

Introduction for
WPPA Marina
Committee
December 5th,
2023

Jay Jennings, VP, Director
of Government Affairs



NORTHWEST
MARINE TRADE
ASSOCIATION



FIND A MEMBER

CAREERS

DONATE TO PAC

BECOME A MEMBER



MEMBERSHIP ▾

BOATING ▾

ADVOCACY

EVENTS ▾

NEWS

ABOUT NMTA ▾

CONTACT US

GROWING BOATING IN THE NORTHWEST

The Voice of the Recreational Boating Industry in the Pacific Northwest

The purpose of the Northwest Marine Trade Association is to promote the growth of recreational boating and the businesses of our members.

Become A Member

Get Our Newsletter

Donate to PAC

NMTA Mission



Growing boating in the Pacific Northwest. (Simple)



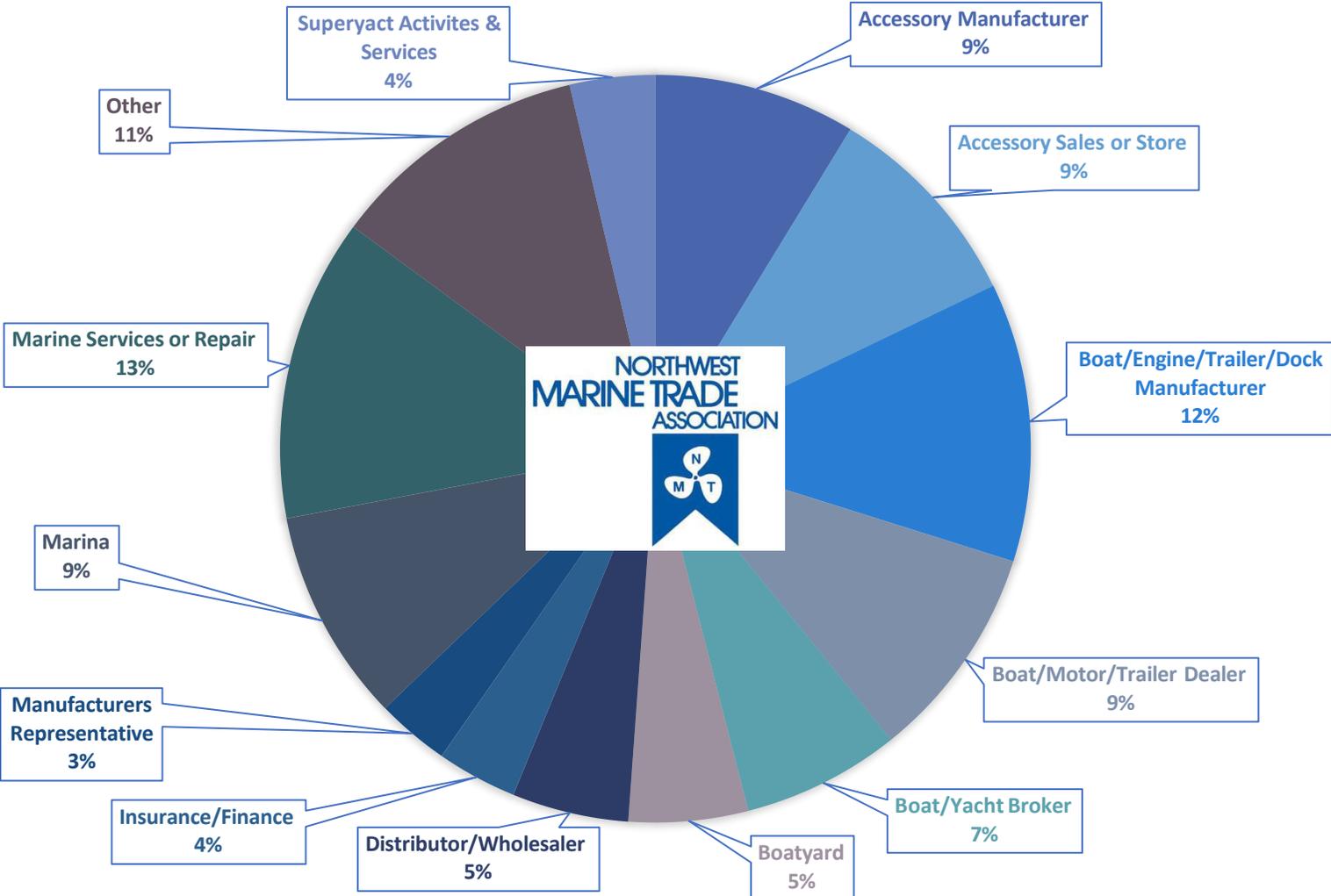
The mission of the Northwest Marine Trade Association shall be to promote the growth of recreational boating and the businesses of the NMTA membership (from NMTA By-Laws).

