

**PORT OF NEWPORT REGULAR MONTHLY COMMISSION MEETING AGENDA**

Tuesday, January 26, 6:00 p.m.

This meeting will be virtual by invitation only.

You can view the live stream of this meeting on our YouTube Channel, Port of Newport Meetings Audio:

<https://www.youtube.com/channel/UCCAo3VCV9Yt4coXK7pUXAIQ>

Live chat will not be monitored.

To submit public comment, please complete the form on our website here, no later than 4:00 pm, Monday, January 25, 2021:

[Public Comment Commission Regular Meeting 1/26/2021 - Port of Newport](#)

Your comment, up to 3 minutes, will be read into the meeting at the appropriate time.

I.	Call to Order	Page
II.	Changes to the Agenda	
III.	Public Comment (3-minute limit per person)	
IV.	Consent Calendar	
	A. Minutes	2020
	1. Supplemental Budget Hearing and Regular Commission Meeting	Dec 15.....3
	2. Special Commission Meeting	Dec 28.....9
	B. Financial Reports	11
	C. FY 2019-2020 Audit Report	29
	D. International Terminal Waterway Lease Invoices	83
V.	Old Business	
	A. Items Removed from Consent Calendar	
	B. Accounts Paid	87
	C. Resolution 2021-01 - Miranda US Army Corps Lease for the South Beach Day Use Area	105
VI.	New Business	
	A. 2021 Annual Report (ORS 777.140) – Miranda	315
	B. Contract Amendment with G & K Floors – Brown	319
	C. Resolution 2021-02 Setting Rates, Fees & Charges – Brown	323
	1. Correspondence from Tom Pinnell	339
	D. Commissioner Appointment to Oregon Cascades West Council of Governments (Currently Gil Sylvia, Walter Chuck Alternate) – Miranda	
VII.	Staff Reports	
	A. General Manager	341
	1. Director of Finance & Business Services	345
	a) December Occupancy Report	351
	2. Director of Operations	353
VIII.	Commissioner Reports/Comments	

IX. Calendar/Future Considerations	2021
SDAO Annual Conference (virtual) .....	Feb 3 – 4
Presidents’ Day, Port Office Closed .....	Feb 15
Regular Commission Meeting .....	Feb 23
Newport Seafood & Wine Festival “To Go” (Virtual) .....	Feb 26 – 28
PNWA Mission to Washington (Zoom Webinar) .....	Mar 15 - 18

- X. Public Comment (3-minute limit per person)
- XI. Adjournment

- EXECUTIVE SESSION: The Port of Newport Board of Commissioners may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

Regular Monthly Meetings are scheduled for the fourth Tuesday of every month at 6:00 pm.

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**PORT OF NEWPORT MINUTES**

December 15, 2020

Supplemental Budget Hearing & Regular Commission Meeting

*This is not an exact transcript. The audio of the session is available on the Port’s website.*

This meeting was held virtually by invitation only. The public was invited to view the live stream of this meeting on our YouTube Channel, Port of Newport Commission Meeting Audio. Live chat was not monitored. The public could submit comment through a form on our website no later than 4:00 pm on Monday, December 14th, to be read into the meeting at the appropriate time.

**Agenda Item**

**Audio  
Time**  
0:00

**I. CALL TO ORDER.....**

Commission President Jim Burke called the Regular Commission Meeting of the Port of Newport Board of Commissioners to order at 6:02 pm virtually through Zoom.

**Commissioners Present:** Walter Chuck, Secretary/Treasurer (Pos. #1); Kelley Retherford (Pos. #2); Gil Sylvia, Vice President (Pos. #3); Jeff Lackey (Pos. #4); and Jim Burke, President (Pos. #5).

**Management and Staff:** Paula J. Miranda, General Manager; Aaron Bretz, Director of Operations; Mark A. Brown, Director of Finance & Business Services; and Karen Hewitt, Administrative Supervisor.

**Members of the Public and Media:** No members of the public or media were present.

**II. SUPPLEMENTAL BUDGET HEARING PUBLIC COMMENT**

There was no public comment submitted for the Supplemental Budget Hearing. .... 0:11

**III. FISCAL YEAR 2020-21 SUPPLEMENTAL BUDGET HEARING (ORS 294.471)..... 0:15**

A. Resolution 2020-13 Adopting a Supplemental Budget for Fiscal Year 2020-21

B. Resolution 2020-14 Authorizing an Interfund Loan

Miranda Reminded the Commission about the discussion about replacing all 9 load centers at the South Beach Marina and possibly borrowing from NOAA restricted funds to be paid back with interest over 3 – 4 years. Miranda said there were enough funds in the budget, but the Resolutions were necessary to borrow from the fund. Brown clarified requirements by law for the Resolutions and added that staff did not anticipate needing all \$1,000,000.

**A motion was made by Chuck and seconded by Sylvia to adopt Resolution 2020-13 Adopting a Supplemental Budget for Fiscal Year 2020-2021 and Authorizing the Transfer of Funds. The motion passed 5 – 0.**

**A motion was made by Lackey and seconded by Retherford to adopt Resolution 2020-14 Authorizing an Interfund Loan. The motion passed 5 – 0.**

**IV. CHANGES TO THE AGENDA .....**

5:38

Lackey asked that the Financial Reports be removed from the Consent Calendar.

**V. PUBLIC COMMENT .....**

6:03

There was no public comment submitted.

**VI. CONSENT CALENDAR .....**

6:17

- A. Minutes 2020
  - 1. Regular Commission Meeting .....Nov 17
- B. Resolutions
  - 1. Resolution 2020-15 Adopting an External Computer Use Policy
- C. Financial Reports

**A motion was made by Chuck and seconded by Lackey to approve the Consent Calendar with the removal of subject C. The motion passed 5 – 0.**

**VII. OLD BUSINESS**

- A. Items Removed from Consent Calendar 6:43
  - 1. Financial Reports .....

Lackey pointed out page 21, line 100, which reflected the Port’s liquid checking and savings, and the Facilities Maintenance Reserve Fund on page 37, which were areas he recommended the Commission and staff keep an eye on. He said he had received helpful information from Miranda and Brown and thought it would be valuable for the other Commissioners to hear. Miranda said the Financial Reports are a point in time and not the entire year budget. She added that management go through the referenced numbers on a regular basis. Brown commented that last year there was \$4MM in the General Funds checking and savings as opposed to \$3.8MM as of November 30, 2020. Brown and Miranda spoke about unexpected expenditures as well as the financial impact of COVID-19, but said the Port was still in a good position. Brown said the Port would have to spend \$1.2MM for the Port Dock 5 Pier project if it can be completed in this fiscal year. Brown also referred to the money set aside for electrical work at the Commercial Marina and said this would be differentiated in future reports. Miranda said this year the engineering for Port Docks 3 and 5 would be completed with the plan to go out for bids next year. Lackey said he did not have concerns but thought

the other Commissioners would benefit from the clarity provided by Miranda and Brown. Miranda added that Bretz and Brown were always available at meetings for questions that Miranda couldn't answer directly.

19:44

B. Accounts Paid .....

Burke asked how many staff were trained to use the new AED (Automated External Defibrillator.) Bretz said that Gibson was the only current Commercial Marina employee that was here for last year's training, but training was planned.

**A motion was made by Lackey and seconded by Retherford to approve the Accounts Paid. The motion passed 5 – 0.**

C. Resolution 2020-16 Approving an Application for a Loan from Business Oregon for the Administration Building .....

21:00

Miranda introduced the Staff Report and Resolution included in the Meeting Packet. She added that significantly more detail and documentation would be needed for the application, which would take 2- 3 months and the eventual bid to gather. The loan application could be withdrawn if the project did not move forward. Sylvia asked about loan options. Miranda said she and Brown had done research into state and federal agency loans as well as commercial loans and found the Business Oregon loan to be the best option.

**A motion was made by Retherford and seconded by Sylvia to adopt Resolution 2020-16 Authorizing an Application for a Business Oregon Loan for the New Administrative Building. The motion passed 5 – 0.**

**VIII. NEW BUSINESS**

A. Resolution 2020-17 Adopting an Educational Assistance Program .....

26:40

Brown said the Port had given out educational assistance to some employees in the past but did not have a policy in place. IRS guidelines require a policy to be in place for those funds to be tax free to the employees, and this policy would comply with the requirements. There was some discussion about how often this type a benefit was used, and Miranda said it would depend on how it was promoted. Brown commented on the limits to Port contributions.

**A motion was made by Lackey and seconded by Retherford to approve Resolution 2020-17 Adopting an Educational Assistance Policy as written in the Meeting Packet. The motion passed 5 – 0.**

B. Lease Amendment- Rondys Gear Storage Lease .....

31:23

Miranda introduced the Staff Report and Resolution included in the Meeting Packet. Miranda said this Amendment would add a holdover provision that was not included in the original lease. She added that Don Moon is currently looking for additional bids for paving the area next to the Terminal to be used for gear storage. When the paving is complete, the Port can

terminate this lease with Rondys most likely in the next 2 – 3 months. Miranda said the amendment would both allow the Port to go forward with the lease, as well as pay back payments to Rondys.

**A motion was made by Sylvia and seconded by Lackey to adopt Resolution 2020-18 Authorizing a Lease Amendment with Rondys, Inc. The motion passed 5 – 0.**

C. Proposals for the South Beach Electric Load Centers .....

33:56

Bretz introduced the Staff Report included in the Meeting Packet. He said the one firm that declined to bid did so partially because of schedule, availability and the GFI (Ground Fault Interrupt) requirements. Bretz commented on the challenges posed by the new GFI requirements applying to marinas, which would also affect the Port Dock 3 and 5 electrical project. Bretz said that Western States’ proposal was the most thorough and included strong statements about meeting the timeline. He talked about potential future options for putting the GFI devices in the panels on the docks so that an outage would affect a zone rather than an entire dock, or perhaps in the pedestals. Bretz said he envisioned these options as a future project and will be looking into having a recommendation by the time the current project was complete. The Port would have to comply with code. He said that he suspected a lot of boats were not tested strongly for GFI and could trip the breaker, causing an outage. The Port would have to develop a plan for responding and isolating the problem, particularly after hours when maintenance crew were not on duty. Chuck brought up the need to send information to the South Beach users and perhaps create a committee to provide input and mentioned some past controversy about changes. Miranda said she thought that was a good idea; it helps when people are involved in projects. She suggested now would be a good time to create a committee. The users would need to understand this would be for everyone’s safety.

Retherford asked about liability should a user lose power. There was discussion about a few scenarios, but Bretz said the Port must comply with code, and the Port’s MLA (Moorage License Agreement) and Facilities Code clearly state that the Port does not guarantee power and is not liable for loss due power outages. Bretz said the difficulty in the South Beach Marina was the wires that feed the pedestals are affixed to the floats, so the Port would have to replace the floats to replace the lines to replace the pedestals. Miranda said communication with users about what’s to come will be important. She added there has been a recent change in policy so that every time someone gets an MLA, they will sign an acknowledgement.

**A motion was made by Chuck and seconded by Retherford to Authorize the General Manager to enter into a Contract with Western States Electrical Construction in an amount not to exceed \$667,583. The motion passed 5 – 0.**

**IX. STAFF REPORTS**

- A. General Manager .....
- 1. Director of Finance & Business Services
  - a) November Occupancy Report

57:00

## 2. Director of Operations

Miranda introduced the Staff Reports included in the Meeting Packet. She commented that the Port was doing quite well despite COVID. One of the things she has been working on, along with other ports and Business Oregon, is to get ports included in federal programs for COVID relief. She said the Port has received some relief funds from SDAO, but this program is running out at the end of December.

Miranda commented that an extension on the in-water work period for the Port Dock 5 Pier project has been discussed with ODFW (Oregon Department of Fish and Wildlife) and USACE (US Army Corps of Engineers), but a decision won't be made until they have the contractor plans. The contractor will be chosen after the December 17<sup>th</sup> deadline for bids, with HDR Engineering and the project engineer helping with the evaluation. Miranda requested the Commission schedule a Special Meeting on December 28<sup>th</sup> to approve a contractor. She commented that there was a good selection of people who came to the pre-bid site visit. Miranda added that it was made clear that the project was not to exceed \$2.4MM, which was also a requirement of the EDA (Economic Development Administration). Chuck, Burke, Retherford, and Sylvia were okay with a noon Special Meeting on December 28<sup>th</sup>, but that date may not work for Lackey. Miranda commented on Bretz's good work on the project with positive comments coming from EDA. Miranda said that staff should be bringing the audit to the Commission for approval in January. She commented that Brown is organized and ahead of the game for the Fiscal Year 2021-2022 Budget.

Miranda said she has been involved with the Maritime Innovation Center (MIC), which is focused on the Blue Economy, and invited Commissioners to attend MIC meetings. Miranda said they are working to get grant funds and are considering constructing a building. She has reached out to Rondys on the possibility of building on their property, which could potentially support the Port's Terminal users. Sylvia said he would like to attend MIC meetings. Miranda said this is starting at the Lincoln County level but eventually benefit the entire coast. Sylvia said MIC has discussed including upriver Ports on the Columbia as well. Miranda suggested a work session where MIC could provide the Commission with a presentation to discuss the Port's potential involvement. Rachael Maddock and Mark Farley are contacts for this group.

Miranda said OSU has put out an RFP for interested contractors for their PacWave project. The project would require use of the Terminal. Interested bidders have also involved the longshoremen on their evaluation. Mid-Water Trawlers cooperative was involved in discussions and have attended online meetings scheduled by OSU. The project itself won't start until sometime in the summer of 2022 and there may be a more permanent need for the Terminal. More information will be available once the contract is rewarded; Miranda will keep the Commission posted. Miranda also spoke about her meetings with elected officials and other ports to give background information on coastal ports. She said the Chamber of Commerce Seafood & Wine Festival is a lot smaller this year, and she has waived the usage fee. She added the Chamber is doing the event to bring people into Newport but is not really making any money.

Miranda gave a thank you to Fred Hauert who retired from the Port this week after 15 years.

1:17:35

**X. COMMISSIONER REPORTS/COMMENTS**.....

Lackey thanked Miranda and staff; he is seeing a lot of things going on at the Port. Burke echoed the thanks.

