Plattsburgh Ferry FAQs

1. Why do we need to replace the Whatcom Chief?
   A. The Whatcom Chief is too old, too expensive to maintain, has several upcoming major repair issues and does not meet current standards for automobile passenger egress and safety.

2. Why should we buy the Plattsburgh?
   A. The Plattsburgh is the only good used ferry of appropriate size available for purchase in the entire U.S.A.. It is a very seaworthy design, in excellent condition and very reasonably priced, at roughly ¼ of the price of a new build.

3. What capacity is the Plattsburgh.
   A. As currently configured, the Plattsburgh will carry approximately 36 standard vehicles (vs the 18-20 of the Chief) and approximately the same number of walk-on passengers (36+). The purchase price includes the addition of a small passenger space on the main deck for disabled persons. It is the same width of the Whatcom Chief and 80 feet longer.

4. The Plattsburgh is a used ferry, how long will it last?
   A. The Plattsburgh was built in Florida for the Lake Champlain Transportation Company of Burlington VT in 1984. It has spent its entire working life in fresh water with almost no corrosion. The hull is in virtually new condition and the machinery is excellent. Usable operational life span will be a minimum of 25 years.

5. If the Plattsburgh is so good, why are they selling it?

The traffic on the route has outgrown the Plattsburgh's capacity and it has been replaced with a larger vessel.

6. Will the Plattsburgh fit the existing docks?
   A. Yes, the Plattsburgh, although longer, is the same width as the Whatcom Chief. It will fit in the existing docks perfectly without any dock modifications. In 2009 the Island Dock was reconfigured to handle the proposed “Unbuilt New” Ferry of 2007, which would have been a similar size.

7. Will the slips have to be dredged for the Plattsburgh?
   A. No, the measured lightship draft of the Plattsburgh is 6.2 feet in freshwater, the lightship draft of the Whatcom Chief is 6 feet in saltwater, which is more buoyant. The draft of the two vessels is identical.

8. As it is bigger, will the Plattsburgh use more fuel than the Whatcom Chief?
   A. No, measured fuel use of both vessels is the same. The Plattsburgh has a longer waterline length and due to marine hydrodynamics will actually be more efficient, use proportionally less power, and also be somewhat faster than the Whatcom Chief. As the Plattsburgh has more vehicle capacity, it can haul the
usual traffic with fewer trips. Overall, the Plattsburgh will use less fuel than the Whatcom Chief.

9. It's in Lake Champlain; how will it get here, and what will that cost?
   A. There are several options for transit to here, towing, barge transport
and driving it here under its own power. LCT has offered to deliver it to
Bellingham for $500,000 inclusive. It will take about a month to get here.

10. Can our existing crew operate the Plattsburgh?
   A. Yes, the Plattsburgh will be reconfigured to under 100 tonnes to a T
class Ferry by installing tonnage frames in the open parts of the hull and
therefore can be operated by the Crew’s current licenses. The cost of this is
included in the purchase price and could be done either on the East Coast, Gulf
Coast or locally.

11. Could the same number of crew run the Plattsburgh?
   A. Yes, the Coast Guard has stated, in conference, that when the
Plattsburgh is rerated to under 100 net tonnes, it could run with the current three
person crew to a passenger capacity of at least 150.

12. Is the Plattsburgh Capable of going to Fairhaven?
   A. The Plattsburgh is considerably more seaworthy, will have more
passenger capacity and can legally carry about twenty more cars than the
Whatcom Chief. It is faster and will burn no more fuel at that speed. It would be
a far better and more capable vessel on that route than the Whatcom Chief.

13. What would happen to the Whatcom Chief if the Plattsburgh was purchased?
   A. That’s up to the County, they own it.
      a. It could be kept as a spare for emergencies and dry-
dock with an inter-local agreement between Whatcom, Skagit and San Juan
Counties. The costs of dry-dock’s of Whatcom and Skagit County alone would
pay for its maintenance. Current costs of our Drydock times are about $200,000
a year, not including repair of the Ferry Boat, and without any regard to
disruption of normal life. Skagit’s costs are likely similar.

