

March 28, 2023
6:03 P.M.
Newport, OR

PORT OF NEWPORT COMMISSION MINUTES

This is not an exact transcript. The video of the session is available on the Port's website.

The Port of Newport Commission met on the above date and time virtually via Microsoft Teams. In attendance were Commissioners Burke, Retherford, Chuck, and Lackey. Commissioner Sylvia arrived at 6:17 p.m. Also in attendance were General Manager Paula Miranda, Operations Director Aaron Bretz, PR Consultant Angela Nebel, Administrative Assistant Gloria Tucker, and Heather Mann, Midwater Trawlers Cooperative representative.

PUBLIC COMMENT

Mann thanked the Commission for writing and approving a resolution on offshore wind. She noted that started a cascade of other municipalities, counties, tribes, and ports to join, 17 from Brookings to Astoria. She stated the Bureau of Ocean Energy Management (BOEM) has not changed their process too much, even with all the input. She explained in response they used a special mapping tool, but only within the current call areas. She noted they have been asked to map the whole Oregon coast including waters deeper than 1300 meters. She indicated BOEM said they will not do that. She overviewed the Pacific Council's meeting on this issue. She added they passed a unanimous motion to recommend BOEM rescind the call areas and use the mapping tool to look at the whole coast.

Mann reported BOEM replied, regardless, they are moving forward. She stated she has taken this message all the way to the White House. She noted she is looking for letters to support the Pacific Council's recommendation. She explained those call areas were chosen without using the best available information. She indicated at the last Pacific Council meeting, the BOEM representative said it is not BOEM's job to avoid fishing conflicts. She added that was upsetting and alarming.

Mann requested the Commission send a follow up letter in support. Retherford confirmed with Mann she will talk to Governor Kotek next week on the issue. Mann added the Governor and her staff are well aware of what has happened.

Miranda stated while Commissioner Chuck and she were in Washington, DC, last week, meeting with federal legislators, they brought that up on a few occasions, and with Representative Val Hoyle. Mann added she met with her too, and she is supportive of maintaining the coastal economy and fishing industry.

CONSENT CALENDAR

MOTION was made by Chuck, seconded by Retherford, to approve the consent calendar as presented. The motion carried 4-0 in a voice vote.

NEW BUSINESS

Employee Recognition. Burke introduced the agenda item. Miranda reported the Port recently decided to recognize employees for their time on the job and wanted to recognize them

before the Commission. She stated Deanna Davis has been with Port for eight years, has worked in the Accounting Department, and also helps with the front desk. She noted she's one of the most senior people in Administration. She added Shannon Cronin has been with the Port for five years in Maintenance and works mainly at the Terminal.

Miranda presented their certificates. She indicated she feels bad this is being done online because staff would like to introduce them and thank them in person. She added she appreciates them and thanks them for their work.

STAFF REPORTS

General Manager. Miranda reported Commissioner Chuck and she were in Washington, DC, last week for the annual Mission to Washington by Pacific Northwest Waterways Association (PNWA). She explained PNWA represents ports in Washington, Oregon, and Idaho and folks related to navigation and dams. She noted she met with legislators for two days and also other agencies, the Maritime Administration (MARAD), NOAA, and the Army Corps of Engineers. She indicated she appreciates PNWA and the lobbyist hired by Business Oregon. She added they have done an amazing job setting up meetings, including Representative Val Hoyle.

Miranda reported she requested direct funding for the RORO Dock project. She explained the Port request recently completed a report for NIT for the RORO Dock, estimating a \$657,000 cost. She noted the request is going through USDA community facilities program. She indicated the limit is up to 55 percent, but she asked on the Senate and House side for 50 percent since Senator Merkley's office advised that made the request more competitive. She added Representative Hoyle really wants to get this money for the Port.

Miranda reported without funding, in order to do the work, the Port would have to extend the work over two to three years, which costs more. She stated staff are also trying to get NOAA dredging changed to the summer, so there is less imposition on NOAA's vessels. She noted she got a letter of support from NOAA explaining the difficulty of dredging at that time. She indicated it doesn't seem like the Army Corps have a problem, but other agencies are involved. She added the Port hopes to get a variance soon.

Miranda reported the Port had a few emergencies at the RV Park Annex with water repairs, several hundred feet of line. She stated she feels like the Port is putting good money after bad, and staff really need to pursue a plan for replacement because this is becoming a problem every year. She noted as far as the Administration Building, occupancy has been postponed due to a supply issue. She indicated the building looks ready, but there is not electricity. She added the good news is parts are being shipped, and if it gets here in time, it will take about two weeks to install and get the inspection for certificate of occupancy. She explained then staff should be able to move in time for the next Commission meeting, and there will be two open houses, one for stakeholders and one for the general public. She added that will be announced by newspaper and Facebook.

Miranda reported there are still some pending change orders from the contractor. She noted she has a meeting with them tomorrow to get this figured out. She explained there are some disputes, and the architect is discussing some of those disputes. She stated those charges are beyond the contract expiration, and there is a chance if all agree, staff may come back for additional change. She indicated there may be a special meeting, but she will know more tomorrow. She added this whole delay imposes on everyone.

Miranda reported the Port Dock 7 plan is moving forward. She noted staff put out an announcement on the fishing pier replacement. She explained this is not a done deal, but the Port

is considering it for mitigation. She stated, at the end of the day, this will also be good for users of that side. She indicated the first meeting is scheduled for April 11. She added staff continue to work with the Army Corps on Commercial Marina dredging.

Miranda reported there may be some additional sampling for the Commercial Marina dredging project. She explained doing that now will give some more certainty. She stated that should be in tune with the budget. She noted there is still delay in dredging for the International Terminal. She indicated the Port didn't get any permits yet. She explained the cost for both dredging projects is quite costly, and doing both at the same time would be tough. She indicated the Port will start putting money aside for two or three years and then do the dredging at the Terminal. She added it's just maintenance dredging, which does not affect any of the vessels or users currently.