1:18:08

**XI. CALENDAR/FUTURE CONSIDERATIONS**.....

Item	2020
Christmas Holiday, Port Office Closed .....	Dec 25
	2021
New Year’s Holiday, Port Office Closed .....	Jan 1
Martin Luther King Day, Port Office Closed .....	Jan 18
Regular Commission Meeting .....	Jan 26
SDAO Annual Conference (Virtual) .....	Feb 3 & 4
Presidents’ Day, Port Office Closed.....	Feb 15
Regular Commission Meeting .....	Feb 23
Newport Seafood & Wine Festival “To Go” .....	Feb 26 – 28
PNWA Mission to Washington .....	Mar 14 – 18

A Special Meeting will be scheduled for December 28<sup>th</sup> or 29<sup>th</sup>.

**XII. PUBLIC COMMENT** .....

No public comment was submitted.

1:18:29

**XIII. ADJOURNMENT**.....

Having no further business, the meeting adjourned at 7:21 pm.

ATTESTED:

\_\_\_\_\_  
James Burke, President

\_\_\_\_\_  
Walter Chuck, Secretary/Treasurer



**PORT OF NEWPORT MINUTES**

December 28, 2020

Commission Special Meeting

*This is not an exact transcript. The audio of the session is available on the Port’s website.*

This meeting was held virtually by invitation only. The public could submit comment through a form on our website no later than 10:00 pm on Monday, December 28th, to be read into the meeting at the appropriate time.

**Agenda Item**

**Audio Time**

**I. CALL TO ORDER .....**

0:00

Commission President Jim Burke called the Commission Special Meeting of the Port of Newport Board of Commissioners to order at 12:03 pm

**Commissioners Present:** Walter Chuck, Secretary/Treasurer (Pos. #1); Kelley Retherford (Pos. #2; and Jim Burke, President (Pos. #5). Gil Sylvia, Vice President (Pos. #3) and Jeff Lackey (Pos. #4) were absent.

**Management and Staff:** Paula J. Miranda, General Manager and Aaron Bretz, Director of Operations.

**Members of the Public and Media:** None present.

**II. PUBLIC COMMENT.....**

0:11

There was no public comment submitted.

**III. PORT DOCK 5 PIER CONSTRUCTION CONTRACT .....**

0:20

Miranda provided an overview of the EDA grant, selection of a project manager, and the bid and selection process for this project construction contract. Bretz introduced the staff report included in the Meeting Packet. He said that the selection criteria were based on awarding the contract to the lowest responsive and responsible bidder. He explained how issuing this as a Request for Quotes rather than a Request for Proposals meant that the Port provided project details and the bidders responded with the cost. Bretz added that it was the Port’s intent to complete this project in the current fiscal year, but this will be a very tight timeline. He added all the bids received were from responsible and responsive bidders, and all bids fell within the budget for the project. Miranda commented that a 10% contingency was added because of the tight timeline so to avoid the need for another approval meeting should an unexpected need arise.

Retherford asked if Advanced American Construction’s (AAC) low bid for temporary features and appurtenances would cause problems. Bretz said the Port’s requirements were included in the bid documents so the deliverables would be as requested; AAC would bear the risk for their bid. Chuck asked about AAC’s no bid for Alt. 1 Second Mobilization. Bretz said he did clarify this with AAC, who were confident that this would not be needed so they bid \$0. AAC would not be able to pass costs for a second mobilization onto the Port if required since they bid \$0. Bretz said the Port would look for an extension on the in-water work period but could also move the mobilization until the next in-water work period if needed. Chuck asked when AAC would be able to start this project if awarded the contract. Bretz said AAC had talked about mobilization in the first week of January. Bretz said everything was good with the grant from the Economic Development Administration

(EDA). Miranda clarified that Lackey and Sylvia were not present today; Chuck added that the vote would need to be 3 – 0 to pass.

**A motion was made by Chuck and seconded by Retherford to adopt Resolution 2020-19 Authorizing the Port of Newport to enter into a contract with Advanced American Construction for the Reconstruction of Port Dock 5 Pier not to exceed \$2,102,280 with a 10% contingency. The motion passed 3 – 0.**

Miranda said she received an email from Lackey expressing that he would approve of this project. Chuck asked about moving forward with a request for an extension. Bretz said AAC was ready to give a schedule, then the Port can go to the agencies to ask for an extension. DOWL will immediately be working on the permitting. Chuck suggested reaching out to the Fishermen’s Wives and Mid Water Trawlers Cooperative for letters of support. Miranda said they would first respect ODFW by providing the schedule when available, then reach out to legislators. Burke asked that the Commissioners be advised how they can help.

**IV. ADJOURNMENT .....**

14:00

Having no further business, the meeting adjourned at 12:17 pm.

ATTESTED

\_\_\_\_\_  
James Burke, President

\_\_\_\_\_  
Walter Chuck, Secretary/Treasurer

# Port of Newport - General Operating Fund

## Balance Sheet

As of December 31, 2020

	<u>Dec 31, 20</u>	<u>Dec 31, 19</u>	<u>\$ Change</u>	<u>% Change</u>
<b>ASSETS</b>				
<b>Current Assets</b>				
<b>Checking/Savings</b>				
100 · General Operating Funds	3,757,313	3,599,864	157,448	4%
<b>Total Checking/Savings</b>	3,757,313	3,599,864	157,448	4%
<b>Accounts Receivable</b>				
11200 · Accounts Receivable	528,466	476,819	51,647	11%
11225 · Grants Receivable	4,295	0	4,295	100%
<b>Total Accounts Receivable</b>	532,761	476,819	55,942	12%
<b>Other Current Assets</b>				
11250 · Property Tax Receivable	10,222	20,247	(10,025)	(50)%
11255 · Allow for Bad Debt - CM	(20,000)	(20,000)	0	0%
11260 · Allow for Bad Debt - SB	(10,000)	(10,000)	0	0%
11270 · Undeposited Funds	4,117	(15,833)	19,950	126%
11300 · Prepaid Expenses	40,615	47,602	(6,987)	(15)%
11400 · Due from Other Funds	8,000	15,942	(7,942)	(50)%
11480 · PERS - NPA(L)	(815,466)	(815,466)	0	0%
11485 · PERS - Deferred OF	324,633	324,633	0	0%
11490 · Assets Held For Sale	2,126	0	2,126	100%
<b>Total Other Current Assets</b>	(455,753)	(452,875)	(2,878)	(1)%
<b>Total Current Assets</b>	3,834,321	3,623,808	210,513	6%
<b>Fixed Assets</b>				
11500 · Capital Assets	46,781,118	48,092,872	(1,311,754)	(3)%
<b>Total Fixed Assets</b>	46,781,118	48,092,872	(1,311,754)	(3)%
<b>Other Assets</b>				
11800 · Debt Issue Costs, Net of Amort.	650	0	650	100%
<b>Total Other Assets</b>	650	0	650	100%
<b>TOTAL ASSETS</b>	<b><u>50,616,089</u></b>	<b><u>51,716,680</u></b>	<b><u>(1,100,591)</u></b>	<b><u>(2)%</u></b>
<b>LIABILITIES &amp; EQUITY</b>				
<b>Liabilities</b>				
<b>Current Liabilities</b>				
<b>Accounts Payable</b>				
12000 · Accounts Payable	111,995	108,078	3,918	4%
<b>Total Accounts Payable</b>	111,995	108,078	3,918	4%
<b>Other Current Liabilities</b>				
12010 · Unclaimed Property Payable	3,564	2,885	679	24%
12020 · Lodging/Room Tax Payable	16,581	1,515	15,066	995%
12100 · Payroll Liabilities	167,091	120,214	46,877	39%
12250 · Deferred Revenue	255,040	224,794	30,247	14%
12300 · Accrued Interest Payable	15,147	16,843	(1,696)	(10)%
12320 · Current Portion-Long Term Debt	535,814	539,514	(3,700)	(1)%
<b>Total Other Current Liabilities</b>	993,237	905,765	87,472	10%
<b>Total Current Liabilities</b>	1,105,233	1,013,843	91,390	9%
<b>Long Term Liabilities</b>				
12350 · Long Term Debt	5,740,905	6,341,765	(600,860)	(10)%
12800 · Bond Premiums	100,621	100,621	0	0%

**Port of Newport - General Operating Fund**

**Balance Sheet**

As of December 31, 2020

	<u>Dec 31, 20</u>	<u>Dec 31, 19</u>	<u>\$ Change</u>	<u>% Change</u>
12900 · PERS - Deferred IF	147,653	147,653	0	0%
<b>Total Long Term Liabilities</b>	<b>5,989,179</b>	<b>6,590,039</b>	<b>(600,860)</b>	<b>(9)%</b>
<b>Total Liabilities</b>	<b>7,094,412</b>	<b>7,603,881</b>	<b>(509,470)</b>	<b>(7)%</b>
<b>Equity</b>				
13010 · GOF - Unassigned FB	36,467,608	62,462,097	(25,994,489)	(42)%
13015 · GOF - Contributed Capital FB	7,130,788	7,130,788	0	0%
13075 · GOF - Prior Period Adj	0	(34,952)	34,952	100%
13300 · GOF - Equity Transfers	12,751	(25,585,916)	25,598,667	100%
<b>Net Income</b>	<b>(89,471)</b>	<b>140,781</b>	<b>(230,252)</b>	<b>(164)%</b>
<b>Total Equity</b>	<b>43,521,677</b>	<b>44,112,799</b>	<b>(591,121)</b>	<b>(1)%</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>50,616,089</u></b>	<b><u>51,716,680</u></b>	<b><u>(1,100,591)</u></b>	<b><u>(2)%</u></b>

**Port of Newport**  
**General Operating Fund - Budget vs. Actual**  
 July through December 2020

	<u>Jul - Dec 20</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
14000 · Lease Revenues	363,448	406,500	(43,052)	89%
14100 · Moorage	976,107	748,180	227,926	130%
14200 · Hoist Dock & Services	397,748	422,776	(25,028)	94%
14300 · Shipping Terminal Revenues	0	12,926	(12,926)	0%
14400 · RV Parks	760,544	633,296	127,248	120%
14500 · Launch Ramp & Trailer Storage	56,693	38,814	17,879	146%
14600 · Miscellaneous Revenue	79,982	38,115	41,867	210%
14700 · Permit Revenues	(321)	0	(321)	100%
<b>Total Income</b>	<u>2,634,201</u>	<u>2,300,608</u>	<u>333,593</u>	<u>115%</u>
<b>Gross Profit</b>	2,634,201	2,300,608	333,593	115%
<b>Expense</b>				
15000 · Personnel Services	944,424	1,096,733	(152,309)	86%
16000 · Materials & Services	934,231	1,756,925	(822,694)	53%
16990 · Depreciation Expense	825,852	825,852	0	100%
17000 · Debt Service	371,794	752,192	(380,398)	49%
<b>Total Expense</b>	<u>3,076,301</u>	<u>4,431,702</u>	<u>(1,355,401)</u>	<u>69%</u>
<b>Net Ordinary Income</b>	(442,101)	(2,131,094)	1,688,994	21%
<b>Other Income/Expense</b>				
<b>Other Income</b>				
18100 · Property Tax Revenue	111,145	108,575	2,570	102%
18200 · Interest Income	10,857	0	10,857	100%
18300 · Grants	10,371	1,200,000	(1,189,629)	1%
18700 · Property & Dredge Sales	11,119	30,000	(18,881)	37%
18800 · Miscellaneous - Non-operating	11,278	0	11,278	100%
<b>Total Other Income</b>	<u>154,770</u>	<u>1,338,575</u>	<u>(1,183,805)</u>	<u>12%</u>
<b>Other Expense</b>				
19000 · Capital Outlay	384,523	175,000	209,523	220%
19700 · Transfers Out to Other Funds	109,816	1,650,000	(1,540,184)	7%
19830 · GAAP - D/S Principal Pmts	(310,884)	(310,885)	1	100%
19860 · GAAP - Capitalized Expenses	(380,070)	(380,070)	0	100%
19890 · Overhead Allocation	(1,245)	(1,246)	1	100%
<b>Total Other Expense</b>	<u>(197,860)</u>	<u>1,132,799</u>	<u>(1,330,659)</u>	<u>(17)%</u>
<b>Net Other Income</b>	352,630	205,776	146,854	171%
<b>Net Income</b>	<u>(89,471)</u>	<u>(1,925,318)</u>	<u>1,835,848</u>	<u>5%</u>

**Port of Newport - General Operating Fund**  
**Administration - Budget vs. Actual**  
 July through December 2020

	<u>Jul - Dec 20</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
14600 · Miscellaneous Revenue	8,805	0	8,805	100%
<b>Total Income</b>	<u>8,805</u>	<u>0</u>	<u>8,805</u>	<u>100%</u>
<b>Gross Profit</b>	8,805	0	8,805	100%
<b>Expense</b>				
15000 · Personnel Services	381,096	419,535	(38,439)	91%
16000 · Materials & Services	276,586	375,159	(98,573)	74%
16990 · Depreciation Expense	<u>2,532</u>	<u>2,532</u>	<u>0</u>	<u>100%</u>
<b>Total Expense</b>	<u>660,213</u>	<u>797,226</u>	<u>(137,012)</u>	<u>83%</u>
<b>Net Ordinary Income</b>	(651,408)	(797,226)	145,818	82%
<b>Other Income/Expense</b>				
<b>Other Income</b>				
18100 · Property Tax Revenue	111,145	108,575	2,570	102%
18200 · Interest Income	10,857	0	10,857	100%
18800 · Miscellaneous - Non-operating	<u>7,394</u>	<u></u>	<u></u>	<u></u>
<b>Total Other Income</b>	<u>129,396</u>	<u>108,575</u>	<u>20,821</u>	<u>119%</u>
<b>Other Expense</b>				
19000 · Capital Outlay	62,958	175,000	(112,042)	36%
19860 · GAAP - Capitalized Expenses	(62,958)	(62,958)	(0)	100%
19890 · Overhead Allocation	<u>(522,012)</u>	<u>(522,012)</u>	<u>0</u>	<u>100%</u>
<b>Total Other Expense</b>	<u>(522,012)</u>	<u>(409,970)</u>	<u>(112,042)</u>	<u>127%</u>
<b>Net Other Income</b>	<u>651,408</u>	<u>518,545</u>	<u>132,863</u>	<u>126%</u>
<b>Net Income</b>	<u><u>0</u></u>	<u><u>(278,681)</u></u>	<u><u>278,681</u></u>	<u><u>0%</u></u>

