentonpud.org>; Noah Lee <noah.lee@bentoncleanair.org>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Orr, Bruce <borr@CI.RICHLAND.WA.US>; Paul Gonseth <gonsetp@wsdot.wa.gov>; ReathaFord, Jason <JReathaFord@CI.RICHLAND.WA.US>; Review Team <reviewteam@commerce.wa.gov>; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; Sean Domagalski <seand@bfhd.wa.gov>; Seth DeFoe <SDefoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; Tyutyunnik, Ruvim <rtyutyunnik@CI.RICHLAND.WA.US>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; WDFW <R3Planning@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; William Simpson <william.simpson@commerce.wa.gov>; WSDOT Aviation <AviationLandUse@wsdot.wa.gov>
Subject: North Horn Rapids Industrial Park Annexation

Attached you will find information pertaining to the proposed annexation of approximately 1,643 acres of land located north of the City of Richland. A Public Hearing before the Richland City Council will occur on Tuesday, September 5, 2023 at 6:00 PM. Please review and respond back with any comments your agency may have by Friday, August 18, 2023 should you want your comments included in the official staff report. Comments received after Friday, August 18th will be provided to the City Council during the September 5th Public Hearing.

Thank you,



Mike Stevens

Planning Manager

625 Swift Blvd., MS-35 | Richland, WA 99352

(509) 942-7596

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Stevens, Mike

From: Chris Sittman <CSittman@kid.org>
Sent: Tuesday, August 1, 2023 1:16 PM
To: Stevens, Mike
Subject: RE: North Horn Rapids Industrial Park Annexation

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

KID has no comments.

Chris D. Sittman
Engineering Dept./CAD Specialist
Kennewick Irrigation District
2015 S. Ely St.
Kennewick, WA 99337
Desk: 509-460-5435
Cell: 509-873-1123

From: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Sent: Monday, July 31, 2023 4:41 PM
To: Acevedo, Mizael <macevedo@CI.RICHLAND.WA.US>; Anderson, Ryan (ECY) <rand461@ECY.WA.GOV>; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; BC Planning - Michelle Cooke <Michelle.Cooke@co.benton.wa.us>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Bill Barlow <bbarlow@bft.org>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; Catherine Dickson <catherinedickson@ctuir.org>; Corrine Camuso, Yakama Nation <Corrine_Camuso@Yakama.com>; Hamilton, Craig <C.Hamilton@bces.wa.gov>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; Darrick Dietrich <darrick@basindisposal.com>; Davis, Deanna <d.davis@bces.wa.gov>; Deborah Rodgers <dxrogers@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; FormerOrchards@ecy.wa.gov; Gary Graff <gary.graff@ecy.wa.gov>; gis@co.benton.wa.us; Greg Wendt <greg.wendt@co.benton.wa.us>; Hester, Laura <lhester@CI.RICHLAND.WA.US>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Hogan, Jodi <jhogan@CI.RICHLAND.WA.US>; Jason McShane <JMcShane@kid.org>; Jessica Lally, Yakama Nation <Jessica_Lally@Yakama.com>; John Lyle <john.lyle@bentoncleanair.org>; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; Joseph Cottrell <jecottrell@bpa.gov>; Junior Campos <junior.campos@charter.com>; Katherine Cichy <katherine.cichy@ziply.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; Development <development@kid.org>; Matthew Berglund <MBerglund@kid.org>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Michael Tovey <michael.tovey@ziply.com>; Nancy Lang <langn@bentonpud.org>; Noah Lee <noah.lee@bentoncleanair.org>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Orr, Bruce <borr@CI.RICHLAND.WA.US>; Paul Gonseth <gonsetp@wsdot.wa.gov>; Reathafor, Jason <JReathafor@CI.RICHLAND.WA.US>; Review Team <reviewteam@commerce.wa.gov>; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; Sean Domagalski <seand@bfhd.wa.gov>; Seth Defoe <SDefoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; Tyutyunnik, Ruvim <rtyutyunnik@CI.RICHLAND.WA.US>; WA

Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; WDFW <R3Planning@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; William Simpson <william.simpson@commerce.wa.gov>; WSDOT Aviation <AviationLandUse@wsdot.wa.gov>
Subject: North Horn Rapids Industrial Park Annexation

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Thank you,



Mike Stevens
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625 Swift Blvd., MS-35 | Richland, WA 99352
(509) 942-7596

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Stevens, Mike

From: Noah Oliver <Noah_Oliver@Yakama.com>
Sent: Monday, August 14, 2023 2:15 PM
To: Stevens, Mike; DAHP SEPA (DAHP)
Cc: Macrae, James (DAHP); Casey Barney; Corrine Camuso; Gregg Kiona; Jessica Lally
Subject: Re: North Horn Rapids Industrial Park Annexation

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

Hi Mike,

Thank you for reaching out. We will be looking at how best to address our concerns in the property with DAHP as the project moves forward in a State of Federal Process. Please continue to keep us involved in consultation.

Regards,

Noah Oliver
Yakama Nation Cultural Resource Program

From: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Sent: Monday, August 14, 2023 12:35 PM
To: DAHP SEPA (DAHP)
Cc: Macrae, James (DAHP); Ashley Morton; Casey Barney; Corrine Camuso; Gregg Kiona; Jessica Lally; Noah Oliver; Austin Smith; Mars Galloway; Robert "Bobby" Brunoe; Warm Springs THPO
Subject: RE: North Horn Rapids Industrial Park Annexation

Hi Sydney,

The city is in the process of annexing the land. Future projects on the land will likely be subject to SEPA, but at this point there are no specific project plans. I expect that we will receive comments regarding permits and/or surveys as each future project comes forward and gets reviewed through the SEPA process.

Thank you,



Mike Stevens
Planning Manager
625 Swift Blvd., MS-35 | Richland, WA 99352
(509) 942-7596

From: DAHP SEPA (DAHP) <sepa@dahp.wa.gov>
Sent: Monday, August 14, 2023 12:29 PM

To: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>

Cc: Macrae, James (DAHP) <James.Macrae@dahp.wa.gov>; Ashley Morton <AshleyMorton@ctuir.org>; Casey Barney <Casey_Barney@Yakama.com>; Corrine Camuso <Corrine_Camuso@yakama.com>; Gregg Kiona <Gregg_Kiona@Yakama.com>; Jessica_Lally <Jessica_Lally@Yakama.com>; Noah Oliver <Noah_Oliver@yakama.com>; Austin Smith <austin.smithjr2@ctwsbnr.org>; Mars Galloway <mars.galloway@ctwsbnr.org>; Robert "Bobby" Brunoe <robert.brunoe@ctwsbnr.org>; Warm Springs THPO <THPO@ctwsbnr.org>

Subject: RE: North Horn Rapids Industrial Park Annexation

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

Hi Mike,

This area has been previously surveyed under Section 106 of the NHPA. Numerous archaeological sites were identified during that survey work. Is there still a federal nexus for this project?

If construction of the industrial park will proceed under SEPA, then archaeological permits from DAHP may be required. I've copied James Macrae, Assistant State Archaeologist, here. James can assist you with any permit-related questions.