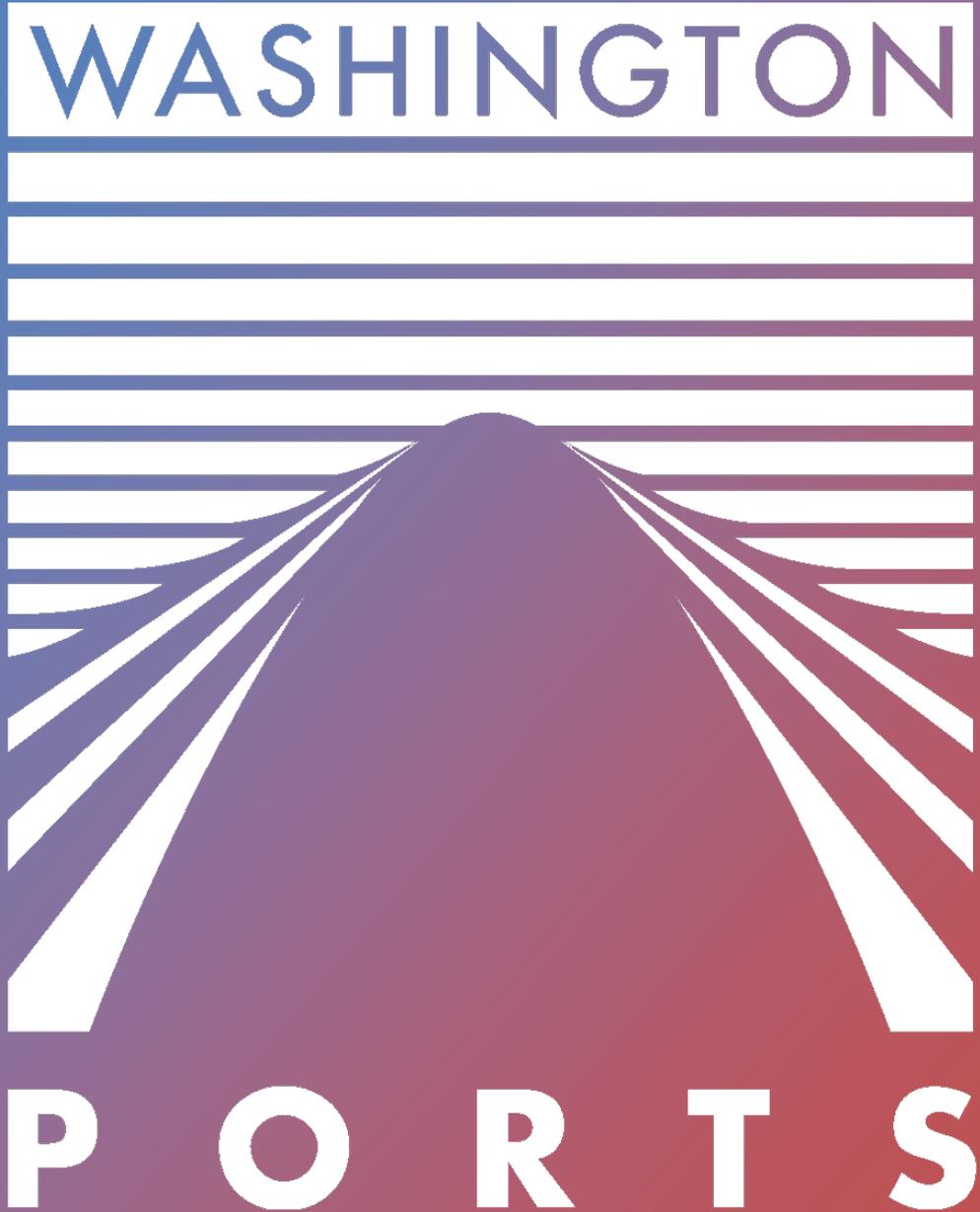


Make \$\$ for members, Save \$\$ for members, Solve member challenges (Staff Mission)