**Port of Newport**  
**International Terminal - Budget vs. Actual**  
 July through December 2020

	<u>Jul - Dec 20</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
<b>14000 · Lease Revenues</b>	68,959	86,000	(17,041)	80%
<b>14100 · Moorage</b>	101,185	94,534	6,651	107%
<b>14200 · Hoist Dock &amp; Services</b>	198,372	234,668	(36,296)	85%
<b>14300 · Shipping Terminal Revenues</b>	0	12,926	(12,926)	0%
<b>14600 · Miscellaneous Revenue</b>	375	0	375	100%
<b>Total Income</b>	<u>368,891</u>	<u>428,128</u>	<u>(59,237)</u>	<u>86%</u>
<b>Gross Profit</b>	368,891	428,128	(59,237)	86%
<b>Expense</b>				
<b>15000 · Personnel Services</b>	88,767	95,223	(6,456)	93%
<b>16000 · Materials &amp; Services</b>	112,587	80,229	32,358	140%
<b>16990 · Depreciation Expense</b>	635,316	635,316	0	100%
<b>17000 · Debt Service</b>	168,414	478,163	(309,749)	35%
<b>Total Expense</b>	<u>1,005,083</u>	<u>1,288,931</u>	<u>(283,847)</u>	<u>78%</u>
<b>Net Ordinary Income</b>	(636,193)	(860,803)	224,610	74%
<b>Other Income/Expense</b>				
<b>Other Income</b>				
<b>18300 · Grants</b>	2,500			
<b>18700 · Property &amp; Dredge Sales</b>	10,914	0	10,914	100%
<b>Total Other Income</b>	<u>13,414</u>	<u>0</u>	<u>13,414</u>	<u>100%</u>
<b>Other Expense</b>				
<b>19000 · Capital Outlay</b>	0	0	0	0%
<b>19700 · Transfers Out to Other Funds</b>	0	50,000	(50,000)	0%
<b>19830 · GAAP - D/S Principal Pmts</b>	(136,903)	(136,903)	0	100%
<b>19860 · GAAP - Capitalized Expenses</b>	0	0	0	0%
<b>19890 · Overhead Allocation</b>	15,233	15,233	0	100%
<b>Total Other Expense</b>	<u>(121,669)</u>	<u>(71,670)</u>	<u>(49,999)</u>	<u>170%</u>
<b>Net Other Income</b>	<u>135,083</u>	<u>71,670</u>	<u>63,413</u>	<u>188%</u>
<b>Net Income</b>	<u><b>(501,110)</b></u>	<u><b>(789,133)</b></u>	<u><b>288,023</b></u>	<u><b>64%</b></u>

**Port of Newport**  
**Commercial Marina - Budget vs. Actual**  
 July through December 2020

	<u>Jul - Dec 20</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
14000 · Lease Revenues	73,028	93,000	(19,972)	79%
14100 · Moorage	360,143	316,283	43,861	114%
14200 · Hoist Dock & Services	192,505	170,608	21,897	113%
14600 · Miscellaneous Revenue	16,015	0	16,015	100%
14700 · Permit Revenues	(441)	0	(441)	100%
<b>Total Income</b>	<u>641,250</u>	<u>579,891</u>	<u>61,359</u>	<u>111%</u>
<b>Gross Profit</b>	641,250	579,891	61,359	111%
<b>Expense</b>				
15000 · Personnel Services	200,658	252,015	(51,357)	80%
16000 · Materials & Services	212,057	845,162	(633,105)	25%
16990 · Depreciation Expense	25,358	25,358	0	100%
17000 · Debt Service	3,957	32,915	(28,958)	12%
<b>Total Expense</b>	<u>442,031</u>	<u>1,155,450</u>	<u>(713,420)</u>	<u>38%</u>
<b>Net Ordinary Income</b>	199,219	(575,560)	774,779	(35)%
<b>Other Income/Expense</b>				
<b>Other Income</b>				
18300 · Grants	3,551	1,200,000	(1,196,449)	0%
18800 · Miscellaneous - Non-operating	684			
<b>Total Other Income</b>	<u>4,235</u>	<u>1,200,000</u>	<u>(1,195,765)</u>	<u>0%</u>
<b>Other Expense</b>				
19000 · Capital Outlay	71,707	0	71,707	100%
19700 · Transfers Out to Other Funds	109,816	1,500,000	(1,390,184)	7%
19830 · GAAP - D/S Principal Pmts	(3,607)	(3,607)	0	100%
19860 · GAAP - Capitalized Expenses	(71,707)	(71,707)	0	100%
19890 · Overhead Allocation	230,418	230,418	(0)	100%
<b>Total Other Expense</b>	<u>336,627</u>	<u>1,655,104</u>	<u>(1,318,477)</u>	<u>20%</u>
<b>Net Other Income</b>	<u>(332,393)</u>	<u>(455,104)</u>	<u>122,711</u>	<u>73%</u>
<b>Net Income</b>	<u><b>(133,173)</b></u>	<u><b>(1,030,664)</b></u>	<u><b>897,490</b></u>	<u><b>13%</b></u>



**Port of Newport**  
**South Beach - Budget vs. Actual**  
 July through December 2020

	<u>Jul - Dec 20</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
14000 · Lease Revenues	221,461	227,500	(6,039)	97%
14100 · Moorage	514,779	337,364	177,415	153%
14200 · Hoist Dock & Services	6,871	17,500	(10,629)	39%
14400 · RV Parks	760,544	633,296	127,248	120%
14500 · Launch Ramp & Trailer Storage	56,693	38,814	17,879	146%
14600 · Miscellaneous Revenue	54,786	38,115	16,671	144%
14700 · Permit Revenues	120			
<b>Total Income</b>	<u>1,615,254</u>	<u>1,292,589</u>	<u>322,665</u>	<u>125%</u>
<b>Gross Profit</b>	1,615,254	1,292,589	322,665	125%
<b>Expense</b>				
15000 · Personnel Services	273,904	329,960	(56,057)	83%
16000 · Materials & Services	333,001	456,375	(123,374)	73%
16990 · Depreciation Expense	162,646	162,646	0	100%
17000 · Debt Service	199,423	241,114	(41,691)	83%
<b>Total Expense</b>	<u>968,974</u>	<u>1,190,095</u>	<u>(221,121)</u>	<u>81%</u>
<b>Net Ordinary Income</b>	646,280	102,494	543,787	631%
<b>Other Income/Expense</b>				
<b>Other Income</b>				
18300 · Grants	4,320	0	4,320	100%
18600 · Gain/(Loss) on Sale of Assets	0	0	0	0%
18700 · Property & Dredge Sales	205	30,000	(29,795)	1%
18800 · Miscellaneous - Non-operating	3,200	0	3,200	100%
<b>Total Other Income</b>	<u>7,725</u>	<u>30,000</u>	<u>(22,275)</u>	<u>26%</u>
<b>Other Expense</b>				
19000 · Capital Outlay	249,858	0	249,858	100%
19700 · Transfers Out to Other Funds	0	100,000	(100,000)	0%
19830 · GAAP - D/S Principal Pmts	(170,375)	(170,375)	(0)	100%
19860 · GAAP - Capitalized Expenses	(245,405)	(245,405)	0	100%
19890 · Overhead Allocation	275,115	275,115	0	100%
<b>Total Other Expense</b>	<u>109,193</u>	<u>(40,665)</u>	<u>149,858</u>	<u>(269)%</u>
<b>Net Other Income</b>	<u>(101,468)</u>	<u>70,665</u>	<u>(172,133)</u>	<u>(144)%</u>
<b>Net Income</b>	<u><u>544,813</u></u>	<u><u>173,159</u></u>	<u><u>371,654</u></u>	<u><u>315%</u></u>

**NOAA Lease Revenue Fund**  
**Balance Sheet**  
As of December 31, 2020

	Dec 31, 20	Dec 31, 19	\$ Change	% Change
<b>ASSETS</b>				
Current Assets				
Checking/Savings	3,521,899	5,176,363	(1,654,464)	(32)%
Accounts Receivable				
11200 · Accounts Receivable	173	0	173	100%
Total Accounts Receivable	173	0	173	100%
Other Current Assets				
11300 · Prepaid Expenses				
11310 · General Liab. & Prop...	0	872	(872)	(100)%
11340 · Worker's Comp.	2,769	1,643	1,126	69%
11360 · DSL Lease	8,840	8,582	257	3%
11370 · Other Prepaid Expen...	2,704	(0)	2,704	13,521,100%
Total 11300 · Prepaid Expenses	14,313	11,097	3,216	29%
11480 · PERS - NPA(L)	(42,919)	(42,919)	0	0%
11485 · PERS - Deferred OF	17,086	17,086	0	0%
Total Other Current Assets	(11,520)	(14,736)	3,216	22%
Total Current Assets	3,510,552	5,161,627	(1,651,076)	(32)%
Fixed Assets				
11500 · Capital Assets	23,325,922	24,803,132	(1,477,210)	(6)%
Total Fixed Assets	23,325,922	24,803,132	(1,477,210)	(6)%
Other Assets				
11825 · Advance Refunding Valuati...	962,415	0	962,415	100%
Total Other Assets	962,415	0	962,415	100%
<b>TOTAL ASSETS</b>	<b>27,798,888</b>	<b>29,964,759</b>	<b>(2,165,871)</b>	<b>(7)%</b>
<b>LIABILITIES &amp; EQUITY</b>				
Liabilities	17,183,432	17,535,417	(351,985)	(2)%
Equity	10,615,457	12,429,342	(1,813,886)	(15)%
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>27,798,888</b>	<b>29,964,759</b>	<b>(2,165,871)</b>	<b>(7)%</b>

## Port of Newport - NOAA Lease Revenue Fund

### Budget vs. Actual

July through December 2020

	<u>Jul - Dec 20</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
14000 · Lease Revenues	1,276,180	1,297,950	(21,770)	98%
14605 · Miscellaneous - Operating	2,001	0	2,001	100%
<b>Total Income</b>	<u>1,278,180</u>	<u>1,297,950</u>	<u>(19,770)</u>	<u>98%</u>
<b>Expense</b>				
15000 · Personnel Services	52,581	77,538	(24,957)	68%
16000 · Materials & Services	168,540	214,237	(45,697)	79%
16990 · Depreciation Expense	783,570	652,975	130,595	120%
17000 · Debt Service	1,759,380	1,531,990	227,390	115%
<b>Total Expense</b>	<u>2,764,072</u>	<u>2,476,740</u>	<u>287,332</u>	<u>112%</u>
<b>Net Ordinary Income</b>	<u>(1,485,892)</u>	<u>(1,178,790)</u>	<u>(307,101)</u>	<u>126%</u>
<b>Other Income/Expense</b>				
<b>Other Income</b>				
18200 · Interest Income	9,483	50,000	(40,517)	19%
18300 · Grants	0	0	0	0%
18800 · Miscellaneous - Non-operating	21			
18900 · Transfers In from Other Funds	0	334,500	(334,500)	0%
<b>Total Other Income</b>	<u>9,503</u>	<u>384,500</u>	<u>(374,997)</u>	<u>2%</u>
<b>Other Expense</b>				
19000 · Capital Outlay	0	334,500	(334,500)	0%
19600 · Contingency	0	0	0	0%
19700 · Transfers Out	2,209,445	2,209,445	0	100%
19830 · GAAP - D/S Principal Pmts	(1,290,000)	(1,290,000)	0	100%
19890 · Admin Overhead Allocation	1,254	1,254	0	100%
<b>Total Other Expense</b>	<u>920,699</u>	<u>1,255,199</u>	<u>(334,500)</u>	<u>73%</u>
<b>Net Other Income</b>	<u>(911,196)</u>	<u>(870,699)</u>	<u>(40,497)</u>	<u>105%</u>
<b>Net Income</b>	<u><b>(2,397,088)</b></u>	<u><b>(2,049,489)</b></u>	<u><b>(347,598)</b></u>	<u><b>117%</b></u>

**Port of Newport - NOAA Capital Maintenance Fund**  
**Balance Sheet - NCMF**  
 As of December 31, 2020

	<u>Dec 31, 20</u>	<u>Dec 31, 19</u>	<u>\$ Change</u>	<u>% Change</u>
<b>ASSETS</b>				
<b>Current Assets</b>				
<b>Checking/Savings</b>				
11035 · NCMF - LGIP 6263	2,219,655	0	2,219,655	100%
<b>Total Checking/Savings</b>	<u>2,219,655</u>	<u>0</u>	<u>2,219,655</u>	<u>100%</u>
<b>Total Current Assets</b>	<u>2,219,655</u>	<u>0</u>	<u>2,219,655</u>	<u>100%</u>
<b>TOTAL ASSETS</b>	<b><u>2,219,655</u></b>	<b><u>0</u></b>	<b><u>2,219,655</u></b>	<b><u>100%</u></b>
<b>LIABILITIES &amp; EQUITY</b>				
<b>Equity</b>				
Net Income	2,219,655	0	2,219,655	100%
<b>Total Equity</b>	<u>2,219,655</u>	<u>0</u>	<u>2,219,655</u>	<u>100%</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>2,219,655</u></b>	<b><u>0</u></b>	<b><u>2,219,655</u></b>	<b><u>100%</u></b>

**NOAA Capital Maintenance Fund  
Profit & Loss Budget vs. Actual  
December 2020**

	Dec 20	Budget	\$ Over Budget	% of Budget
<b>Other Income/Expense</b>				
<b>Other Income</b>				
18200 · Interest Income	1,409	0	1,409	100%
18900 · Transfers In from Other Funds	0	0	0	0%
<b>Total Other Income</b>	1,409	0	1,409	100%
<b>Other Expense</b>				
19600 · Contingency	0	0	0	0%
19700 · Transfers Out	0	0	0	0%
<b>Total Other Expense</b>	0	0	0	0%
<b>Net Other Income</b>	1,409	0	1,409	100%
<b>Net Income</b>	<b>1,409</b>	<b>0</b>	<b>1,409</b>	<b>100%</b>