All the best,

Sydney Hanson, MA (she/her) | **Local Government Archaeologist**
Eastern Washington & Columbia River Counties
360.280.7563 | sydney.hanson@dahp.wa.gov

Department of Archaeology & Historic Preservation | www.dahp.wa.gov
1110 Capitol Way S, Suite 30 | Olympia WA 98501
PO Box 48343 | Olympia WA 98504-8343



Please consider the environment before printing this email

From: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>

Sent: Monday, July 31, 2023 4:41 PM

To: Acevedo, Mizael <macevedo@CI.RICHLAND.WA.US>; Anderson, Ryan (ECY) <rand461@ECY.WA.GOV>; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; BC Planning - Michelle Cooke <Michelle.Cooke@co.benton.wa.us>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Bill Barlow <bbarlow@bft.org>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; Catherine Dickson <catherinedickson@ctuir.org>; Corrine Camuso, Yakama Nation <Corrine_Camuso@Yakama.com>; Hamilton, Craig <C.Hamilton@bces.wa.gov>; DAHP SEPA (DAHP) <sepa@dahp.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; Darrick Dietrich <darrick@basindisposal.com>; Davis, Deanna <d.davis@bces.wa.gov>; Deborah Rodgers <dxrodders@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; ECY RE Former Orchards <formerorchards@ECY.WA.GOV>; Graff, Gary (ECY) <GAGR461@ECY.WA.GOV>; gis@co.benton.wa.us; Greg Wendt <greg.wendt@co.benton.wa.us>; Hester, Laura <lhester@CI.RICHLAND.WA.US>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Hogan, Jodi <jhogan@CI.RICHLAND.WA.US>; Jason McShane <jmcshane@kid.org>; Jessica_Lally <Jessica_Lally@Yakama.com>; John Lyle <john.lyle@bentoncleanair.org>; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; Joseph Cottrell <jecottrell@bpa.gov>; Junior Campos <junior.campos@charter.com>; Katherine Cichy <katherine.cichy@ziply.com>; Cooper, Kelly (DOH) <Kelly.Cooper@DOH.WA.GOV>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Michael Tovey <michael.tovey@ziply.com>; Nancy Lang <langn@bentonpud.org>; Noah Lee

<noah.lee@bentoncleanair.org>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Orr, Bruce <borr@CI.RICHLAND.WA.US>; Gonseth, Paul <GonsetP@wsdot.wa.gov>; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>; COM GMU Review Team <reviewteam@commerce.wa.gov>; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; Domagalski, Sean (DOHi) <seand@bfhd.wa.gov>; Seth DeFoe <SDefoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; Tyutyunnik, Ruvim <rtutyunnik@CI.RICHLAND.WA.US>; Ritter, Michael W (DFW) <Michael.Ritter@dfw.wa.gov>; DFW R3planning <R3planning@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; Simpson, William (COM) <william.simpson@commerce.wa.gov>; WSDOT Aviation <AviationLandUse@wsdot.wa.gov>

Subject: North Horn Rapids Industrial Park Annexation

External Email

Attached you will find information pertaining to the proposed annexation of approximately 1,643 acres of land located north of the City of Richland. A Public Hearing before the Richland City Council will occur on Tuesday, September 5, 2023 at 6:00 PM. Please review and respond back with any comments your agency may have by Friday, August 18, 2023 should you want your comments included in the official staff report. Comments received after Friday, August 18th will be provided to the City Council during the September 5th Public Hearing.

Thank you,



Mike Stevens

Planning Manager

625 Swift Blvd., MS-35 | Richland, WA 99352

(509) 942-7596

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Stevens, Mike

From: RANDAL TWETEN <r.tweten@comcast.net>
Sent: Friday, August 18, 2023 5:56 PM
To: Stevens, Mike
Subject: Annexation Public Hearing

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

Mike Stevens:

Thank you for the letter notice of the public hearing on the proposed annexation.
I just wanted to let you know that I am in favor of this proposal.