NMTA Membership

604 members from all sectors of recreational boating ecosystem





WPPA Members of NMTA

- Port of Anacortes
- Port of Bellingham
- Port of Bremerton
- Port of Edmonds
- Port of Everett
- Port of Friday Harbor
- Port of Kingston
- Port of Kodiak
- Port of Olympia
- Port of Peninsula
- Port of Port Angeles
- Port of Port Townsend
- Port of Seattle
- Port of Skagit County
- Port of South Whidbey
- And yours.... ??? ☺



NMTA Staff

Joan Collins – Boat Show Assistant

Katie Groseclose – Membership Coordinator

George Harris – President/CEO

Jennifer Higgins – Dir. of Finance

Karsten McIntosh – Dir. of Communications

Katie McPhail – V.P., Boat Show Director

Jay Jennings – V.P., Dir. of Government Affairs

Wyatt Asbury – Membership Coordinator

NORTHWEST
MARINE TRADE
ASSOCIATION



WaterLife

The Voice of the Recreational Boating
Industry in the Pacific Northwest



 nmta.net

WaterLife

- 1,218 Subscribers
- 49% Average Open Rate
- Delivery biweekly, every other Wednesday, to NMTA Members and Affiliates
- Archived at nmta.net



Clean Marina Washington

The Clean Marina Washington program, created in 2005 as an expansion of the EnviroStars program, helps boaters and marinas leave a healthy wake. Through this incentive-based certification program, marinas assess their operations and make improvements to better protect the environment. When they reach the qualification standards set by the Clean Marina program, they earn the right to fly the Clean Marina flag. As of January 2023, there were 81 certified Clean Marinas in Washington.



Clean Marina Wash

Pictured: Southern Idaho Sailing Outreach

Grow Boating Committee Awards \$10,000 in Grants to Pacific Northwest Boating Groups

- Southern Idaho Sailing Outreach (Boise, ID)
- Campus Life (Hermiston, OR)
- Corinthian Yacht Club (Seattle, WA)
- Oregon Women's Sailing Association (Portland, OR)
- Broken Iron Training (Rathdrum, ID)
- Blue & Gold Foundation, UW (Seattle, WA)
- BYC Sailing Foundation (Bremerton, WA)
- Antique & Classic Boat Society, PNW Chapter (Eatonville, WA)
- Anacortes Waterfront Alliance (Anacortes, WA)
- Sisters in Action Sports (Bothell, WA)





Grow Boating Committee Awards \$10,000 in Grants to Pacific Northwest Boating Groups

- Southern Idaho Sailing Outreach (Boise, ID)
- Campus Life (Hermiston, OR)
- Corinthian Yacht Club (Seattle, WA)
- Oregon Women's Sailing Association (Portland, OR)
- Broken Iron Training (Rathdrum, ID)
- Blue & Gold Foundation, UW (Seattle, WA)
- BYC Sailing Foundation (Bremerton, WA)
- Antique & Classic Boat Society, PNW Chapter (Eatonville, WA)
- Anacortes Waterfront Alliance (Anacortes, WA)
- Sisters in Action Sports (Bothell, WA)

Pictured: Southern Idaho Sailing Outreach

Boating is BIG Business in Washington



NMMA reports that the annual economic impact of recreational boating increased 36%, from \$170B in 2018 to \$230B in 2023.



In Washington State, the annual economic impact increased from \$6.9B to \$8B. There are 262,467 registered boats and the industry supports 1,288 businesses and 23,207 jobs.

RECREATIONAL BOATING

Impact in Washington



\$8.1 BILLION
ANNUAL ECONOMIC IMPACT¹
(Includes direct, indirect and induced spending)

23,207
Jobs supported¹
(Direct and indirect)

1,288
Businesses supported¹
(Direct)

262,467 Registered boats²

\$665.6 M Annual new boat, engine, trailer, and accessory sales³

RECREATIONAL BOATING IN AMERICA

95% of boats sold in the U.S. are **MADE IN THE U.S.**²

61% of boat owners have an annual household income of **\$75,000 OR LESS**³

93% of U.S. boat manufacturers are **SMALL BUSINESSES**²

95% of boats are towable boats **SMALLER THAN 26 FT.**²

Advocacy Day in Olympia - January 26, 2023

Thank you to the NMTA and RBAW members who turned out for Advocacy Day in Olympia on January 26. We had a very successful day with 14 meetings with legislators and their staff, many of whom also attended the reception at Olympia Yacht Club at the end of the day.