# Port of Newport - Bonded Debt Fund

## Balance Sheet

As of December 31, 2020

	<u>Dec 31, 20</u>	<u>Dec 31, 19</u>	<u>\$ Change</u>
<b>ASSETS</b>			
<b>Current Assets</b>			
Checking/Savings			
400 · Bonded Debt Fund	96,326	142,154	(45,828)
<b>Total Checking/Savings</b>	<u>96,326</u>	<u>142,154</u>	<u>(45,828)</u>
<b>Other Current Assets</b>			
11270 · Property Tax Receivable	59,657	86,925	(27,268)
<b>Total Other Current Assets</b>	<u>59,657</u>	<u>86,925</u>	<u>(27,268)</u>
<b>Total Current Assets</b>	<u>155,984</u>	<u>229,079</u>	<u>(73,096)</u>
<b>Other Assets</b>			
11800 · Bond Issue costs, net of amort.	0	2,916	(2,916)
11825 · Advance Refunding Valuation	700,453	416,150	284,303
<b>Total Other Assets</b>	<u>700,453</u>	<u>419,066</u>	<u>281,387</u>
<b>TOTAL ASSETS</b>	<b><u>856,436</u></b>	<b><u>648,145</u></b>	<b><u>208,291</u></b>
<b>LIABILITIES &amp; EQUITY</b>			
<b>Liabilities</b>			
<b>Current Liabilities</b>			
Other Current Liabilities			
12350 · Bonds Payable - Current	335,000	350,000	(15,000)
<b>Total Other Current Liabilities</b>	<u>335,000</u>	<u>350,000</u>	<u>(15,000)</u>
<b>Total Current Liabilities</b>	<u>335,000</u>	<u>350,000</u>	<u>(15,000)</u>
<b>Long Term Liabilities</b>			
12515 · 2011 Series Bonds	(70,000)	4,948,669	(5,018,669)
12520 · 2016 Series Bonds	6,478,195	7,043,195	(565,000)
12525 · 2019 Series Bonds	5,160,000	0	5,160,000
12590 · Bond Premiums	796,865	796,865	0
12800 · Less Current Portion LTD	(335,000)	(350,000)	15,000
12920 · Deferred IF - Refund Valuation	20,808	20,808	0
<b>Total Long Term Liabilities</b>	<u>12,050,868</u>	<u>12,459,537</u>	<u>(408,669)</u>
<b>Total Liabilities</b>	<u>12,385,868</u>	<u>12,809,537</u>	<u>(423,669)</u>
<b>Equity</b>			
13000 · BDF - Restricted FB	(12,052,349)	(12,290,511)	238,162
13220 · BDF - Bond Costs (65)	0	6,014	(6,014)
Net Income	522,917	123,105	399,813
<b>Total Equity</b>	<u>(11,529,432)</u>	<u>(12,161,392)</u>	<u>631,960</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>856,436</u></b>	<b><u>648,145</u></b>	<b><u>208,291</u></b>

## Port of Newport - Bonded Debt Fund

### Profit & Loss Budget vs. Actual

July through December 2020

	<u>Jul - Dec 20</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
18106 · Bond Levy Proceeds	739,477	770,456	(30,978)	96%
<b>Total Income</b>	739,477	770,456	(30,978)	96%
<b>Gross Profit</b>	739,477	770,456	(30,978)	96%
<b>Expense</b>				
17000 · Debt Service	621,570	215,271	406,300	289%
<b>Total Expense</b>	621,570	215,271	406,300	289%
<b>Net Ordinary Income</b>	117,907	555,185	(437,278)	21%
<b>Other Income/Expense</b>				
<b>Other Income</b>				
18200 · Bank Interest Income	10	1,750	(1,740)	1%
<b>Total Other Income</b>	10	1,750	(1,740)	1%
<b>Other Expense</b>				
19830 · GAAP - D/S Principal Pmts	(405,000)			
<b>Total Other Expense</b>	(405,000)			
<b>Net Other Income</b>	405,010	1,750	403,260	23,144%
<b>Net Income</b>	<b>522,917</b>	<b>556,935</b>	<b>(34,018)</b>	<b>94%</b>

# Port of Newport - Construction Fund

## Balance Sheet

As of December 31, 2020

	Dec 31, 20	Dec 31, 19	\$ Change
<b>ASSETS</b>			
<b>Current Assets</b>			
<b>Checking/Savings</b>			
300 - Construction Fund	13,070	14,391	(1,320)
<b>Total Checking/Savings</b>	13,070	14,391	(1,320)
<b>Total Current Assets</b>	13,070	14,391	(1,320)
<b>TOTAL ASSETS</b>	<b>13,070</b>	<b>14,391</b>	<b>(1,320)</b>
<b>LIABILITIES &amp; EQUITY</b>			
<b>Equity</b>			
13010 - CF - Unassigned FB	13,070	30,337	(17,267)
Net Income	1	(15,946)	15,946
<b>Total Equity</b>	13,070	14,391	(1,320)
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>13,070</b>	<b>14,391</b>	<b>(1,320)</b>



## Port of Newport - Construction Fund

### Profit & Loss Budget vs. Actual

July through December 2020

	<u>Jul - Dec 20</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Other Income/Expense</b>				
<b>Other Income</b>				
18200 · Interest Income	1	0	1	100%
<b>Total Other Income</b>	1	0	1	100%
<b>Other Expense</b>				
19700 · Transfers Out to Other Funds				
19702 · Transfers Out to General Fund	0	30,452	(30,452)	0%
<b>Total 19700 · Transfers Out to Other Funds</b>	0	30,452	(30,452)	0%
<b>Total Other Expense</b>	0	30,452	(30,452)	0%
<b>Net Other Income</b>	1	(30,452)	30,453	(0)%
<b>Net Income</b>	<b>1</b>	<b>(30,452)</b>	<b>30,453</b>	<b>(0)%</b>

**Port of Newport - Facility Maintenance Reserve Fund**

**Balance Sheet**

As of December 31, 2020

	<u>Dec 31, 20</u>	<u>Dec 31, 19</u>	<u>\$ Change</u>
<b>ASSETS</b>			
<b>Current Assets</b>			
Checking/Savings			
200 · Facility Maintenance Rsrv Fund	372,246	151,246	221,000
<b>Total Checking/Savings</b>	<u>372,246</u>	<u>151,246</u>	<u>221,000</u>
<b>Total Current Assets</b>	<u>372,246</u>	<u>151,246</u>	<u>221,000</u>
<b>TOTAL ASSETS</b>	<u><b>372,246</b></u>	<u><b>151,246</b></u>	<u><b>221,000</b></u>
<b>LIABILITIES &amp; EQUITY</b>			
<b>Liabilities</b>			
<b>Current Liabilities</b>			
Accounts Payable			
12000 · Accounts Payable	0	4,642	(4,642)
<b>Total Accounts Payable</b>	<u>0</u>	<u>4,642</u>	<u>(4,642)</u>
<b>Total Current Liabilities</b>	<u>0</u>	<u>4,642</u>	<u>(4,642)</u>
<b>Total Liabilities</b>	0	4,642	(4,642)
<b>Equity</b>			
13005 · FMRF - Asgned-Future Exp.	186,816	150,000	36,816
13006 · FMRF - Asgned-CM Elec. Upgrades	138,000	0	138,000
13010 · FMRF - Unassigned FB	(63,182)	(2,820)	(60,363)
Net Income	110,613	(575)	111,188
<b>Total Equity</b>	<u>372,246</u>	<u>146,605</u>	<u>225,641</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><b>372,246</b></u>	<u><b>151,246</b></u>	<u><b>221,000</b></u>

**Port of Newport - Facility Maintenance Reserve Fund**

**Profit & Loss Budget vs. Actual**

July through December 2020

	<u>Jul - Dec 20</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Other Income/Expense</b>				
<b>Other Income</b>				
18200 · Interest Income	797	750	47	106%
18900 · Transfers In				
18902 · Transfers In from General Fund	109,816			
18900 · Transfers In - Other	<u>0</u>	<u>825,000</u>	<u>(825,000)</u>	<u>0%</u>
<b>Total 18900 · Transfers In</b>	<u>109,816</u>	<u>825,000</u>	<u>(715,184)</u>	<u>13%</u>
<b>Total Other Income</b>	<u>110,613</u>	<u>825,750</u>	<u>(715,137)</u>	<u>13%</u>
<b>Other Expense</b>				
19600 · Contingency	0	130,120	(130,120)	0%
19700 · Transfers Out				
19702 · Transfers Out to General Fund	<u>0</u>	<u>300,000</u>	<u>(300,000)</u>	<u>0%</u>
<b>Total 19700 · Transfers Out</b>	<u>0</u>	<u>300,000</u>	<u>(300,000)</u>	<u>0%</u>
<b>Total Other Expense</b>	<u>0</u>	<u>430,120</u>	<u>(430,120)</u>	<u>0%</u>
<b>Net Other Income</b>	<u>110,613</u>	<u>395,630</u>	<u>(285,017)</u>	<u>28%</u>
<b>Net Income</b>	<u><u>110,613</u></u>	<u><u>395,630</u></u>	<u><u>(285,017)</u></u>	<u><u>28%</u></u>





## STAFF REPORT

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**DATE:** 26 Jan 2021  
**RE:** 2020 Financial Audit Report  
**TO:** Paula Miranda, General Manager  
**ISSUED BY:** Mark A. Brown, Director of Finance and Business Services

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### **BACKGROUND**

ORS 297.425 requires annual audit of the Finance statements by accountants via a contract. The statute requires a review of:

1. The principles of Accounting and methods used in recording, summarizing and reporting its financial transactions, and financial conditions;
2. The accuracy and legality of the transactions, accounts, records, files and financial reports of the officers and employees
3. Compliance with the requirements, orders and regulations of other public officials which pertain to the financial condition or the financial operations of the municipal corporation.

The Secretary of State, in cooperation with the Oregon Board of Accountancy, and in consultation with the Oregon Society of Certified Public Accountants prescribes the minimum standards for conducting audits of municipal corporations, preparing the resulting audit reports and expressing opinions upon the financial condition and results of operation for the period under audit.

As required by statute the Port has been furnished with a written audit report, containing a signed expression of opinion. A copy of the audit report is required to be furnished to each person who was a member of the governing body at the end of the calendar or fiscal year.

### **DETAIL**

I have requested a copy of the Audit Report and governance letter be included in the meeting packet. The Governance letter provides with any findings Kern Thompson discovered during the audit. There were no findings, difficulties, misstatements, disagreements, and it was determined that the financial statements were presented in accordance with generally accepted accounting principles.

Kern Thompson made no recommendations.

### **RECOMMENDATION and MOTION**

I recommend a Commissioner make **a Motion to accept the audit report for Fiscal Year Ended June 30, 2020.**





**PORT OF NEWPORT  
LINCOLN COUNTY, OREGON**

**FINANCIAL STATEMENTS**

**Year Ended June 30, 2020**

**KERN ▲ THOMPSON**  
CERTIFIED PUBLIC ACCOUNTANTS

**PORT OF NEWPORT  
LINCOLN COUNTY, OREGON  
FOR THE YEAR ENDED JUNE 30, 2020**

**BOARD OF COMMISSIONERS**

<b><u>Name</u></b>	<b><u>Position</u></b>	<b><u>Term Expires</u></b>
Walter Chuck Newport, Oregon	1	June 30, 2023
Kelley Retherford Newport, Oregon	2	June 30, 2021
Gil Sylvia Newport, Oregon	3	June 30, 2021
Jeff Lackey Newport, Oregon	4	June 30, 2021
Jim Burke South Beach, Oregon	5	June 30, 2023

All Commissioners receive mail at the address below:

**Registered Agent and Address:**

**Paula J. Miranda, General Manager  
600 SE Bay Boulevard  
Newport, OR 97365**



**PORT OF NEWPORT**  
**FINANCIAL STATEMENTS**  
**Year Ended June 30, 2020**

**TABLE OF CONTENTS**

	<u>Page</u>
<b>MANAGEMENT’S DISCUSSION AND ANALYSIS</b>	i-iii
<b>INDEPENDENT AUDITORS’ REPORT</b>	1-2
<b>FINANCIAL STATEMENTS</b>	
Statement of Net Position	3
Statement of Revenues, Expenses, and Changes in Net Position	4
Statement of Cash Flows	5
Notes to Financial Statements	6-28
<b>REQUIRED SUPPLEMENTARY INFORMATION</b>	
Schedules of Required Supplementary Information – Pension Information	29
Notes to Required Supplementary Information	30
<b>SUPPLEMENTAL INFORMATION</b>	
Combining Schedule of Assets, Liabilities and Net Position	31
Combining Schedule of Revenues, Expenses, and Changes in Net Position	32
Combining Schedule of Cash Flows	33
Schedule of Revenues, Expenditures, and Change in Fund Balance- Budget to Actual – General Fund	34
Schedule of Revenues, Expenditures, and Change in Fund Balance- Budget to Actual – Bonded Debt Fund	35
Schedule of Revenues, Expenditures, and Change in Fund Balance- Budget to Actual – Facility Maintenance Reserve Fund	36
Schedule of Revenues, Expenditures, and Change in Fund Balance- Budget to Actual – Construction Fund	37
Schedule of Revenues, Expenditures, and Change in Fund Balance- Budget to Actual – NOAA Lease Revenue Fund	38
Schedule of Tax Collections and Unpaid Balances – Port Levy	39
Schedule of Tax Collections and Unpaid Balances – Bond Levy	40
<b>REPORT REQUIRED BY OREGON MINIMUM AUDIT STANDARDS</b>	
Independent Auditors’ Report Required by Oregon State Regulations	41-42

**PORT OF NEWPORT  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
For the Year Ended June 30, 2020**

This discussion and analysis of the Port of Newport (the Port) financial performance provides an overview of the Port's financial activities for the fiscal year ended June 30, 2020. Please read it in conjunction with the Port's financial statements, which follow this section.

**FINANCIAL HIGHLIGHTS** (in thousands)

- Total assets of the Port are \$83.8M with capital assets of \$71.3M net of accumulated depreciation. Current assets are \$10.8M at June 30, 2020.
- The assets of the Port exceeded its liabilities at the close of the fiscal year by \$44.8M (Net Position).
- The Port's net position decreased by \$61K from June 30, 2019.
- Total operating revenue was \$8.2M which is an increase of 8% over the prior year.
- Total operating expenses for the year were \$7M which is 3% lower than the prior year.

**Overview of the Financial Statements**

This audit report consists of three parts – management's discussion and analysis (this section), the basic financial statements (including notes), and supplementary information. The report is guided by accounting and reporting principles established by the Governmental Accounting Standards Board (GASB).