   At this time and in the foreseeable future, there are no available spare Ferries
on the entire West Coast of the United States, that would fit our docks and be
available for emergencies. Additional revenues could be generated by charters to
deliver Propane and Petroleum carrying Semi-Trucks to the San Juan Islands.
Further maintenance savings could be made by doing all needed work on the
vessels on-the-water and only the lower exterior hull work in the Shipyard.
   b. Sold, at about scrap value.
   c. Scrapped.

Conclusion:

We believe with all the factors concerning the Lummi Island Ferry Boat, the age
and deterioration and non compliance of the Whatcom Chief, the overall low cost
of the Plattsburgh, its projected longevity, and ease of application, this is
absolutely the best financial approach to the situation. As the size of the Plattsburgh may be an interim solution, it represents a fungible good that can be sold, likely for more than we paid for it, in the future when it needs to be replaced with a different vessel.
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Public Works Committee June 4, 2013 Meeting Recap
In attendance: Chairwoman Brenner, Mann, Kremen
Weimer briefly

Funding Clarification
Director of Public Works Frank Abart and County Road Administration Board (CRAB) member Jeff Monsen reported that use of the Motor Vehicle Fuel Tax (MVFT) attributable to the county ferry is really up to the County Council, since it can always be offset by a change in the split of the current 55/45 coverage of costs. We receive the money from the state because we have a ferry, but it can be used as the county sees fit. Councilman Mann indicated “Frank is doing it right. The 55/45 split is the real debate.” Councilman Kremen questioned where the funds should best be applied noting that Skagit County applied them all to their ferry operation. When asked about other county splits, Mr. Monsen said the goal of state ferries is that 80% of ferry operating expenses are funded by the fare box and Pierce County aims for 70-75%. Fares for Pierce County are similar to Whatcom’s, but for a 50-minute ride.

Web-based Ferry Ticket Project Status
Abart reported that Public Works is working with the Treasurer’s office on the issue. An RFP for county-wide electronic payment processing was issued earlier this year and the RFP requires ferry ticketing to be addressed within the first 30 days of the contract. Treasurer Steve Oliver stated that he hoped to have a vendor selected this week. It does not appear that electronic ticketing onboard the ferry is part of the proposal however. Real-time authorizations are seen as problematic due to unreliable cellular connectivity on the ferry. The county does not want to be in possession of credit card information for any length of time, wanting it to pass immediately to a secure third-party vendor for processing. Kremen said electronic ticketing is a “hot button” for him and wants to see it as soon as possible. Steve Oliver would like to see the elimination of cash sales onboard the ferry. It just appears that weather-proof hardware and reliable connectivity have yet to be identified.

Ferry Kiosk Project Discussion
Abart is concerned that ticket sales through a kiosk at Gooseberry Point does not address how non-sufficient fund situations would be handled. Kremen interjected that a kiosk at Gooseberry Point might be at risk for vandalism. County Executive Louwes said the state auditors office is demanding strict compliance to standards that most corporations do not have to meet. These standards include the use of only state-insured banks, the period of time before funds are deposited, and liability of credit card companies. He said eight proposals have been received. Oliver interjected that companies usually known to have this expertise such as Square and Intuit do not meet current state legislature requirements. Abart spoke of possibly running a pilot project with a kiosk on one of the county parking lots as the next step.
Needs-Based Ferry Tickets
Abart said that Public Works has been looking to eliminate the program, but second hand information makes that look unrealistic. He will now shift his focus to remove the administrative burden of the program and engage the Opportunity Council. He warned that the program "will not get cheaper or smaller, costs will increase". Councilman Mann challenged Abart, asking whether he had the political will to make the program go away. Councilman Kremen asked whether LIFAC had shared a position on it yet. He commented that the initial champion of the program when it was initiated was Councilwoman Brenner and said this issue goes beyond LIFAC. It’s important to have input from LIFAC, but it’s a greater public policy issue that must meet state requirements and challenges.

Ferry Fare Surcharge Status
Abart reported that he was surprised that Councilman Crawford had challenged the $3 surcharge (in the last meeting) since it is an ordinance. Abart said, “It is a chunk of revenue, a permanent fee.” Mann asked whether ridership had changed since the surcharge was imposed. Abart replied that ridership has "stabilized nicely".