NMTA at 2023 American Boating Congress

- *Pictured: George Harris, Jay Jennings, NMTA V.P & Dir. of Government Affairs and Tarin Todd of Foss Harbor Marina in Washington, DC meeting congressional members and staff*
- Jay represented NMTA and the recreational boating industry in front of the Congressional Estuary Caucus for a panel presentation about nearshore marine facilities work to meet strict environmental standards.



**THE AMERICAN BOATING
CONGRESS**



Senator Christine Rolfes NMTA Legislator of the Year

Senator Christine Rolfes (D-23) Chair, Senate Ways & Means opened the Northwest Marina & Boatyard Conference with praise to NMTA for its leadership on Derelict Vessel Removal, Workforce Development and advocacy for the conservation of our ESA-listed salmon.

2023 Legislative Session Highlights

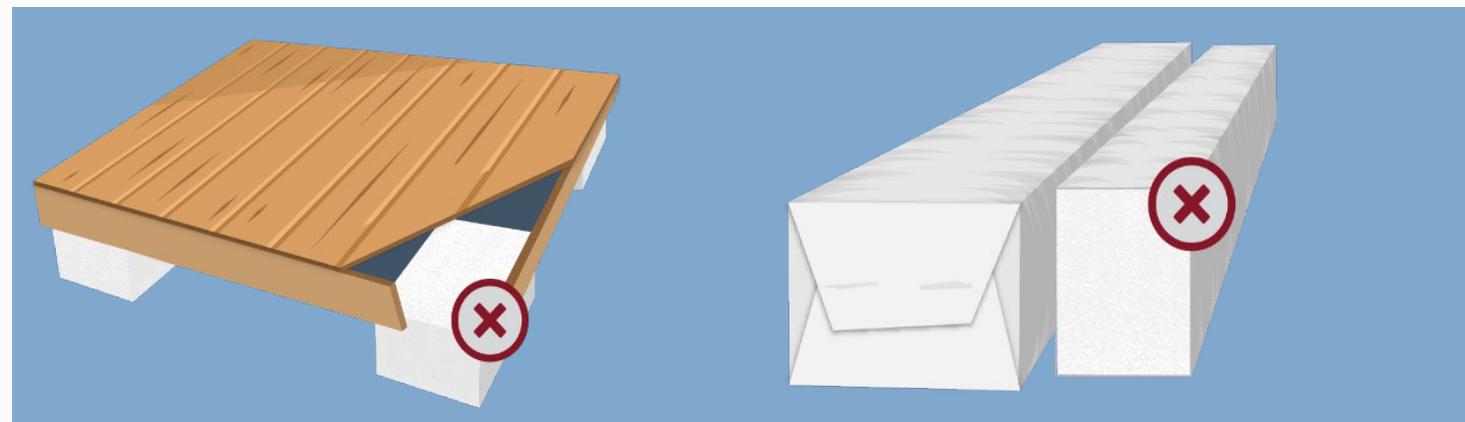
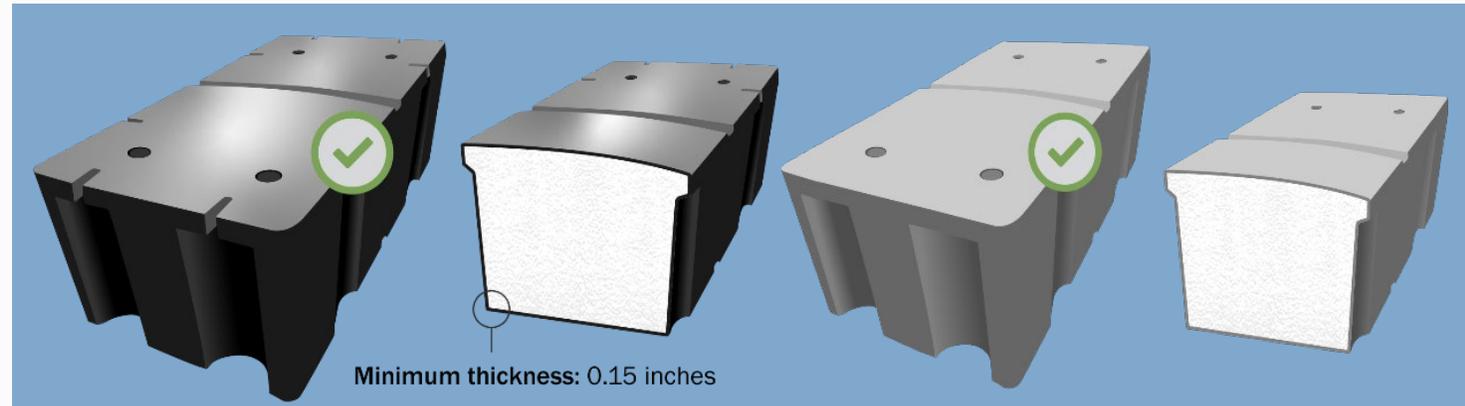
- Defeated attempts to ban hard-encased foam flotation blocks which are industry standard for dock flotation
- Led a coalition for increased state funding to improve pump-out access for easier compliance with no discharge zone regulations
- Defeated a proposed tax increase on Seattle Boat Show ticket sales
- Secured funding for removal of derelict structures in addition to derelict vessels
- Made our voice known to key policy makers to recriminalize drug possession and allow police pursuit