The basic financial statements are prepared on the accrual basis, similar to a private business, whereby revenues are recognized when earned and expenses are recognized when incurred, regardless of when cash is received or paid. The basic financial statements consist of a statement of net position which includes the Port's assets, liabilities, and net position (assets minus liabilities) at year end; statement of revenues, expenses, and changes in net position, which includes all revenues, expenses, and grants received for construction for the year; and statement of cash flows, which represents the sources and uses of cash for the year.

The financial statements also include notes that explain some of the information in the financial statements and provide more detailed data. Following the financial statements is a section of supplementary information, which further explains and supports the information in the financial statements.

The analysis in Table 1 following focuses on the net position of the Port; Table 2 focuses on the revenues and expenses of the Port.

**PORT OF NEWPORT  
MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)  
For the Year Ended June 30, 2020**

**Table 1 – Net Position**

	<u>2020</u>	<u>2019</u>
<b>Assets and deferred outflows</b>		
Cash and investments	\$ 10,070,411	\$ 7,015,255
Cash restricted for debt payments	-	2,081,283
Capital assets, net	71,336,391	74,488,528
Other	2,473,055	1,558,029
<b>Total assets and deferred outflows</b>	<b><u>83,879,857</u></b>	<b><u>85,143,095</u></b>
<b>Liabilities and deferred inflows</b>		
Current	3,027,863	2,830,687
Other liabilities	36,009,216	37,408,436
<b>Total liabilities and deferred inflows</b>	<b><u>39,037,079</u></b>	<b><u>40,239,123</u></b>
<b>Net position</b>		
Invested in capital assets, net of related debt	47,155,421	36,209,387
Unrestricted (deficit)	(2,312,643)	6,613,302
Restricted	-	2,081,283
<b>Total net position</b>	<b><u>\$ 44,842,778</u></b>	<b><u>\$ 44,903,972</u></b>

**Table 2 – Revenues and Expenses**

	<u>2020</u>	<u>2019</u>
<b>Operating revenues</b>		
Tenant rents	\$ 7,146,750	\$ 6,747,592
Taxes and assessments	864,127	638,702
Miscellaneous	145,152	160,504
<b>Total operating revenues</b>	<b><u>8,156,029</u></b>	<b><u>7,546,798</u></b>
<b>Operating expenses</b>		
Personnel services	1,791,386	1,640,317
Materials and services	1,977,102	2,320,836
Depreciation	3,237,455	3,237,352
<b>Total operating expenses</b>	<b><u>7,005,943</u></b>	<b><u>7,198,505</u></b>
<b>Total operating income (loss)</b>	<b><u>1,150,086</u></b>	<b><u>348,293</u></b>
<b>Non-operating revenues (expenses)</b>		
Grants	11,600	1,800
Interest income	139,964	103,495
Interest expense	(1,362,844)	(1,830,048)
<b>Net non-operating revenues (expenses)</b>	<b><u>(1,211,280)</u></b>	<b><u>(1,724,753)</u></b>
<b>Change in net position</b>	<b>(61,194)</b>	<b>(1,376,460)</b>
Net position, beginning of year	44,903,972	46,280,432
<b>Net position, end of year</b>	<b><u>\$ 44,842,778</u></b>	<b><u>\$ 44,903,972</u></b>

**PORT OF NEWPORT  
MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)  
For the Year Ended June 30, 2020**

**Capital Assets**

The following table lists the Port's capital assets and their value as of June 30, 2020:

	<u>2020</u>	<u>2019</u>
<b>Capital assets</b>		
Land	\$ 20,221,521	\$ 20,221,521
Construction in progress	410,173	492,539
Land improvements	36,200,931	36,146,801
Buildings and docks	54,822,570	54,777,527
Equipment	1,273,613	1,205,102
Accumulated depreciation	<u>(41,592,417)</u>	<u>(38,354,962)</u>
<b>Total net capital assets</b>	<b><u>\$ 71,336,391</u></b>	<b><u>\$ 74,488,528</u></b>

For further information on the Port's capital assets, see Note E of the financial statements.

**Long-Term Obligations**

The following is a summary of long-term debt obligations of the Port as of June 30:

	<u>2020</u>	<u>2019</u>
<b>Long-Term Debt</b>		
General obligation bonds	\$ 11,980,000	\$ 12,045,000
Revenue bond	17,855,000	18,160,000
Full faith and credit obligations	2,480,000	2,685,000
State of Oregon loans	3,684,582	3,892,214
Bank loans and other	<u>423,022</u>	<u>592,255</u>
<b>Total long-term debt</b>	<b><u>\$ 36,422,604</u></b>	<b><u>\$ 37,374,469</u></b>

Additional information on the Port's long-term debt can be found in Note G of the financial statements.

**Budgetary Highlights**

The Port's budget for the fiscal year 2019-20 was adopted by the Port Commission in June 2019 and certified by the Lincoln County Clerk in July 2019. There was one supplemental budget adopted resulting in changes to the appropriations during the year. The budget to actual annual activity is presented for both the original and final budget amounts as required supplementary information.

**Economic Factors and Next Year's Budgets and Rates**

As part of the Port's strategic planning and business planning process, regional and national economic trends and forecasts are reviewed and forecasted to help produce the annual budget. In the Port's 2020-21 budget, operating expenditures and revenues are forecast to remain consistent with prior years. The capital improvement budget for 2020-21 assumes capital projects estimated at \$2.4 million for Dock 5 pier work.

**Contacting the Port's Financial Management**

If you have questions about this report or need additional information, contact the Port of Newport, 600 SE Bay Boulevard, Newport, OR 97365.

**INDEPENDENT AUDITORS' REPORT**

To the Board of Commissioners  
Port of Newport  
Newport, Oregon

***Report on the Financial Statements***

We have audited the accompanying financial statements of the business-type activities of the Port of Newport, Oregon (the Port), as of and for the year ended June 30, 2020, and the related notes to the financial statements, which collectively comprise the Port's basic financial statements as listed in the table of contents.

***Management's Responsibility for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

***Auditors' Responsibility***

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

***Opinion***

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the business-type activities of the Port of Newport, Oregon as of June 30, 2020, and the changes in its financial position and cash flows, for the year then ended in accordance with accounting principles generally accepted in the United States of America.

To the Board of Commissioners  
Port of Newport

**Other Matters**

**Required Supplementary Information**

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages i through iii, and the pension information schedules on pages 29 to 30, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

**Other Information**

Our audit was conducted for the purpose of forming an opinion on the basic financial statements as a whole. The budgetary comparison schedule and the schedule of tax collections and unpaid balances, as listed in the Table of Contents, are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

**Report on Other Legal and Regulatory Requirements**

In accordance with *Minimum Standards for Audits of Oregon Municipal Corporations*, we have also issued our report dated December 14, 2020, on our consideration of the Port's compliance with certain provisions of laws and regulations, including the provisions of Oregon Revised Statutes as specified in Oregon Administrative Rules. The purpose of that report is to describe the scope of our testing of compliance and the results of that testing, and not to provide an opinion on compliance.

**KERN & THOMPSON, LLC**  
Certified Public Accountants



Richard V. Proulx, CPA  
Partner

Portland, Oregon  
December 14, 2020

**PORT OF NEWPORT**  
**STATEMENT OF NET POSITION**

June 30, 2020

**ASSETS**

**Current assets**

Cash and investments	\$ 10,070,411
Property tax receivable	67,879
Receivables, net of allowances	471,922
Prepaid expenses	217,393
<b>Total current assets</b>	<b><u>10,827,605</u></b>

**Noncurrent assets**

Capital assets	
Depreciable capital assets	92,297,114
Non-depreciable capital assets	20,631,694
Accumulated depreciation	<u>(41,592,417)</u>
Capital assets, net	71,336,391
Bond cost	384,383
Unamortized bond discount	6,805
<b>Total noncurrent assets</b>	<b><u>71,727,579</u></b>

**Deferred outflows of resources**

Advanced refunding outflows, net of amortization	1,121,248
Pension related outflows	<u>203,425</u>
<b>Total noncurrent assets</b>	<b><u>1,324,673</u></b>

**Total assets and deferred outflows** **\$ 83,879,857**

**LIABILITIES AND NET POSITION**

**Current liabilities**

Accounts payable	\$ 248,336
Accrued payroll	158,273
Accrued interest payable	216,520
Lease deposits	244,280
Notes payable - current	325,454
Bond payable - current	1,835,000
<b>Total current liabilities</b>	<b><u>3,027,863</u></b>

**Noncurrent liabilities**

Notes payable	3,782,150
Bonds payable, net	30,480,000
Unamortized bond premium	805,218
Net pension liability	<u>682,015</u>
<b>Total noncurrent liabilities</b>	<b><u>35,749,383</u></b>

**Deferred inflows of resources** **259,833**

**Net position**

Investment in capital assets, net of related debt	47,155,421
Unrestricted	<u>(2,312,643)</u>
<b>Total net position</b>	<b><u>44,842,778</u></b>

**Total liabilities, deferred inflows and net position** **\$ 83,879,857**

See notes to financial statements.

**PORT OF NEWPORT**  
**STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION**  
**Year Ended June 30, 2020**

<b>Operating revenues</b>	
Moorages and leases	\$ 4,999,781
Property tax	864,127
RV Park	1,047,206
Hoist dock	1,009,465
Launch ramp	90,298
Miscellaneous	145,152
<b>Total operating revenues</b>	<b><u>8,156,029</u></b>
<b>Operating expenses</b>	
Salary and wage	1,272,691
Payroll tax and benefit	518,695
Administration, promotion and marketing	224,186
Maintenance	195,418
Utilities	537,363
Insurance	321,845
Professional fees	123,518
Service fees	268,485
Supplies	128,857
Other	177,430
Depreciation	3,237,455
<b>Total operating expenses</b>	<b><u>7,005,943</u></b>
<b>Operating income (loss)</b>	<b><u>1,150,086</u></b>
<b>Non-operating revenues (expenses)</b>	
Grants and reimbursements	11,600
Interest income	139,964
Interest expense	(1,362,844)
<b>Total non-operating revenues (expenses)</b>	<b><u>(1,211,280)</u></b>
<b>Change in net position</b>	<b>(61,194)</b>
Net position, beginning of year	<u>44,903,972</u>
<b>Net position, end of year</b>	<b><u>\$ 44,842,778</u></b>

See notes to financial statements.



**PORT OF NEWPORT**  
**STATEMENT OF CASH FLOWS**

**Year Ended June 30, 2020**

<b>Cash flows from operating activities:</b>	
Cash received from tenants	\$ 7,132,381
Cash received from property taxes	844,104
Payments to vendors	(3,535,907)
Payments to employees	(1,210,590)
<b>Net cash provided by (used in) operating activities</b>	<b><u>3,229,988</u></b>
<b>Cash flows from investing activities:</b>	
Interest income	<u>139,964</u>
<b>Cash flows from capital and related financing activities:</b>	
Acquisitions of capital assets	(85,319)
Bond discount	(306,333)
Bond premium	222,481
Advance from new debt	23,175,000
Bonds refunded	(22,020,000)
Payments on notes and bonds payable	(2,214,672)
Interest paid	(1,167,236)
<b>Net cash provided by (used in) capital and related financing activities</b>	<b><u>(2,396,079)</u></b>
<b>Change in cash and cash equivalents</b>	<b>973,873</b>
<b>Cash and cash equivalents</b>	
Beginning of year	<u>9,096,538</u>
<b>End of year</b>	<b><u>\$ 10,070,411</u></b>
<b>Reported in the Balance Sheet as:</b>	
Unrestricted	\$ 10,070,411
Restricted	<u>-</u>
<b>Total</b>	<b><u>\$ 10,070,411</u></b>
<b>Reconciliation of operating income (loss) to cash provided by (used in) operating activities:</b>	
Operating income (loss)	\$ 1,150,087
Adjustments to reconcile operating income (loss) to net cash provided by (used in) operating activities	
Depreciation and amortization	3,237,455
Non operating revenues	47,178
(Increase) decrease in current assets:	
Operating receivables	(167,497)
Prepaid expense	(13,786)
Increase (decrease) in current liabilities:	
Accounts payable and compensated absences	154,021
Changes to debt related deferred inflows	(1,236,888)
Pension liabilities	<u>59,418</u>
<b>Net cash provided by (used in) operating activities</b>	<b><u>\$ 3,229,988</u></b>

See notes to financial statements.

**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS**

**June 30, 2020**

**NOTE A – DESCRIPTION OF ORGANIZATION**

The Port of Newport, located in Lincoln County, Oregon (the Port) was established in 1910 pursuant to Section 8 Chapter 31 of the Session Laws of the State of Oregon 1909. The Port's mission is to build and maintain waterfront facilities and promote/support projects and programs in cooperation with other community organizations and businesses that will retain and create new jobs and increase community economic development.

Control of the Port is vested in its five-member commission. Commissioners are elected to office by voters within the Port District, which encompasses the majority of Lincoln County. Administrative functions are delegated to individuals who report to and are responsible to the commission. The chief administrative officer is the general manager.

The accompanying basic financial statements present all funds, for which the Port is considered to be financially accountable. The criteria used in making this determination includes the appointment of a voting majority, imposition of will, financial benefit or burden on the primary government, and fiscal dependence on the primary government. Based upon the evaluation of these criteria, the Port is a primary government with no includable component units.

**NOTE B – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

**Basis of Presentation**

These statements have been prepared in conformity with generally accepted accounting principles (GAAP) as prescribed by the Governmental Accounting Standards Board (GASB).

The accounts of the Port are organized on the basis of proprietary fund types, specifically enterprise funds. Enterprise funds are used to account for operations that are financed and operated in a manner similar to private business enterprises where the intent of the governing body is that costs of providing goods and services be financed or recovered primarily through user charges. The activities of these funds are accounted for with a separate set of self-balancing accounts that comprise the Port's assets, liabilities, net position, revenues and expenses. The Port uses several individual funds for state legal compliance that are combined and reported as a unitary enterprise similar to a commercial entity organized for profit for financial reporting. Enterprise funds account for activities (i) that are financed with debt that is secured solely by a pledge of the net revenues from fees and charges of an activity; or (ii) that are required by laws and regulations that the activity's costs of providing services, including capital costs (such as depreciation or debt service), be recovered with fees and charges, rather than with taxes or similar revenues; or (iii) that the pricing policies of the activity establish fees and charges designed to recover its costs, including capital costs (such as depreciation or debt service).