LIFAC Comments
Lummi Island Ferry Advisory Board Committee (LIFAC) President Mike McKenzie was asked for comments. Mike said he was concerned about the communication challenges the committee faces, citing as an example that LIFAC was unaware that an RFP for electronic ticketing had been issued. Regarding the Monsen presentation, he encouraged the committee to refer to the “intent” of the original legislation and to “do the right thing” and apply those funds to the ferry fund. The move towards online purchases is enlightening, but kiosks are not in the county’s best interest because of the risk of vandalism. Regarding needs-based fare discounts, nobody is opposed to helping those in need. The question is whether this should be a government program or not. He said that LIFAC would bring a recommendation on Needs-based fares to the committee shortly.

Other Comments
Frank Abart clarified that web-based purchases are the primary focus of the current electronic ticketing initiative. Ticket purchases on the ferry is secondary. Barbara Brenner was surprised to hear that communications was an issue for LIFAC and invited Mike to see her after the meeting. She said her committee was unaware of the RFP as well. Pete Kremen said a few of the other council advisory committees had a councilperson on the committee. He suggested somebody from 3rd district or the councilman at large. Brenner said she was unavailable. Bill Lee said that the old ferry and transportation committee held quarterly meetings with Public Works and which were beneficial to their work.
Frank Abart said he could be available for meetings with LIFAC on a quarterly basis. He also checked his records that ferry ridership between 2011 and 2012 showed passenger ridership down, but vehicle ridership up.

Jim Dickinson shared that ferry ridership is down as a result of the $3 surcharge. Pete Kremen commented that the lease negotiations caused unease and distrust leading to a ridership decline.

Mary Ross suggested that the tremendous surge in popularity of the Willows Inn’s dinners in 2011 and 2012 is bumping up the ridership numbers and may be making it look like the surcharge is not impacting island residents as much as it really has. She commented that the school population was now halved with the loss of families due to the surcharge and trips by others are more measured.

Rhayma Blake commented that the $3 surcharge had affected pedestrians disproportionately, making vehicle usage less of a premium. She also said that the disproportionate effect on the Needs-based pedestrian punch card is driving the recommendation to have a 10-ride ticket instead of a 25-ride ticket.
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Chapter 10.34
FERRY RATES

Sections:
10.34.005 Definitions.
10.34.010 Effective date for ferry user fees.
10.34.020 Interpretation of rate schedule.
10.34.030 Use of ferry user fee revenues.

10.34.005 Definitions.
A. "Ferry system" means all physical elements of the Lummi Island ferry operations, including both the Gooseberry Point and Lummi Island vehicle and pedestrian staging areas, vehicle parking areas, and ferry docks, and any and all boats utilized for transport purposes.

B. "Operating cost" means all actual daily running expenses and all actual regular and routine maintenance and administrative expenses associated with the use and operation of all physical elements of the ferry system.

C. "Capital cost" means all capital expenditures, including financing and depreciation expenses applied to the replacement, expansion, or creation of ferry system physical elements.

D. "Fare box recovery rate" means the calculated percentage of total revenue generated through ferry user fees in comparison to total actual operating costs for the same period of time minus any revenue from the motor vehicle fuel tax meant for ferry operations, or from interest.

E. "Ferry user fees" means the rates and charges required of and collected from any and all users of the ferry system, as established and periodically amended in the Unified Fee Schedule.


10.34.010 Effective date for ferry user fees.

10.34.020 Interpretation of rate schedule.
The following provisions should be observed in application of the ferry rate schedule:

A. Trailers shall include, but not be limited to, ball hitches, military hitches, fifth wheel in bed of pickup, dump trailers, recreation trailers and mobile homes.

B. Special trips are a surcharge in addition to the applicable fare.

C. A weekly run limited to fuel trucks, charged at the regular rate, shall be scheduled by the public works department and published appropriately.

D. Trucks and tow vehicles with trailers shall be charged a rate based on length and weight. Heavy machinery and motor homes shall be charged at the corresponding vehicle rate.

E. All trucks shall be charged regular round-trip rates based on legal license capacity.
F. Over-width vehicles or trailers occupying more than one lane shall be charged a 50 percent surcharge. In addition, vehicles towing over-width trailers shall also be charged a 50 percent surcharge.

G. Student multi-ride cards shall be sold to full-time post-high school students only. Proof of post-high school enrollment shall be required at time of purchase. No special student discount is available for drivers of vehicles.