Thank you,

Sincerely,

Randal Tweten



Department of Energy

Bonneville Power Administration
Pasco Regional Office
2211 North Commercial Avenue
Pasco, WA 99301

Transmission Services

August 18, 2023

In reply refer to: North Horn Rapids Industrial Park Annexation

Tract Nos. B-R-SAC
Line Name: Benton-Richland
(operated as Benton-White Bluffs No. 1)
Structures 7/12AOL – 9/15 and 4/28 - 5/5AOL

Tract Nos. ABK-9-A-1, ABK-8-A-1
Line Name: White Bluffs-Richland No. 1
Structure Nos.: 3/13 – 4/28AOL

Mike Stevens, Planning Manager
City of Richland, Development Services
625 Swift Blvd. MS-35
Richland, WA 99352

Dear Mr. Stevens:

Thank you for soliciting comments from Bonneville Power Administration (BPA) regarding the proposed annexation of 1,643 acres to be known as North Horn Rapids Industrial Park. BPA operates two high-voltage power transmission lines within the proposed development area: Benton-White Bluffs No. 1 and White Bluffs-Richland No. 1, operated within easement areas that are 100 feet and 80 feet wide, respectively.

High-voltage transmission lines require special considerations to ensure the preservation of both life safety and system reliability. To help ensure these considerations are understood, BPA is interested in contributing to discussions related to the annexation and subsequent development of the North Horn Rapids Industrial Park.

If you would like to discuss these matters further, please feel free to contact me. I can be reached at (360) 216-9919 or via email at jlkinch@bpa.gov.

Sincerely,

A handwritten signature in blue ink that reads "James L. Kinch".

James L. Kinch
BPA Field Realty Specialist



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 9/5/2023

Agenda Category: Items of Business

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Resolution No. 2023-143, Relinquishing the Remainder of a Utility Easement Located at 311 Van Giesen Street

Department/Office
Public Works

Ordinance/Resolution Number:
2023-143

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 2023-143, authorizing relinquishment of the remainder of a utility easement at 311 Van Giesen Street as provided therein.

Summary:

The property owner at 311 Van Giesen Street has requested that the City relinquish the remainder of a utility easement that currently encumbers this commercial property. Staff analysis supports the request as the need for the easement ended when the utility lines occupying it were abandoned. The easement is no longer needed for municipal purposes.

State law requires a public hearing prior to Council action to relinquish a utility easement. A duly advertised public hearing was conducted during the September 5, 2023 City Council meeting.

Absent compelling testimony from the hearing, staff recommends adoption of Resolution No. 2023-143

Fiscal Impact: None.

Attachments:

I. Resolution No. 2023-143

RESOLUTION NO. 2023-143

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,
DECLARING SURPLUS AND AUTHORIZING RELINQUISHMENT
OF A CERTAIN PORTION OF A UTILITY EASEMENT LYING
WITHIN 311 VAN GIESEN STREET.**

WHEREAS, the property owner at 311 Van Giesen Street, Deareld and Teresa Family Investments Inc., a Utah corporation, has requested relinquishment of a certain portion of a utility easement to accommodate new construction; and

WHEREAS, the easement to be relinquished, depicted by hatching on **Exhibit A**, is no longer needed for municipal purposes as the utilities that occupied the easement have been abandoned; and

WHEREAS, RCW 35.94.040 provides for the disposal of surplus property originally obtained for public utility purposes; and

WHEREAS, on September 3, 2023, notice was duly published that a public hearing would be held on September 5, 2023 to take testimony regarding this relinquishment action.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the existing easement, originally acquired for utility purposes and described as follows, is hereby found to be surplus to the City's needs:

A portion of a remaining utility easement dedicated to the City of Richland and lying within Lot 4, Block 732, Sheet 26-B, Plat of Richland, as depicted by hatching on **Exhibit A**.

BE IT FURTHER RESOLVED that the consideration in support of this relinquishment, which covers the City's administrative processing fees and recording costs, shall be paid by the applicant.

BE IT FURTHER RESOLVED that the City Manager is authorized to sign and execute all documents necessary to relinquish the City's interest in the certain portion of the public utility easement described herein and depicted by hatching on **Exhibit A**, and to deliver the same upon payment.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

This space intentionally left blank.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 5th day of September, 2023.