**Basis of Accounting and Measurement Focus**

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus. All proprietary funds are accounted for on a flow of economic resources measurement focus. With this measurement focus, all assets and liabilities associated with the operation of these fund types are included on the Statement of Net Position. Net position (i.e. total assets net of total liabilities) is segregated into invested in capital assets, net of related debt; restricted for debt service; and unrestricted components.

**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**

**June 30, 2020**

**NOTE B – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Basis of Accounting and Measurement Focus (Continued)**

Proprietary fund type operating statements present increases (e.g., revenues) and decreases (e.g., expenses) in net position. Proprietary funds utilize the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred.

The Port has defined operating revenues to include lease fees, RV park fees, launch dock, hoist and moorage fees. Operating expenses are defined as those expenses directly related to providing the services reflected within operating revenues including depreciation and administration expenses. All revenues and expenses not meeting these definitions are reported as non-operating revenue and expenses. This includes property taxes, investment interest, gain (loss) on sale of capital assets, and non-operating grant revenue and amortization costs.

When both restricted and unrestricted resources are available for use, it is the Port's policy to use restricted resources first, then unrestricted resources as they are needed.

The following funds collectively comprise the enterprise activities reported by the Port:

**General Fund** - This fund is used to account for the financial resources of the Port that are not accounted for in any other fund. Principal sources of revenue are from property taxes, service fees and lease revenue. Primary expenditures are for maintenance and personnel services.

**Bonded Debt Fund** - This fund accounts for the redemption of general obligation bonds and interest thereon. The principal source of revenue is property taxes.

**Facilities Maintenance Reserve Fund** - This fund is used to account for the accumulation of funds for the maintenance, repairs and capital improvements.

**Construction Fund** - This fund is used for capital improvements and acquisitions.

**NOAA Lease Revenue Fund** - This fund accounts for expenditures relating to capital improvements for the NOAA MOC-P facility. Current resources consist primarily of lease payments. This fund services the bond repayment and covers facilities maintenance costs over the term of the lease.

**Budget Policies and Budgetary Control**

Generally, Oregon Local Budget Law requires annual budgets be adopted for all funds except for agency funds. A budget is prepared for each fund in accordance with the modified accrual basis of accounting with certain modifications and legal requirements set forth in the Oregon Local Budget Law (ORS 294.305 to 294.565). The resolution authorizing appropriations for each fund sets the level at which expenditures cannot legally exceed appropriations. The Port established the levels of budgetary control at the object (personnel services, material and services, capital outlay, operating contingencies, debt service, and all other requirements) levels for all funds. Appropriations lapse at the end of each fiscal year.

**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**

**June 30, 2020**

**NOTE B – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Budget Policies and Budgetary Control (Continued)**

The Port begins its budgeting process by appointing Budget Committee members each year. Budget recommendations are developed by management through early spring, with the budget committee meeting and approving the budget document in late spring. Public notices of the budget hearing are generally published in May or June and the hearing is held in June. The Board of Commissioners adopts the budget, makes appropriations, and declares the tax levy no later than June 30. Expenditure appropriations may not be legally over-expended, except in the case of grant receipts and bond sale proceeds which could not be reasonably estimated at the time the budget was adopted.

Unexpected additional resources may be added to the budget through the use of a supplemental budget. The supplemental budget process requires hearings before the public, publications in newspapers, and approval by the Board. Only the Board may modify original and supplemental budgets by the use of appropriation transfers between the levels of control. In addition, Oregon Local Budget Law provides certain specific exceptions to the supplemental budget process to increase appropriations. Such transfers and increases require Board's approval by adoption of a resolution.

**Cash Deposits and Investments**

The Port's cash and cash equivalents are considered to be cash on hand, demand deposits and short-term investments with original maturities of three months or less from the date of acquisition. For purposes of the statement of cash flows, all highly liquid investments with a maturity of three months or less when purchased are considered to be cash equivalents.

The Port's investment policies are governed by Oregon statutes. The statutes authorize the Port to invest primarily in general obligations of the U.S. Government and its agencies, certain bonded obligations of Oregon municipalities, bank repurchase agreements, bankers' acceptances, high-grade commercial paper and the State Treasurer's Local Government Investment Pool (LGIP). See Note C.

**Receivables**

Terminal, marina, and tenant lease receivables are stated at the amount management expects to collect from outstanding balances. Management provides for probable uncollectible amounts through a charge to earnings and a credit to a valuation allowance based on its assessment of the current status of individual accounts. Balances that are still outstanding after management has used reasonable collection efforts are written off through a charge to the valuation allowance and a credit to receivable.

Property taxes are levied and become a lien on all taxable property as of July 1. Property taxes are payable on November 15, February 15, and May 15. Discounts are allowed if the amount due is received by November 15 or February 15. Taxes unpaid and outstanding on May 16 are considered delinquent. Property taxes receivable are deemed to be substantially collectible or recoverable through liens; therefore, no allowance for uncollectible taxes has been established.

**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**

June 30, 2020

**NOTE B – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Capital Assets and Depreciation**

Capital assets include land and improvements, buildings, and equipment. In addition, certain capital assets purchased may be capitalized regardless of the thresholds established.

Such assets are reported at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are reported at estimated fair value at the date of donation.

The cost of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized. Major outlays for capital assets and improvements are capitalized as projects are constructed.

Capital assets are depreciated using the straight-line method according to the following criteria:

<u>Asset Classification</u>	<u>Capitalization Threshold</u>	<u>Useful Life in Years</u>
Land improvements	\$ 5,000	10 - 20
Buildings	5,000	25 - 40
Docks	5,000	30 - 60
Equipment	5,000	5 - 10

**Compensated Absences**

Employees are permitted to accumulate earned but unused paid time off (“PTO”). PTO is recognized as expense when earned. Compensated absences are reported and accrued with other payroll liabilities in the Statement of Net Position.

**Long-Term Obligations**

Long-term obligations are reported at face value, net of applicable discounts. Costs related to the issuance of debt are deferred and amortized over the lives of the various debt issues.

**Estimates**

The preparation of financial statements in conformity with generally accepted accounting principles requires that management make estimates and assumptions which affect the reporting amounts of assets and liabilities, disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from estimates.

**Deferred Outflows/Inflows of Resources**

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that apply to a future period and so will not be recognized as an outflow of resources (expense/expenditure) until then.

**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**

**June 30, 2020**

**NOTE B – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Deferred Outflows/Inflows of Resources (Continued)**

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that apply to a future period and so will not be recognized as an inflow of resources (revenue) until then.

**Pension Retirement Plan**

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Oregon Public Employees Retirement System (OPERS) and additions to/deductions from OPERS's fiduciary net position have been determined on the same basis as they are reported by OPERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

**Net Position**

Net Position represents the difference between (a) assets and deferred outflows of resources and (b) liabilities and deferred inflows of resources in the Port's financial statements. Net position is divided into three components:

*Net investment in capital assets* - consists of the historical cost of capital assets less accumulated depreciation and less any debt that remains outstanding that was used to finance those assets plus deferred outflows of resources less deferred inflows of resources related to those assets.

*Restricted net assets* - consists of assets that are restricted by the Port's creditors, by enabling legislation, by granters, and other contributors.

*Unrestricted* - all other net assets reported in this category.

**Restricted Assets and Related Liabilities**

Assets whose use is restricted for construction related to the marine terminal redevelopment project, the National Oceanic and Atmospheric Administration (NOAA) Marine Operations Center-Pacific (MOC-P) project, the facilities maintenance reserve and the payment of bonded debt service, as well as all related liabilities are segregated on the Statement of Net Position.

Where both restricted and unrestricted resources are available for use, it is the Port's policy to use restricted resources to the limits of the policies and statutes governing them first, then unrestricted resources as they are needed.

**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**

**June 30, 2020**

**NOTE C – CASH AND INVESTMENTS**

The Port's cash and investments are held in bank financial institutions listed as qualified bank depositories by the Oregon State Treasurer.

The Port uses money market bank accounts and time certificates of deposit for its temporary investments. Amounts held in such accounts are treated as cash equivalents, as the accounts can be accessed as needed. Cash and investments consist of the following at June 30, 2020:

Deposits with financial institutions:	
Demand deposits	\$ 10,007,478
Time certificate of deposit	<u>62,933</u>
Total	<u>\$ 10,070,411</u>
Reported in:	
Statement of net position	
Cash and investments	\$ 10,070,411
Cash restricted for debt payments	<u>-</u>
Total	<u>\$ 10,070,411</u>

**Interest Rate Risk**

Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. The Port does not have a formal policy that limits investment maturities as a means of managing its exposure to fair-value losses arising from increases in interest rates.

**Credit Risk**

Credit risk is the risk that the issuer of an investment fails to fulfill its obligations. Oregon Statutes limit investments to general obligations of U.S. government and its agencies, certain bonded obligations of Oregon municipalities, bank repurchase agreements, high-grade commercial paper and the State Treasurer's Local Government Investment Pool. The Port has no investment policy that would further limit its investment choices.

**Concentration of Credit Risk**

The Port does not have a formal policy that places a limit on the amount that may be invested with any one issuer. The Port's investments are 100% invested in time certificates of deposit.

**Custodial Credit Risk**

This is the risk that, in the event of a bank failure, the Port's deposits may not be returned. Deposits with financial institutions are comprised of bank demand deposits. The combined total bank balance was \$11,940,355. As required by Oregon Revised Statutes, deposits in excess of federal depository insurance were held at qualified depositories for public funds. All qualified depositories for public funds are included in the multiple financial institution collateral pool that is maintained by and in the name of the Office of the State Treasurer. As a result, the Port has no exposure to custodial credit risk for deposits with financial institutions.

**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**

**June 30, 2020**

**NOTE D – RECEIVABLES**

Receivables consist of the following at June 30, 2020:

Property taxes receivable	\$	67,879
Tenant receivables		501,922
Allowance for uncollectible tenant rents		<u>(30,000)</u>
	\$	<u>539,801</u>

**NOTE E – CAPITAL ASSETS**

The following table is a summary of capital assets:

	Balances June 30, 2019	Additions	Transfers/ Deletions	Balances June 30, 2020
Land	\$ 20,221,521	\$ -	\$ -	\$ 20,221,521
Construction in process	492,539	41,775	(124,141)	410,173
Building and land improvements	36,146,801	54,130	-	36,200,931
Docks & Piers	54,777,527	45,043	-	54,822,570
Equipment	<u>1,205,102</u>	<u>68,511</u>	-	<u>1,273,613</u>
Total property and equipment	112,843,490	209,459	(124,141)	112,928,808
Less accumulated depreciation	<u>(38,354,962)</u>	<u>(3,237,455)</u>	-	<u>(41,592,417)</u>
Total capital assets, net	<u>\$ 74,488,528</u>	<u>\$ (3,027,996)</u>	<u>\$ (124,141)</u>	<u>\$ 71,336,391</u>

**NOTE F – TENANT LEASING ACTIVITIES**

The Port leases certain properties to tenants under long-term non-cancelable operating leases. The depreciated cost of the leased properties aggregated approximately 31,334,000 as of June 30, 2020 with annual depreciation expense of approximately \$1,320,000. Tenant leases include a 20-year lease for a MOC-P with the National Oceanic and Atmospheric Administration (“NOAA”). NOAA lease revenue is pledged for the 2010 Revenue Bonds (see Note G). The annual rent under this lease is approximately \$2,545,000 which is included in the schedule below.

The minimum future payments to be received under non-cancelable leases are as follows:

Year Ending June 30,	
2021	\$ 3,170,000
2022	3,160,000
2023	3,160,000
2024	3,140,000
2025	3,100,000
Thereafter	<u>15,840,000</u>
	<u>\$ 31,570,000</u>



**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**

**June 30, 2020**

**NOTE G – LONG-TERM OBLIGATIONS**

**Bonds and Loans Payable**

The general obligation bonds, full faith and credit obligation bond, and State of Oregon loans are direct obligations and pledge the full faith and credit of the Port. The revenue bonds are secured by the NOAA lease revenue and the required reserve was fully funded with bond proceeds. The funds provided by the obligations and the Oregon Coast Bank loans, were and continue to be used for the acquisition, repair and construction of capital assets.

In the fiscal year ending June 30, 2013, the Port obtained financing for construction of the International Terminal. The Port negotiated a \$3,000,000 loan with a \$500,000 grant from the Oregon Infrastructure Finance Authority (IFA). Additional financing was obtained under a forgivable loan from the State of Oregon Business Development in the amount of \$400,000. The no interest loan is secured by a promissory note and was to be forgiven by the State upon meeting the creation of a number of jobs positions by September 2017. That date was not met. The note is payable over ten years, with \$385,417 remaining at June 30, 2020.

In the fiscal year ending June 30, 2013, the Port refinanced two Special Public Works Fund Community Facility loans outstanding of \$2,624,942 and received new funding of \$890,000 for improvements to the Port's International Terminal.

On June 16, 2016 the Port issued Series 2016 refunding bonds for \$7,610,000. The amount of \$8,348,133 was sent to the escrow agent for refunding of GO Bond Series 2007 callable portion in the amount of \$4,135,878 and GO Bond Series 2008 callable portion in the amount of \$4,272,080. The Port realized a net present value savings of approximately \$944,963. As of June 30, 2020, remaining defeased GO bonds consist of 2008 series of \$3,815,000. In 2016 the bonds were legally turned over to an escrow agent with sufficient funding (principal received combined with the earnings on that principal during the time the agent holds the funds) to service this debt. Defeased debt is no longer a liability of the Port.

In December of 2019, the Port issued Series 2019 refunding bonds for \$5,320,000. The amount of \$5,612,972 was sent to the escrow agent for refunding of GO Bond Series 2011 callable portion in the amount of \$4,855,000. As of June 30, 2020, the remaining defeased GO Bond balance is \$4,855,000. The bond was legally turned over to an escrow agent with sufficient funding (principal received combined with the earnings on that principal during the time the agent holds the funds) to service this debt. The defeased debt is no longer a liability of the Port.