H. Children 12 to under 19 (nineteen) years of age will receive free passenger and pedestrian passage all year round. No special child discount is available for drivers of vehicles.

I. County employees on official county business shall be exempt from fares. All county employee trips exempt from fares will be tracked, and $10.00 per trip will be credited toward the fare box recovery rate each year.

J. Enrolled members of the Lummi Indian Tribe who are issued appropriate identification cards by the tribe, or current fishing cards, licenses, or Lummi Indian Business Council ID cards and who have legitimate tribal business upon Lummi Island, as indicated by the Lummi Indian Tribe, shall have free foot passage upon and across the ferry operated by Whatcom County between Gooseberry Point and Lummi Island.

K. A special-needs-based discount is provided for Lummi Island residents who meet the income levels listed below. These special tickets will only be sold at the Whatcom County treasurer's office in Bellingham and will require proof of income and family size. Eligibility will be reviewed at least annually. Forms and procedures will be developed by the Whatcom County treasurer's office.

1. Family of four or more with less than $40,000 total annual income;
2. Family of three with less than $30,000 total annual income;
3. Family of two with less than $20,000 total annual income;
4. Individual with less than $10,000 total annual income.

L. Eligibility for a special "senior/disabled" discount is available to all Lummi Island residents who currently hold property tax exemptions or deferral as defined under RCW 84.36.381 and 84.36.030 and WAC 458-16-020 and 458-18-020, and as these may be hereafter amended. Eligibility for a special "senior/disabled" discount is also available to all Lummi Island residents that also qualify for medical assistance within the Medicaid Program.

M. Intentionally left blank.

N. All children under the age of 12 years when traveling on the Whatcom County ferry must be accompanied by an adult. An exception to this policy will be made only if the adult parent or guardian signs a waiver exempting Whatcom County from all liabilities for any and all injuries, loss of life, etc., while the child is traveling on the ferry. (Ord. 2012-016 Exh. A; Ord. 2010-054 Exh. A; Ord. 2008-052 Exh. A; Ord. 2008-017 Exh. A; Ord. 2007-001 Exh. A; Ord. 2005-090 Exh. A; Ord. 2002-012; Ord. 2001-064; Ord. 93-080 Exh. Q).

10.34.030 Use of ferry user fee revenues.
Beginning January 1, 2006, a 55 percent fare box recovery rate shall be applied and evaluated continuously from that time forward. An annual review of ferry system services, actual and projected operating costs, and actual and projected revenue from ferry user fees shall occur in order to verify the 55 percent fare box recovery rate is being achieved.

In any given year the actual fare box recovery rate exceeds 55 percent, the excess revenue shall be retained in the ferry system fund and applied only to future operating costs.
In any given year the actual fare box recovery rate is below 55 percent, the difference shall be recovered in a future ferry user fee increase unless there is adequate excess ferry user fee revenue remaining in the ferry system fund collected during prior years.


1Prior legislation: Ord. 89-103.

Disclaimer: The Clerk of the Council’s Office retains the official version of the Whatcom County Code. Users should contact the Clerk of the Council’s Office for ordinances passed subsequent to the ordinance cited above.

County Website: http://www.whatcomcounty.us/
County Telephone: (360) 676-6690
Code Publishing Company
(Elibrary http://www.codepublishing.com/elibrary.html)
ORDINANCE NO. 2001-064
AMENDING WHATCOM COUNTY CODE
CHAPTER 10.34 FERRY RATES
CHAPTER 10.36 VEHICULAR FERRY PASSES

WHEREAS, Chapter 10.34 of the Whatcom County Code discusses administration of
Ferry Rates and an interpretation of the rate schedule, included in the Whatcom County Unified
Fee Schedule, and

WHEREAS, Chapter 10.36 of the Whatcom County Code sets forth the rules governing
Vehicular Ferry Passes, and

WHEREAS, it in appropriate to make amendments to Chapter 10.34 to update the
management of the ferry rate system,

NOW, THEREFORE, BE IT ORDAINED that Chapter 10.34 of the Whatcom County
Code be amended as set forth in attached Exhibit “A”, and

BE IT FURTHER ORDAINED, that Chapter 10.36, Vehicular Ferry Passes, is hereby
repealed in its entirety, as set forth in attached Exhibit “B”.

ADOPTED this 11 day of December, 2001.