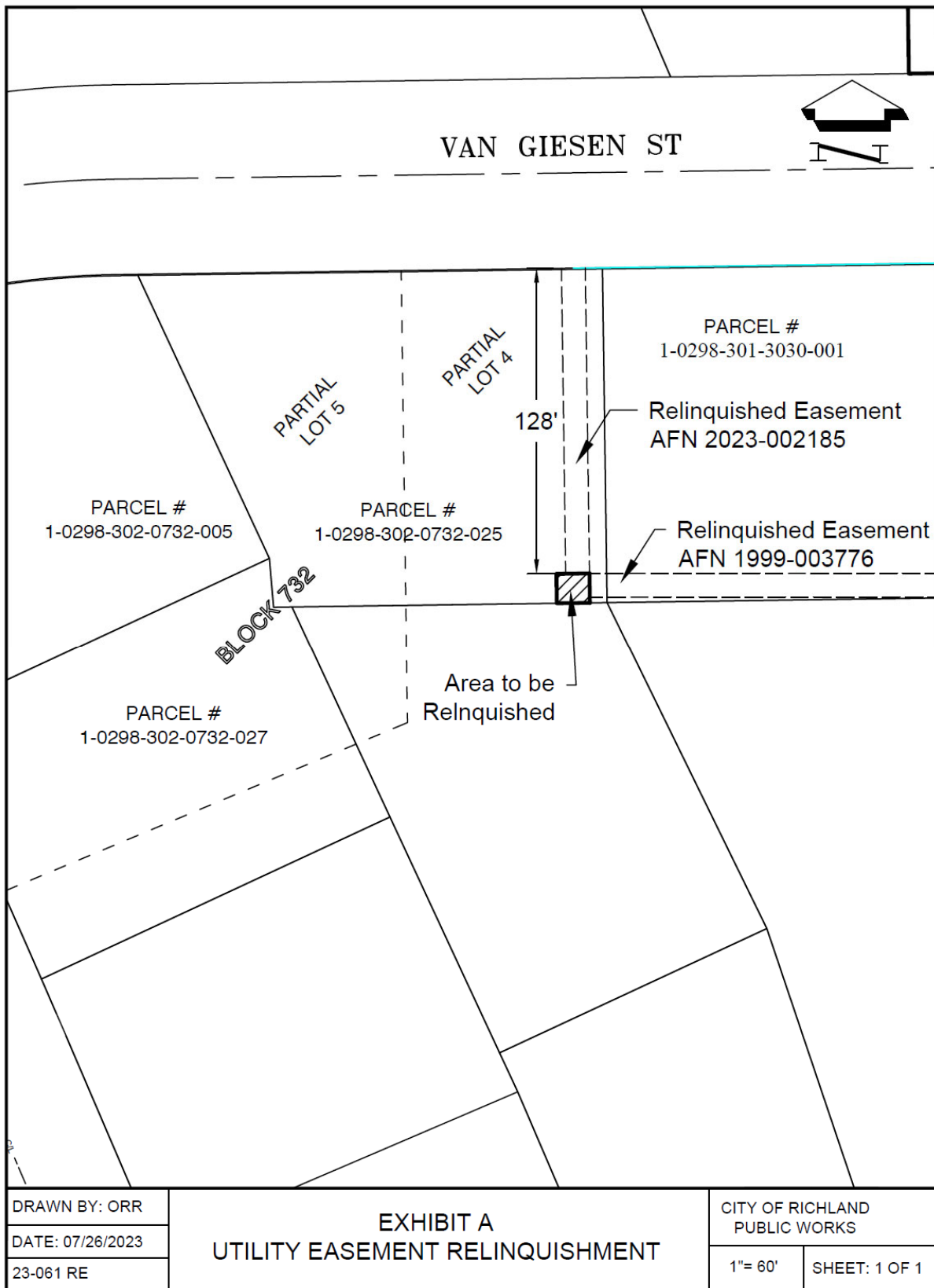
Terry Christensen, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney





COUNCIL AGENDA ITEM COVERSHEET

Council Date: 9/5/2023

Agenda Category: Items of Business

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Resolution No. 2023-144, Relinquishing a Utility Easement Located at 924 George Washington Way

Department/Office
Public Works

Ordinance/Resolution Number:
2023-144

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 2023-144, authorizing relinquishment of a utility easement at 924 George Washington Way as provided therein.