In December of 2019 the Port issued another Series 2019 refunding bonds for \$17,855,000. The amount of \$17,976,861 was sent to the escrow agent for refunding of Revenue Bond Series 2010 callable portion in the amount of \$17,165,000. As of June 30, 2020, the remaining defeased revenue bond balance is \$17,165,000. The bond was legally turned over to an escrow agent with sufficient funding (principal received combined with the earnings on that principal during the time the agent holds the funds) to service this debt. The defeased debt is no longer a liability of the Port.

**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**  
**June 30, 2020**

**NOTE G – LONG-TERM OBLIGATIONS (CONTINUED)**

As of June 30, 2020 the defeased General Obligation bonds are as follows:

GO 2007 defeased bonds	\$ 3,705,000
GO 2008 defeased bonds	3,815,000
Revenue Bond 2010 defeased bonds	17,165,000
GO Bond 2011 defeased bonds	<u>4,855,000</u>
Total balance of defeased bonds	<u>\$ 29,540,000</u>

In January of 2017 the Port signed a letter of understanding with Oregon Brewing Company on improvements to property. The cost of the improvements were shared with the Port, resulting in the Port recognizing a contribution and a no interest obligation of \$210,295, payable over five years to Oregon Brewing Company.

The Port has various equipment lease purchase contracts aggregating approximately \$50,000 as of June 30, 2020.

**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**

**June 30, 2020**

**NOTE G – LONG-TERM OBLIGATIONS (CONTINUED)**

Transactions for notes payable for the year ended June 30, 2020 were as follows:

<b>Bonded Debt Fund</b>	Balance	Additions	Reductions	Balance	Due Within One Year		
	30-Jun-19			30-Jun-20	Principle	Interest	Total
General Obligation Bonds							
Series 2011	\$ 4,995,000	\$ -	\$ 4,995,000	\$ -	\$ -	\$ -	\$ -
Series 2016	7,050,000	-	280,000	6,770,000	285,000	257,400	542,400
Series 2019	-	5,320,000	110,000	5,210,000	50,000	172,416	222,416
<b>Total Bonded Debt Fund</b>	<b>\$ 12,045,000</b>	<b>\$ 5,320,000</b>	<b>\$ 5,385,000</b>	<b>\$ 11,980,000</b>	<b>\$ 335,000</b>	<b>\$ 429,816</b>	<b>\$ 764,816</b>
<b>General Fund</b>	Balance	Additions	Reductions	Balance	Due Within One Year		
	30-Jun-19			30-Jun-20	Principle	Interest	Total
<b>Full Faith and Credit OB</b>							
Series 2013	\$ 2,685,000	\$ -	\$ 205,000	\$ 2,480,000	\$ 210,000	\$ 75,357	\$ 285,357
<b>State of Oregon Loans</b>							
<b>Special Public Works Fund Loans</b>							
L00012	36,916	-	5,305	31,611	5,263	1,897	7,160
Q10001	1,006,933	-	64,284	942,649	66,260	27,340	93,600
L12005	2,448,365	-	123,460	2,324,905	128,238	89,974	218,212
Promissory	400,000	-	14,583	385,417	25,000	-	25,000
Oregon Port Revolving Loans	-	-	-	-	-	-	-
<b>Oregon Coast Bank Loans</b>							
Loan Payable No. 10032077	299,764	-	299,764	-	-	-	-
<b>First Interstate</b>							
2019 129700956	-	280,273	8,685	271,588	52,465	8,798	61,263
<b>Toyota</b>							
2017 CM Forklift Capital Lease	23,228	-	6,962	16,266	7,300	615	7,915
<b>Financial Pacific Leasing</b>							
2017 NIT Forklift Capital Lease	40,166	-	10,467	29,699	10,978	1,334	12,312
<b>City of Newport - SDC</b>	93,678	-	93,678	-	-	-	-
<b>Oregon Brewing Company</b>	135,419	-	29,950	105,469	29,950	-	29,950
<b>Total Bonded Debt Fund</b>	<b>\$ 7,169,469</b>	<b>\$ 280,273</b>	<b>\$ 862,138</b>	<b>\$ 6,587,604</b>	<b>\$ 535,454</b>	<b>\$ 205,315</b>	<b>\$ 740,769</b>
<b>NOAA Fund</b>	Balance	Additions	Reductions	Balance	Due Within One Year		
	30-Jun-19			30-Jun-20	Principle	Interest	Total
Revenue							
Series 2010	\$ 18,160,000	\$ -	\$ 18,160,000	\$ -	\$ -	\$ -	\$ -
Series 2019	-	17,855,000	-	17,855,000	1,290,000	469,389	1,759,389
	18,160,000	17,855,000	18,160,000	17,855,000	1,290,000	469,389	1,759,389
<b>Totals</b>	<b>\$ 37,374,469</b>	<b>\$ 23,455,273</b>	<b>\$ 24,407,138</b>	<b>\$ 36,422,604</b>	<b>\$ 2,160,454</b>	<b>\$ 1,104,520</b>	<b>\$ 3,264,974</b>

**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**

June 30, 2020

**NOTE G – LONG-TERM OBLIGATIONS (CONTINUED)**

Future maturities of notes payable as of June 30, 2020 were as follows:

Year Ended June 30,	Full Faith Series 2013		NOAA Series 2019		L00012	
	Principal	Interest	Principal	Interest	Principal	Interest
2021	\$ 210,000	75,357	\$ 1,290,000	469,389	\$ 5,623	1,897
2022	215,000	68,983	1,320,000	440,923	5,961	1,559
2023	225,000	61,257	1,350,000	410,717	6,318	1,202
2024	235,000	53,233	1,380,000	378,214	6,697	823
2025	235,000	46,182	1,415,000	343,365	7,012	421
2026-30	1,125,000	127,784	7,690,000	1,108,612	-	-
2031-35	235,000	16,713	3,410,000	108,943	-	-
2036-40	-	-	-	-	-	-
2041-45	-	-	-	-	-	-
	<u>\$ 2,480,000</u>	<u>\$ 449,509</u>	<u>\$ 17,855,000</u>	<u>\$ 3,260,163</u>	<u>\$ 31,611</u>	<u>\$ 5,902</u>

Year Ended June 30,	Q10001		L12005		Promissory Note	
	Principal	Interest	Principal	Interest	Principal	Interest
2021	\$ 66,260	27,340	\$ 128,238	89,974	\$ 25,000	\$ -
2022	68,275	25,325	133,200	85,011	25,000	-
2023	70,352	23,248	138,355	79,856	25,000	-
2024	72,491	21,109	143,710	74,502	25,000	-
2025	74,696	18,904	149,271	68,940	25,000	-
2026-30	408,974	59,026	837,612	253,446	125,000	-
2031-35	181,601	5,650	794,519	78,328	125,000	-
2036-40	-	-	-	-	10,417	-
2041-45	-	-	-	-	-	-
	<u>\$ 942,649</u>	<u>\$ 180,602</u>	<u>\$ 2,324,905</u>	<u>\$ 730,057</u>	<u>\$ 385,417</u>	<u>\$ -</u>

Year Ended June 30,	Loan 129700956		Toyota 2017 CM Forklift		Finance Pacific 2017 Forklift	
	Principal	Interest	Principal	Interest	Principal	Interest
2021	\$ 52,465	8,798	\$ 7,300	615	\$ 10,978	1,334
2022	54,200	7,064	7,654	261	11,564	748
2023	56,154	5,109	1,312	8	7,157	158
2024	58,173	3,091	-	-	-	-
2025	50,596	986	-	-	-	-
2026-30	-	-	-	-	-	-
2031-35	-	-	-	-	-	-
2036-40	-	-	-	-	-	-
2041-45	-	-	-	-	-	-
	<u>\$ 271,588</u>	<u>\$ 25,048</u>	<u>\$ 16,266</u>	<u>\$ 884</u>	<u>\$ 29,699</u>	<u>\$ 2,240</u>

**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**

June 30, 2020

**NOTE G – LONG-TERM OBLIGATIONS (CONTINUED)**

Year Ended June 30,	Oregon Brewing Company		GO 2019		GO 2016	
	Principal	Interest	Principal	Interest	Principal	Interest
2021	\$ 29,950	-	\$ 50,000	172,416	285,000	257,400
2022	29,950	-	115,000	170,649	295,000	248,850
2023	29,950	-	110,000	168,181	310,000	237,050
2024	15,619	-	115,000	165,608	320,000	224,650
2025	-	-	120,000	162,739	335,000	211,850
2026-30	-	-	640,000	763,245	1,880,000	861,850
2031-35	-	-	765,000	654,642	2,290,000	440,650
2036-40	-	-	2,445,000	440,242	1,055,000	47,700
2041-45	-	-	850,000	15,300	-	-
	<b>\$ 105,469</b>	<b>\$ -</b>	<b>\$ 5,210,000</b>	<b>\$ 2,713,022</b>	<b>6,770,000</b>	<b>\$ 2,530,000</b>

**NOTE H – COMMITMENTS AND CONTINGENCIES**

**Paid Time Off**

As of June 30, 2020, the Port recorded a liability for accumulated unused paid time off (“PTO”) of \$94,760. It is the Port’s policy to pay unused PTO upon retirement or termination of employment.

**Risk Management**

The Port is exposed to various risks of loss related to theft, damage or destruction of assets, errors and omissions, injuries to employees, and natural disasters. The Port purchases commercial insurance to minimize its exposure to these risks. Settled claims resulting from these risks have historically not exceeded commercial insurance coverage.

**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**

**June 30, 2020**

**NOTE I – PENSION RETIREMENT PLAN**

**Defined Benefit Pension Plan**

***General Information about the Pension Plan:***

*Name of the pension plan:* The Oregon Public Employees Retirement System (OPERS) is a cost-sharing multiple-employer defined benefit plan.

*Plan description.* Employees of the Port are provided with pensions through OPERS. All the benefits of OPERS are established by the Oregon legislature pursuant to Oregon Revised Statute (ORS) Chapters 238 and 238A. The ORS Chapter 238 Defined Benefit Pension Plan is closed to new members hired on or after August 29, 2003. OPERS issues a publicly available financial report that can be obtained at:

[http://www.oregon.gov/pers/Pages/section/financial\\_reports/financials.aspx](http://www.oregon.gov/pers/Pages/section/financial_reports/financials.aspx)

***Benefits provided under Chapter 238-Tier One / Tier Two:***

1. ***Pension Benefits.*** The ORS 238 Defined Benefit Pension Plan provides benefits to members hired *before* August 29, 2003.

The OPERS retirement benefit is payable monthly for life to covered members upon reaching the minimum retirement age. It may be selected from 13 retirement benefit options. These options include survivorship benefits and lump-sum refunds. The basic benefit is based on years of service and final average salary. A percentage (1.67 percent for general service employees) is multiplied by the number of years of service and the final average salary. Benefits may also be calculated under either a formula plus annuity (for members who were contributing before August 21, 1981) or a money match computation if a greater benefit results.

A member is considered vested and will be eligible at minimum retirement age for a service retirement allowance if he or she has had a contribution in each of five calendar years or has reached at least 50 years of age before ceasing employment with a participating employer. General service employees may retire after reaching age 55. Tier One general service employee benefits are reduced if retirement occurs prior to age 58 with fewer than 30 years of service. Tier Two members are eligible for full benefits at age 60.

2. ***Death Benefits.*** Upon the death of a non-retired member, the beneficiary receives a lump-sum refund of the member's account balance (accumulated contributions and interest). In addition, the beneficiary will receive a lump-sum payment from employer funds equal to the account balance, provided one or more of the following conditions are met:

- Member was employed by a OPERS employer at the time of death,
- Member died within 120 days after termination of OPERS-covered employment,
- Member died as a result of injury sustained while employed in a OPERS-covered job, or
- Member was on an official leave of absence from a OPERS-covered job at the time of death.

**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**

**June 30, 2020**

**NOTE I – PENSION RETIREMENT PLAN (CONTINUED)**

3. *Disability Benefits.* A member with 10 or more years of creditable service who becomes disabled from other than duty-connected causes may receive a non-duty disability benefit. A disability resulting from a job-incurred injury or illness qualifies a member for disability benefits regardless of the length of OPERS-covered service. Upon qualifying for either a non-duty or duty disability, service time is computed to age 58 when determining the monthly benefit.
4. *Benefit Changes after Retirement.* Members may choose to continue participation in a variable equities investment account after retiring and may experience annual benefit fluctuations due to changes in the market value of equity investments.

Under ORS 238.360 monthly benefits are adjusted annually through cost-of-living changes.

*Benefits provided under Chapter 238A-OPSRP Pension Program (OPSRP DB):*

1. *Pension Benefits.* The ORS 238A Defined Benefit Pension Program provides benefits to members hired *on or after* August 29, 2003.

This portion of the OPSRP provides a life pension funded by employer contributions. Benefits are calculated with the following formula for members who attain normal retirement age:

*General Service:* 1.5 percent is multiplied by the number of years of service and the final average salary. Normal retirement age for general service members is age 65, or age 58 with 30 years of retirement credit. A member of the OPSRP pension program becomes vested on the earliest of the following dates: the date the member completes 600 hours of service in each of five calendar years, the date the member reaches normal retirement age, and, if the pension program is terminated, the date on which termination becomes effective.

2. *Death Benefits.* Upon the death of a non-retired member, the spouse or other person who is constitutionally required to be treated in the same manner as the spouse, receives for life 50 percent of the pension that would otherwise have been paid to the deceased member.
3. *Disability Benefits.* A member who has accrued 10 or more years of retirement credits before the member becomes disabled or a member who becomes disabled due to job-related injury shall receive a disability benefit of 45 percent of the member's salary determined as of the last full month of employment before the disability occurred.
4. *Benefit Changes after Retirement.* Under ORS 238A.210 monthly benefits are adjusted annually through cost-of-living changes.

*Contributions:*

OPERS funding policy provides for monthly employer contributions at actuarially determined rates. These contributions, expressed as a percentage of covered payroll, are intended to accumulate sufficient assets to pay benefits when due. This funding policy applies to the PERS Defined Benefit Plan and the Other Postemployment Benefit Plans.

**PORT OF NEWPORT**

**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**

**June 30, 2020**

**NOTE I – PENSION RETIREMENT PLAN (CONTINUED)**

Employer contribution rates during the period were based on the December 31, 2016 actuarial valuation. The rates based on a percentage of payroll, first became effective July 1, 2015. The state of Oregon and certain schools, community colleges, and political subdivisions have made lump sum payments to establish side accounts, and their rates have been reduced. The Port has not established any such side accounts.