ATTEST:                          WHATCOM COUNTY COUNCIL

Dana Brown-Davis, County Clerk  WHATCOM COUNTY, WASHINGTON

APPROVED AS TO FORM:            ( ) Approved    ( ) Denied

Civil Deputy Prosecutor

( ) Approved    ( ) Denied

Pete Kremen, County Executive

Date: 5-6-02
Guideline Coverage for Ferries Set at More than 99 Passengers

The Access Board is proposing to keep the minimum at 100 passengers for the capacity of ferries that will be covered by passenger vessel accessibility guidelines.

If the threshold were set higher than that, the board is concerned that too many ferries would fall outside the scope of the proposed guidelines.

So this number — expressed as more than 99 passengers — is proposed as the level that would trigger the guidelines for new or altered ferries in the future.

Other vessels — such as multi-purpose vessels (meaning, for example, dinner or excursion boats) and cruise ships — would be covered by the guidelines only if they have capacity greater than 150 passengers (or more than 49 overnight passengers).

(In addition to ferries, there also would be a lower number for tenders — vessels used to carry passengers for non-emergency purposes between passenger vessels and shore-side facilities. The proposed guidelines would apply to tenders with capacity of greater than 59 passengers.)

A notice of proposed rulemaking on the passenger vessel guidelines was released by the Access Board on June 13, 2013, in advance of publication in the Federal Register. The NPRM represents 15 years of work to develop accessibility guidelines for passenger vessels under the Americans With Disabilities Act.

A “ferry” would be defined in the guidelines as “a vessel that is used on a regular schedule to: (1) provide transportation only between places that are not more than 300 miles apart; and (2) transport only passengers, or vehicles or railroad cars used in transporting passengers or good.”

The definition is based on the definition of a ferry in 46 USC 2101(10b), the Access Board said.

“Ferries differ from multi-purpose vessels and cruise ships that are used primarily for leisure purposes,” the preamble to the NPRM states. “Ferries serve a critical transportation function. Ferries provide commuter services in major metropolitan areas on both coasts, and link roadways and communities separated by bodies of water. Ferries transport people to work, school, health care facilities, and other places critical to daily living. Because ferries serve a critical transportation function, the 2006 draft guide-

lines considered covering all ferries regardless of passenger capacity. Comments from ferry owners and operators and the Passenger Vessel Association did not support this approach because it would be more difficult and costly for small ferries to comply with the draft guidelines. Based on the comments, the 2008 draft guidelines considered covering ferries permitted to carry more than 99 passengers.

“Like the 2008 draft guidelines, the proposed guidelines would apply to ferries permitted to carry more than 99 passengers. The proposed scoping provision for ferries is broader than for multi-purpose vessels because ferries serve a critical transportation function. The 2008 National Census of Ferry Operators shows that about 700 active ferries provided an estimated 106 million passenger trips in 2007. The ferries operated in 37 states and three U.S. territories. We estimate there were 454 ferries permitted to carry more than 99 passengers as of 2010.... Two hundred twenty-one of these ferries are permitted to carry between 100 and 150 passengers, and 130 of these ferries are permitted to carry 149 or 150 passengers.... Applying the same scoping provision proposed for multi-purpose vessels to ferries would result in many ferries being inaccessible to individuals with disabilities.”

Comments Requested

The Access Board said, though, that it requests comment on the proposed scoping provision for ferries.

“Should alternative scoping provisions apply to ferries?” the board asks in the NPRM. “Comments should explain the basis for recommending alternative scoping provisions for ferries.”

In its examination of compliance costs, the Access Board estimates the highest costs will be incurred by the proposed provisions for onboard accessible routes, toilet rooms, wheelchair spaces in transportation seating areas, and assistive listening systems.

Among other questions, the Access Board wonders how some of the guidelines would impact ferries with capacity between 100 and 150 passengers.

“Would owners of these ferries,” the board asks, “reduce the passenger and vehicle capacity or reduce any passenger amenities such as fixed seating when the ferries are replaced due to the proposed guidelines, or would owners increase the size of the ferries to maintain the passenger and vehicle capacity, and the same passenger amenities? If the passenger and vehicle capacity would be reduced or any passenger amenities would be reduced, we are interested in information to estimate the cost of such effects.”

Transit Access Report
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