NEW LAW: Foam Docks and Blocks Law

Effective January 1, 2024

- Polystyrene foam must be fully enclosed in a shell made of plastic (0.15 inches), concrete, aluminum, or steel.
- Exposed polystyrene foam and foam wrapped in plastic film is prohibited in new dock repairs and construction.
- *Website & digital flyers coming soon!*
- [RCW 70A.245.130](#)





Legislative Win - Derelict Vessel Removal

NMTA and RBAW successfully lobbied Washington State Legislature to dedicate over \$4.2M annually to remove derelict vessels in marinas

Funding was reallocated to ensure at least 25% of Watercraft Excise Tax proceeds is permanently dedicated for derelict vessel removal

Additional funding will begin to plan for the removal of derelict structures at marinas and nearshore

Could lead to increasing availability of mitigation credits

2023 Legislative Win – Veto ESSB 5187

ESSB 5187 – Would have required the entire Board of Natural Resources to deliberate over each aquatic lands lease proposal

Would have created significant delay and uncertainty for marinas with DNR lease

Section 310(38), pages 446-447, Department of Natural Resources, Lease Approval Requirement

This section requires the Department of Natural Resources to seek approval for nearly all new leases or existing lease renewals from the Board of Natural Resources (Board). This would require the Board to review and approve hundreds of state trust land, forestland, upland and aquatic land leases every month. The Board also does not have legal oversight of state aquatic lands and leases entered into by the department. In addition, the funding provided for this work is insufficient and would result in delays for the agency, the Board, and lessees, as well as a loss of revenue for trust beneficiaries and aquatic accounts that serve as a funding source for other agencies. For these reasons, I have vetoed Section 310(38)

NORTHWEST
MARINE TRADE
ASSOCIATION





NMTA & Boatyard Committee improve Boatyard Permit with Department of Ecology

- NMTA successfully negotiated an achievable 5-year Boatyard permit with DOE.
- Washington currently has 50 permitted boatyards, of which 45 are NMTA members.

NMTA Creates SWPPP Template for Boatyards (Stormwater Pollution Prevention Plan)

- Boatyard General Permit requires updated SWPPP for all boatyards every five years.
- Landau Associates and NMTA create a 65-page editable SWPPP template for member boatyards.
- Template can be found at nmta.net/swppp_template





Memorandum

Date: August 21, 2023

To: Washington Public Ports Assoc.

From: Tom Rose, Port Commissioner
Mark Singer, Port Commissioner
Jamie Green, Port Commissioner
Carol Tripp, Port Capital Project Permit Manager
John Piccone, P.E., Port Engineer

Subject: Comments from the Port of Poulsbo regarding recent revisions to USACE permitting and ESA consultation for public ports projects.

The Port of Poulsbo (Port) is a Washington State public port providing economic development and public access within Kitsap County Washington. Through a combination of public funding and moorage fees the Port operates and maintains a mid-sized marina and upland shoreline facilities for recreational and commercial endeavors. The Port of Poulsbo is an essential part of the economic viability of the greater Poulsbo, WA area and a primary provider of responsible public access.

Relatively recent changes to ESA regulation and required USACE permitting of even routine maintenance projects are having a severe impact on the Port's ability to perform its primary mission. The current process implemented by USACE and the services providing consultation, a process which the Port has had no opportunity to participate in, is causing severe economic hardship which exceeds the publicly funded abilities of the Port of Poulsbo and nearly all other small and mid-sized ports within the region. Furthermore, it appears that the primary mission of the services to protect endangered species and associated habitat, a mission which the Port supports, has been internally revised at the regional level and resulted in a process that does not effectively serve the ESA or provide any form of national consistency.

