

**Resolution 4-2007**

**KLICKITAT COUNTY PORT DISTRICT NO. 1,  
A MUNICIPAL CORPORATION OF THE STATE OF WASHINGTON**

**A Resolution Creating a Fill Placement Policy on Port Property**

**Whereas**, the Port of Klickitat Commission may formulate all needful regulations for use by tenants, agents, servants, licensees, invitees, suppliers, passengers, customers, shippers, business visitors and members of the general public of any properties or facilities owned and operated by it in accordance with RCW Sections 53.08.220, and

**Whereas**, the Port of Klickitat Commission wishes to establish a Fill Placement Policy governing acceptance of fill material onto Port property; and

**Whereas**, the Port of Klickitat Commission reserves the right to revise, replace or abolish such a Fill Placement Policy at any time;

***NOW, THEREFORE, BE IT RESOLVED:***

The following Fill Placement Policy is hereby adopted:

“It is the policy of Klickitat County Port District 1 to accept only clean fill material in designated fill acceptance locations as it is needed to fill and grade Port property.

**DEFINITION OF CLEAN FILL**

- The term includes the following uncontaminated materials: soil, rock, stone, dredged material.
- The term does not include used asphalt, organics, rebar, brick, block or concrete from construction and demolition activities.
- The term does not include any material not specifically named in this policy.
- The term does not include materials containing any substance in any concentration classified as hazardous waste by the US Environmental Protection Agency.
- This term does not include materials so wet as to be dripping liquid upon visual inspection.
- This term does not include materials that are noxious or possessing an odor that would be disagreeable to Port tenants or visitors.

If questions arise regarding whether a certain material can be defined as "clean fill," the Port Commission or its designee has sole authority to make this determination.

**FILL ACCEPTANCE LOCATIONS**

Maps and descriptions of designated fill acceptance locations are kept on file in the Port Office. Fill may only be placed within these permitted and designated areas.

- The Port does not guarantee access to fill acceptance locations. Creation of suitable roads for purpose of depositing fill may be the responsibility of the hauler.
- Any damage to Port property as a result of hauling or depositing fill shall be the sole responsibility of the hauler, and shall be repaired to the Port's satisfaction at the hauler's expense.
- When depositing fill, haulers agree to indemnify and hold harmless the Port of Klickitat District 1, its commissioners or employees for any damages to person or property incurred while depositing fill.

**PERMISSION TO DEPOSIT FILL**

Prior to depositing fill, haulers must contact the Port and receive written permission from the Executive Director. Haulers must sign a fill depositor permit, agreeing to all terms and conditions defined in this policy.

**OWNERSHIP OF FILL MATERIALS**

All material deposited as clean fill in compliance with this policy shall become the property of Klickitat County Port District 1.

**UNAPPROVED FILL PLACEMENT**

Fill material placed on Port property that does not comply with this policy shall be removed by the hauler at the hauler's expense immediately. In the case of noxious or hazardous chemicals which contaminate adjacent material, the hauler will remove and replace any contaminated materials.

**AUTHORITY TO INTERPRET POLICY**

The Port Commission or its designee has the sole power to interpret compliance with this policy.”  
This Resolution shall become effective immediately upon its adoption.

Adopted by the Port of Klickitat Commission, at a regular meeting thereof held this 17th day of April, 2007.

**PORT OF KLICKITAT COMMISSION**

ATTEST:

/s/ RODGER FORD  
Chairman, Rodger Ford

/s/ S. WAYNE VINYARD  
Vice-Chairman, S. Wayne Vinyard

/s/ MARGIE ZIEGLER  
Margie Ziegler  
Administrative Assistant

/s/ NORMAN DEO  
Norman Deo, Secretary

PORT SEAL