Miranda reported staff continue to work with folks needing space at NIT. She stated staff have been talking to PacWave and Georgia Pacific, who may bring some big equipment that needs to come through the Terminal. She noted the longshore has been included on those conversations. She indicated staff are still working with a logging company, but without equipment it is difficult to arrange. She added she applied for the Port Infrastructure Development Program (PIDP) grant again with MARAD for equipment.

Miranda reported, overall, finances are still looking good. She stated the budget is mostly put together, and once Mark Brown is back, the Budget Committee will get going. She explained there was House Bill 3382 that she was asked to testify for, related to dredging for ports, specifically those in estuaries, Newport, Astoria, and Coos Bay. She noted it has been difficult to get permits. She indicated Representative Gomberg was one of the sponsors for this bill. She added she did testify since this would help the Port, but she doesn't think it will pass.

Miranda reported she brought up problems with ODFW changing dates, and DLCD and adding Goal 16 issues. She stated the Commission may have heard from some folks about herring fishing. She explained the Port had a lot of recreational herring fishing going on, and this year the Port has been very serious about letting folks know they can't fish off the docks. She noted folks moved about 700-800 people from the docks. She indicated this is a hazard for the fishermen and the Port in general. She added it has not been once or twice that the Port has been sued from people tripping and falling.

Miranda reported she listed the Oregon statute that allows the ports to manage their properties to make them safe and help commerce. She noted the Port has a duty to protect the fishermen and other users, so folks don't sue, and no one gets hurt. She stated she knows there is a gentleman who sent an email complaining about the staff making up rules. She explained this is a gentleman who had overstayed at the RV Park, and a former employee allowed him to stay over six months. She emphasized this is a recreational facility, not residential facility, and there are rules to follow. She indicated staff are trying to do better management of the facilities. She added this is a recreational facility, and no one is allowed to stay longer than six months.

Sylvia confirmed with staff the docks have no fishing signs. He stated he is confused by exactly what the House Bill would do to allow more efficient dredging or activities. Miranda replied ports still have to follow all the federal rules, but this House Bill takes away the imposition Goal 16 has created and additional hoops. She explained a prime example is the issue with herring in the bay and dredging. She noted berths were built for maritime use, and the Port should be able to dredge for that commerce use, but there are delays and denials. Sylvia asked how is that speeded up, what are the precise steps to take. Miranda replied what slows ports down are the state agencies; they are not working in sync.

Burke stated it sounds like the bill will not pass. He asked if it would get agencies talking with each other. Miranda replied it has opened the doors for conversation, other folks who are interested want to understand the problems.

Retherford emphasized the importance of checking out the links in Mann's letter. She encouraged the support letter be given some consideration. Lackey agreed with Retherford. He stated the process and call areas have been a little shocking. He thanked Miranda for her complete report.

Retherford thanked Chuck for taking time and effort to go to Washington, DC. She noted it is a huge task. Miranda added he has been a great help in Washington, DC. Burke asked in the best-case scenario, when can the Port do RV Park Annex planning. Miranda replied staff will start ASAP, but the RFP is based on the budget. She indicated it may be after July 1. She added she is hoping to get a little bit of money from Business Oregon. Bretz stated the Port has to be careful about putting the RFP out. He noted the Port did this about four years ago but didn't have the funding. He added the Port is going to shoot itself in the foot for interested firms if not everything is ready to go.

COMMISSIONER REPORTS

Chuck reported on his attendance to PNWA's Mission to Washington. He stated everyone agreed the Harbor Maintenance Tax Trust Fund should be fully spent. He noted all that money funded dredging and jetty replacements for coastal ports, and if that money is taken somewhere else that hurts everyone. He indicated MARAD gave a good presentation. He added they are starting to recognize fish landings.

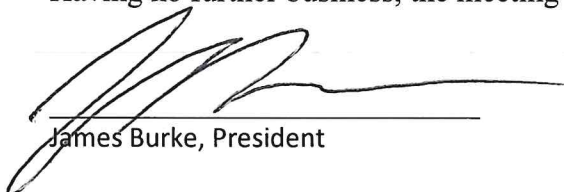
Chuck reported dredging and projects are an issue for all ports. He stated the most disheartening aspect is all the permit agencies are looking at delays. He explained the regulatory agencies are short of staff, still have a lot of remote work, and have increased standards but no increase in funding. He indicated they expect a landslide of applications from the American Rescue Plan. He thanked Rogue for sponsoring Taste of the Pacific Northwest. He added the port caucus went well.

Chuck reported small ports are advocating for fairer grant matrices, 25-50 jobs in Brookings doesn't compete with 1,000 jobs in Seattle. He noted there is concern about the upcoming budget freeze. Burke asked if there was any bright light about permits. Chuck replied there is some light, they are getting staffed up. Miranda replied every legislator recognized there is an issue with not enough employees. She also thanked Rogue. She added she hopes next year there can be some good seafood from the area. She thanked Representative Gomberg, the Economic Development Alliance of Lincoln County, and Heather Mann for so quickly providing support letters for the RORO Dock.

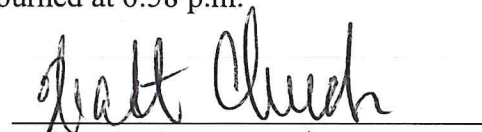
Chuck added the celebration of life for Michele Eder is April 22 at Hatfield.

ADJOURNMENT

Having no further business, the meeting adjourned at 6:58 p.m.



James Burke, President



Walter Chuck, Secretary/Treasurer