Based on the Ports recent USACE permitting experience under the new process within region 10, the Port should apparently expect the following practical requirements:

- The process of obtaining a NWP3 for the purpose of maintaining existing facilities and public investments should be expected to take a minimum of 3 years! The associated significant costs of escalation and extended professional services should apparently be the responsibility of the Port.
- The USACE will be generally unwilling to manage the ESA consultation with the services directly and the Port must expect the need to spend upwards of \$40,000 per project for technical professionals to correspond directly with NMFS in an effort to



negotiate permission for necessary maintenance and safety improvements to our facilities.

- Under the new “NMFS Calculator” methodology, the Port should apparently expect to pay additional costs directly to the Puget Sound Partnership for “mitigation costs”, and that those additional costs will exceed actual construction costs on many projects the Port will be required to do simply to maintain existing facilities in safe and good working order.
- In the event the Port implements a project which happens to result in “positive mitigation points” per the current “NMFS calculator”, the Port should expect that the services “have no mechanism in place to account for positive actions” and are only able to impose extreme charges in the event of “negative points”.
- According to the process, Ports in this region are now expected to follow, any maintenance which would extend the useful life of existing public facilities will be essentially treated as new infrastructure directly impacting endangered species as though prime habitat is being replaced with infrastructure where none previously existed. This new methodology in our region suggests not a mission to protect ESA species and habitat effectively given current realities, but rather to eliminate the public access and economic development ports provide all together and allow natural processes to return to what they may have been over 100 years ago!

Like other ports in our region, the Port of Poulsbo is extremely concerned about the changes that have taken place regarding USACE permitting and ESA consultation. These changes are not a result of collaboration with local government, do not appear to be consistent with policies of other similar regions, and seem to represent an extreme but ineffective approach to protecting ESA species. Ports in this region have a long history of supporting and promoting the highest example of environmental care however, an effective approach must also consider current realities, good and true science, and other important factors such as the responsible public access and economic development that ports also provide.

Sincerely,

The Port of Poulsbo



DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

50 CFR Part 402
[Docket No. FWS-HQ-ES-2021-0104; FXES1114090FEDR-234-FF09E300000; Docket No. NMFS-230607-0143]
RIN 1018-BF96; 0648-BK48

Endangered and Threatened Wildlife and Plants; Revision of Regulations for Interagency Cooperation

AGENCY: U.S. Fish and Wildlife Service (FWS), Interior; National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule; request for comment.

SUMMARY: We, FWS and NMFS

(collectively referred to as the “Services” or “we”), propose to amend portions of our regulations that implement section 7 of the Endangered Species Act of 1973, as amended. The Services are proposing these changes to further clarify and improve the interagency consultation processes, while continuing to provide for the conservation of listed species.

DATES: We will accept comments from

A. The change to the definition of “environmental baseline” would increase what the Services consider to be “effects of the action,” thereby requiring additional and costly mitigation measures.

The proposed rule endeavors to change the definition of “environmental baseline” in such a way that existing port and other public works projects will be required to mitigate the effects of the continued existence of certain already existing structures, in addition to the effects from the proposed maintenance action itself. Specifically, removing the term “ongoing” from the definition of “environmental baseline” would mean that a continuation of a past and present discretionary practice or operation would be in the effects of the action (as opposed to the environmental baseline).

First, this is an untenable position, not aligned with the statutory language. The Services are attempting to minimize what constitutes the “baseline” in order to arbitrarily increase the “effects of the action.” Simply put, an existing structure *is part of the baseline*. The focus on discretionary versus non-discretionary agency actions blurs the actual issue necessitating consultation—the effects of the proposed action. Additionally, there is no basis for doing so under the ESA. Nevertheless, under this proposed rule, if a port needs an approval for a pier or dock maintenance project (such as a Corps Nationwide Permit 3), the Services could consider that the mere continued existence of the pier to be an effect of the proposed maintenance action. This goes far beyond considering the potential effects of the extended life of the pier or dock because of the maintenance—and instead would potentially require consideration of effects of the pier’s *entire existence*.

22.30 Boat Hoist Inspection, Testing and Certification Requirements

Date: April 6, 2023

I. Purpose

This Directive establishes inspection procedures and enforcement policies related to the inspection and certification of marine boat hoists and similar machines.

II. Scope and Application

This Directive applies to all DOSH operations statewide.