Summary:

The property owner at 924 George Washington Way has requested relinquishment of a certain portion of a utility easement to enable a new construction project. The easement to be relinquished is no longer needed for municipal purposes as the utilities that once occupied the easement have since been abandoned.

State law requires a public hearing prior to Council action to relinquish a utility easement. A duly advertised public hearing was conducted on September 5, 2023 during the regular City Council meeting.

Absent compelling public testimony from the hearing, staff recommends adoption of Resolution No. 2023-144.

Fiscal Impact: None.

Attachments:

I. Resolution No. 2023-144

RESOLUTION NO. 2023-144

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,
DECLARING SURPLUS AND AUTHORIZING RELINQUISHMENT
OF CERTAIN PORTIONS OF A UTILITY EASEMENT LYING
WITHIN 924 GEORGE WASHINGTON WAY.**

WHEREAS, the property owner at 924 George Washington Way, CFT NV Developments, a Nevada limited liability company, has requested relinquishment of a certain portion of a utility easement to accommodate new construction; and

WHEREAS, the requested easement, as described in **Exhibit A** and depicted in **Exhibit B**, is no longer needed for municipal purposes as the utilities that occupied the easement have been abandoned; and

WHEREAS, RCW 35.94.040 provides for the disposal of surplus property originally obtained for public utility purposes; and

WHEREAS, on September 3, 2023, notice was duly published that a public hearing would be held on September 5, 2023 to take testimony regarding this surplus action.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the existing easement, originally acquired for utility purposes and legally described in attached **Exhibit A** and depicted by hatching in **Exhibit B**, is hereby found to be surplus to the City's needs.

BE IT FURTHER RESOLVED that the consideration in support of this relinquishment, which covers the City's administrative processing fees and recording costs, shall be paid by the applicant.

BE IT FURTHER RESOLVED that the City Manager is authorized to sign and execute all documents necessary to relinquish the City's interest in the certain portion of the utility easement described in **Exhibit A** and depicted by hatching in **Exhibit B**, and to deliver the same upon payment.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 5th day of September, 2023.

Terry Christensen, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

EXHIBIT A

All the utility easements depicted by hatching on **Exhibit B**, lying within Lot 1, Block 635, recorded on Sheet 35-C, Plat of Richland, in Vol 6 & 7, plat records of Benton County, Washington, Auditor File Number 356196, **EXCEPTING** therefrom an active sewer line easement 10 feet in width depicted with no hatching on **Exhibit B**, the centerline described as follows:

Commencing at the Northwest corner of above-mentioned Lot 1; Thence North 89°23'15" West 169.00 feet to the **True Point of Beginning**;

Thence North 1°57'44" West 33.00 feet;

Thence North 6°51'07" West 167.86 feet and the **Point of Terminus**.

Edges of said easement are lengthened or shortened to terminate on the North and South Lot line.

POC $N0^{\circ}49'50"W$ 200.00'

POB $N89^{\circ}23'15"E$ 169.00'

GEORGE WASH WAY

Newton St

Excepting Area

Plat of Richland Block 635 Lot 1

$S1^{\circ}57'44"E$ 33.00'

$S6^{\circ}51'07"E$ 167.86'

10'

10'

10'

$N89^{\circ}12'54"E$ 138.00'

EXHIBIT B

UTILITY EASEMENT RELINQUISHMENT

924 George Washington Way

CITY OF RICHLAND PUBLIC WORKS

DRAWN BY: Orr

DATE: 08/15/2023

23-058E

1"= 40'

SHEET: 1 OF 1