III. References

- Chapter 296-304 WAC, Safety Standards for Ship Repairing, Shipbuilding and Shipbreaking
- WAC 296-24, Part D, Materials Handling and Storage, Including Cranes, Derricks, Etc., and Rigging
- 29 CFR 1919, Gear Certification Subparts F, G and H.
- ASME B30.2, Overhead and Gantry Cranes.
- Additional information on the third party crane certification program administered by the Department can be found at <https://www.lni.wa.gov/licensing-permits/other-licenses-permits/maritime-cranes#accredited-maritime-crane-certifiers>

IV. Background

A **travel lift** or **travellift** (also called a boat hoist, boat gantry crane, or boat crane) is a specialized type of crane used for lifting boats out of the water and transporting them around docks, boatyards or marinas. These cranes allow boats with masts or tall superstructure to be hauled out of the water and blocked and braced on land, as the tall upper structure can pass through the open end of the crane framework before lifting and after setting down.

Travel lifts typically have two rectangular side frames joined by a beam across one end. The lift is mobile with four groups of steerable wheels, one at each corner. Boats are typically lifted using straps, slung between the two sides which can be passed under boats when either in the water or on the hard stand. Steel wire cables on winches are used to lift the boat. Travel lifts were designed and built under ASME B30.2, and as such, are regulated as cranes. In addition, WAC 296-304-200 requires all cranes used in the shipyard industry to be inspected, tested and certified.

Cranes used for the launch and recovery of vessels from the water will be regulated by Chapter 296-304 WAC, since the vessel will be undergoing some type of maintenance or repair. If the vessel is being launched or recovered merely for the operation of the vessel, then the task would be covered by WAC 296-24, Part D, which requires all cranes to be inspected, tested, and operated by regular crane operators.

V. Enforcement Policies

A. Employers will be granted a grace period of one year from the date of this Directive, to come into compliance, before enforcement actions will be considered by DOSH personnel.

B. After the grace period has elapsed:

1. A travel lift that is found **with** material deficiencies beyond a missing certification, could be cited as a **serious violation**.
2. A travel lift that is found **without** material deficiencies beyond a missing certification, could be cited as a **general violation**.

VI. Point of Contact

If DOSH staff have questions or need additional guidance or interpretive assistance, they are encouraged to contact the crane technical specialist in DOSH Technical Services.

VII. Review and Cancellation

DOSH will review this Directive within two years from the issue date, and it will remain effective until superseded or canceled.

Approved: 
Craig Blackwood, L&I Assistant Director
Division of Occupational Safety and Health



YOUR GATEWAY TO THE
PACIFIC NORTHWEST

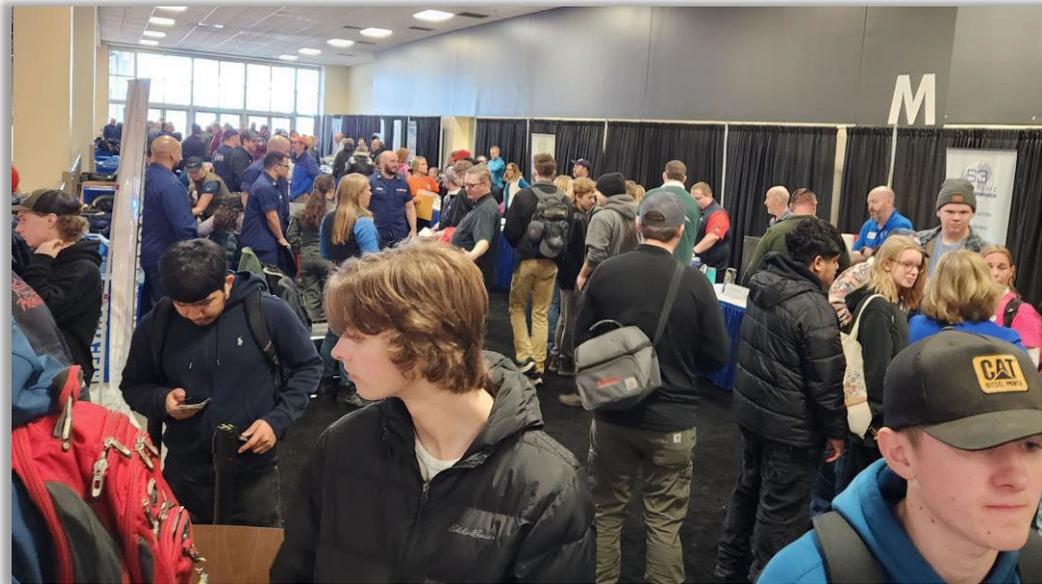
Superyacht Northwest is your resource for the service you need before cruising in the pristine waters of the Puget Sound, British Columbia, and Alaska.

Moorage · Repair · Maintenance · Haul out · New Build/Refit
Freshwater Services · Yacht Agent · Charter Management

www.synw.org 206.289.0536 resources@synw.org

Career Fair at 2023 Seattle Boat Show

- Seattle Boat Show Career Fair brings in 250+ students and jobseekers
- 34 member businesses participated in the Career Fair





NMTA ANNUAL
MEETING

2023

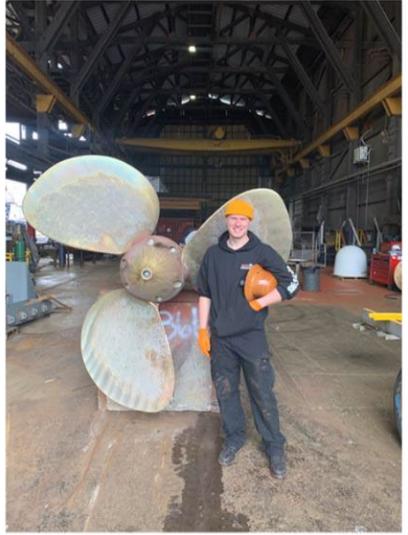


Thanks to the following companies for joining the tour!



Workforce Development Member Tour

- Skagit Valley College
- Northwest Maritime Center
- Bates Technical School
- NW School of Wooden Boats



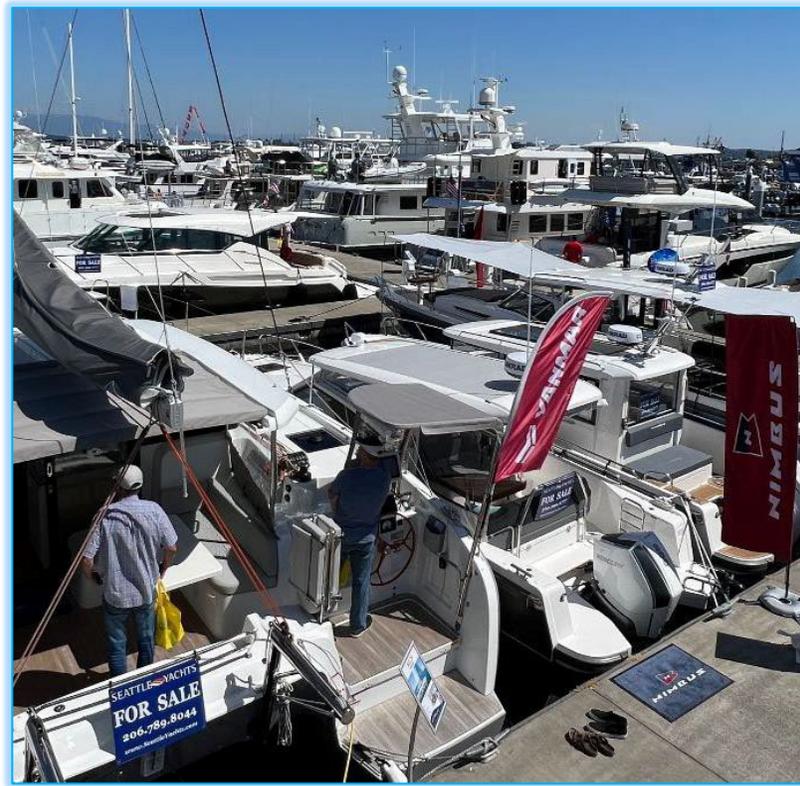
NMTA Career Center

- Do you have an open position? Send a link to the job description to wyatt@nmta.net and we will post it at nmta.net/careercenter
- Over 20+ members and 50+ positions posted



Core Plus Maritime Gets an A+ From NMTA

- Two-year, standardized high school curriculum. Core Plus Maritime graduates learn skills in safety, tools and equipment, boat building, engine maintenance, welding and more
- Core plus started the year at 14 locations, Fall 2022 they are up to 20
- *“It’s an amazing program, filling a huge need and gap in the workforce. It helps kids who might otherwise have a troubled path learn valuable skill sets and find a career. Anytime I can, I try to hire Core Plus Maritime students and I’ve never been disappointed.”*
 - Scott Anderson, CSR Marine



Sold Out Space + Sunny Skies + Smiling Boaters =
Successful Anacortes Boat & Yacht Show

Don't miss the 2024 Seattle Boat Show!



FEBRUARY 2 – 10, 2024