Employer contributions for the year ended June 30, 2020 were \$91,025, excluding amounts to fund employer specific liabilities. The rates in effect for the fiscal year ended June 30, 2020 were: (1) Tier1/Tier 2 – 13.79% and (2) OPSRP general service – 8.4%.

***Actuarial Valuations:***

The employer contribution rates effective July 1, 2016, through June 30, 2019, were set using the projected unit credit actuarial cost method. For the Tier One/Tier Two component of the PERS Defined Benefit Plan, this method produced an employer contribution rate consisting of (1) an amount for normal cost (the estimated amount necessary to finance benefits earned by the employees during the current service year), (2) an amount for the amortization of unfunded actuarial accrued liabilities, which are being amortized over a fixed period with new unfunded actuarial accrued liabilities being amortized over 20 years. For the OPSRP Pension Program component of the PERS Defined Benefit Plan, this method produced an employer contribution rate consisting of (a) an amount for normal cost (the estimated amount necessary to finance benefits earned by the employees during the current service year), (b) an amount for the amortization of unfunded actuarial accrued liabilities, which are being amortized over a fixed period with new unfunded actuarial accrued liabilities being amortized over 16 years.



**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**

**June 30, 2020**

**NOTE I – PENSION RETIREMENT PLAN (CONTINUED)**

*Actuarial Methods and Assumptions:*

Valuation Date	December 31, 2017 rolled forward to June 30, 2019
Experience Study Report	2016, published July 26, 2017
Actuarial Cost Method	Entry Age Normal
Amortization Method	Amortized as a level percentage of payroll as layered amortization bases over a closed period; Tier One/Tier Two UAL is amortized over 20 years and OPSRP pension UAL is amortized over 16 years.
Asset Valuation Method	Market value of assets
Actuarial Assumptions:	
Inflation Rate	2.50 percent
Investment Rate of Return	7.20 percent
Projected Salary Increases	3.50 percent
Cost of living adjustments (COLA)	Blend of 2.00% COLA and graded COLA (1.25%/0.15%)
Mortality	<p><b>Healthy retirees and beneficiaries:</b>  RP-2014 Healthy annuitant, sex-distinct, generational with Unisex, Social Security Data Scale, with collar adjustments and set-backs as described in the valuation.</p> <p><b>Active members:</b>  RP-2014 Employees, sex-distinct, generational with Unisex, Social Security Data Scale, with collar adjustments and setbacks as described in the valuation.</p> <p><b>Disabled retirees:</b>  RP-2014 Disabled retirees, sex-distinct, generational with Unisex, Social Security Data Scale.</p>

Actuarial valuations of an ongoing plan involve estimates of the value of projected benefits and assumptions about the probability of events far into the future. Actuarially determined amounts are subject to continual revision as actual results are compared to past expectations and new estimates are made about the future. Experience studies are performed as of December 31 of even numbered years. The methods and assumptions shown above are based on the 2016 Experience Study which reviewed experience for the four-year period ending on December 31, 2016.

*Discount Rate:*

The discount rate used to measure the total pension liability was 7.20 percent for the Defined Benefit Pension Plan. The projection of cash flows used to determine the discount rate assumed that contributions from plan members and those of the contributing employers are made at the contractually required rates, as actuarially determined. Based on those assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments for the Defined Benefit Pension Plan was applied to all periods of projected benefit payments to determine the total pension liability.

**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**

**June 30, 2020**

**NOTE I – PENSION RETIREMENT PLAN (CONTINUED)**

*Assumed Asset Allocation:*

<b>Asset Class/Strategy</b>	<b>Low Range</b>		<b>High Range</b>		<b>OIC Target</b>	
Cash	0.0	%	0.0	%	0.0	%
Debt Securities	15.0		25.0		20.0	
Public Equity	32.5		42.5		37.5	
Private Equity	14.0		21.0		17.5	
Real Estate	9.5		15.5		12.5	
Alternative Equity	0.0		12.5		12.5	
Opportunity Portfolio	0.0		3.0		0.0	
<b>Total</b>					<b>100.0</b>	<b>%</b>

*Long-Term Expected Rate of Return:*

To develop an analytical basis for the selection of the long-term expected rate of return assumption, in July 2015 the PERS Board reviewed long-term assumptions developed by both the actuary's capital market assumptions team and the Oregon Investment Council's (OIC) investment advisors. The table below shows the actuary's assumptions for each of the asset classes in which the plan was invested at that time based on the OIC long-term target asset allocation. The OIC's description of each asset class was used to map the target allocation to the asset classes shown below. Each asset class assumption is based on a consistent set of underlying assumptions and includes adjustment for the inflation assumption. These assumptions are not based on historical returns, but instead are based on a forward-looking capital market economic model.

**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**

June 30, 2020

**NOTE I – PENSION RETIREMENT PLAN (CONTINUED)**

Asset Class	Target		Compound Annual Return (Geometric)	
Core Fixed Income	8.00	%	3.49	%
Short-Term Bonds	8.00		3.38	
Bank / Leveraged Loans	3.00		5.09	
High Yield Bonds	1.00		6.45	
Large / Mid Cap US Equities	15.75		6.30	
Small / Micro Cap US Equities	2.62		13.49	
Developed Foreign Equities	13.13		6.71	
Emerging Foreign Equities	4.13		7.45	
Non-US Small Cap Equities	1.88		7.01	
Private Equity	17.50		7.82	
Real Estate (Property)	10.00		5.51	
Real Estate (REITS)	2.50		6.30	
Hedge Funds	3.13		9.95	
Timber & Farmland	3.76		11.77	
Infrastructure	3.75		6.60	
Commodities	1.88		3.84	
Assumed Inflation – Mean			2.50	

*Sensitivity of the Port's proportionate share of the net pension liability to changes in the discount rate:*

The following presents the Port's proportionate share of the net pension (liability) asset calculated using the current discount rate as well as the Port's net pension liability as if it were calculated using a discount rate 1 percentage point lower or higher than the current rate:

1% Decrease	Current Rate	1% Increase
<u>(6.2%)</u>	<u>(7.2%)</u>	<u>(8.2%)</u>

Proportionate share of the net pension (liability)/asset	\$ 338,758	\$ 682,015	\$ 1,092,187
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*Pension plan fiduciary net position:*

Detailed information about the pension plan's fiduciary net position is available in the separately issued OPERS financial report.

**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**

**June 30, 2020**

**NOTE I – PENSION RETIREMENT PLAN (CONTINUED)**

***Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions:***

At June 30, 2020, the Port reported a liability of \$682,015 for its proportionate share of the net pension liability. The net pension liability was measured as of June 30, 2019, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of December 31, 2016 and rolled forward to June 30, 2019. The Port's proportion of the net pension asset was based on the Port's projected long-term contribution effort as compared to the total projected long-term contribution effort of all employers.

Rates of every employer have at least two major components:

1. **Normal Cost Rate:** The economic value, stated as a percent of payroll, for the portion of each active member's total projected retirement benefit that is allocated to the upcoming year of service. The rate is in effect for as long as each member continues in OPERS-covered employment. The current value of all projected future Normal Cost Rate contributions is the Present Value of Future Normal Costs (PVFNC). The PVFNC represents the portion of the projected long-term contribution effort related to future service.
2. **UAL Rate:** If system assets are less than the actuarial liability, an Unfunded Actuarial Liability (UAL) exists. UAL can arise in a biennium when an event such as experience differing from the assumptions used in the actuarial valuation occurs. An amortization schedule is established to eliminate the UAL that arises in a given biennium over a fixed period of time if future experience follows assumption. The UAL Rate is the upcoming year's component of the cumulative amortization schedules, stated as a percent of payroll. The present value of all projected UAL Rate contributions is simply the Unfunded Actuarial Liability (UAL) itself. The UAL represents the portion of the projected long-term contribution effort related to past service.

An employer's PVFNC depends on both the normal cost rates charged on the employer's payrolls, and on the underlying demographics of the respective payrolls. For OPERS funding, employers have up to three different payrolls, each with a different normal cost rate: (1) Tier 1/Tier 2 payroll, (2) OPSRP general service payroll, and (3) OPSRP police and fire payroll.

Analyzing both rate components, the projected long-term contribution effort is simply the sum of the PVFNC and UAL. The PVFNC part of the contribution effort pays for the value of future service while the UAL part of the contribution effort pays for the value of past service not already funded by accumulated contributions and investment earnings. Each of the two contribution effort components are calculated at the employer-specific level. The sum of these components across all employers is the total projected long-term contribution effort.

At June 30, 2019 measurement date, the Port's proportionate share of the net pension liability was 0.00394283%, which changed from its proportionate share measured as of June 30, 2018 of 0.0056640%.

**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**

**June 30, 2020**

**NOTE I – PENSION RETIREMENT PLAN (CONTINUED)**

For the year ended June 30, 2020, the Port recognized pension expense of \$66,333. At June 30, 2020, the Port reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	<u>Deferred Outflow of Resources</u>	<u>Deferred Inflow of Resources</u>
Differences between expected and actual experience	\$ 37,611	\$ -
Changes of assumptions	92,523	-
Net difference between projected and actual earnings on investments	-	19,334
Changes in proportionate share	73,291	171,349
Differences between employer contributions and proportionate share of contributions	<u>-</u>	<u>69,150</u>
<b>Total</b>	<b>\$ <u>203,425</u></b>	<b>\$ <u>259,833</u></b>

Deferred outflows of resources related to pensions resulting from Port contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year subsequent to June 30, 2020. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

<u>Employer subsequent fiscal years</u>	<u>Deferred Outflow/(Inflow) of Resources (prior to post- measurement date contributions)</u>
2021	\$ 30,826
2022	(29,974)
2023	(24,427)
2024	(25,797)
2025	(7,037)
Thereafter	<u>-</u>
<b>Net Deferred Outflow/(Inflow) of Resources</b>	<b>\$ <u>(56,409)</u></b>

**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**  
**June 30, 2020**

**NOTE I – PENSION RETIREMENT PLAN (CONTINUED)**

***Changes in Plan Provisions Subsequent to Measurement Date:***

There were no changes in Plan provisions subsequent to the June 30, 2019 measurement date.

***Changes in Assumptions:***

There were no key changes implemented since the December 31, 2016 valuation. Additional detail and a comprehensive list of methods and assumptions can be found in the 2016 Experience Study for the System, which was published July 26, 2017.

**Defined Contribution Plan**

**OPSRP Individual Account Program (OPSRP IAP)**

**Pension Benefits**

Participants in OPERS defined benefit pension plans also participate in the OPSRP Individual Account Program (IAP), a defined contribution pension plan. An IAP member becomes vested on the date the employee account is established or on the date the rollover account was established. If the employer makes optional employer contributions for a member, the member becomes vested on the earliest of the following dates: the date the member completes 600 hours of service in each of five calendar years, the date the member reaches normal retirement age, the date the IAP is terminated, the date the active member becomes disabled, or the date the active member dies.

Upon retirement, a member of the OPSRP Individual Account Program (IAP) may receive the amounts in his or her employee account, rollover account, and vested employer account as a lump-sum payment or in equal installments over a 5-, 10-, 15-, 20-year period or an anticipated life span option. Each distribution option has a \$200 minimum distribution limit.

**Death Benefits**

Upon the death of a non-retired member, the beneficiary receives in a lump sum the member's account balance, rollover account balance, and vested employer optional contribution account balance. If a retired member dies before the installment payments are completed, the beneficiary may receive the remaining installment payments or choose a lump-sum payment.

**Contributions**

The Port has chosen to pay the employees' contributions to the plan. Six percent of covered payroll is paid for general service employees. For fiscal year 2020 the Port paid \$91,025. OPERS contracts with VOYA Financial to maintain IAP participant records.

**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**

**June 30, 2020**

**NOTE J – OTHER POST EMPLOYMENT BENEFITS**

The Port provides other postemployment benefits (“OPEB”) for the benefit of its employees. The Port’s OPEB combines two separate plans. The Port provides an implicit rate subsidy for retiree health insurance premiums administered by the Special District Association of Oregon (SDAO), and a contribution to the State of Oregon’s PERS cost-sharing multiple-employer defined health insurance benefit plan (RHIA). The total OPEB liability is based on a valuation provided by an independent actuarial firm based on assumptions including inflation rate, projected salary increases, discount rate, medical, dental and vision increases, and mortality rates and other inputs.

The OPEB liability for both components was measured as of June 30, 2019, and was determined by an actuarial valuation as of December 31, 2016 rolled forward to June 30, 2019. The Port’s proportionate share of the OPEB liability was based on the Port’s projected long-term contribution effort as compared to the total projected long-term contribution effort of all employers. Based on the Port’s small impact on the state-wide pool, the Port’s proportionate share of the OPEB liability as of June 30, 2020 was \$16,812, which was insignificant to the Port’s financial statements.

**NOTE K – OPERATING LEASE**

The Port leases submerged and submersible land under five separate agreements with the Oregon State Land Board and Department of State Lands, the last expiring November 30, 2031. The lease terms require an annual rental payment due on the lease anniversary date each year, subject to adjustment in accordance with the provisions of OAR 141-082-011. The agreements may also be renewed for unlimited successive 15-year terms. The amount of lease expense recognized for the year ended June 30, 2020 was \$64,000.

Future minimum lease payments required under the agreements are as follows:

Year ending June 30,	
2021	\$ 66,000
2022	68,000
2023	70,000
2024	72,000
2025	75,000
Thereafter	<u>361,000</u>
	<u>\$ 712,000</u>

**PORT OF NEWPORT**  
**NOTES TO FINANCIAL STATEMENTS (CONTINUED)**

**June 30, 2020**

**NOTE L – OVEREXPENDITURE OF APPROPRIATIONS**

The Port overexpended the following fiscal 2020 appropriations:

Bonded Debt Fund:		
Debt service	\$	397,061
NOAA Lease Revenue Fund:		
Personnel services	\$	8,897
Capital outlay	\$	90,171
Debt service	\$	606,882



**REQUIRED SUPPLEMENTARY INFORMATION**

**PORT OF NEWPORT**

**SCHEDULES OF REQUIRED SUPPLEMENTARY INFORMATION – PENSION INFORMATION**

**SCHEDULE OF THE PROPORTIONATE SHARE OF THE NET PENSION LIABILITY  
OREGON PUBLIC EMPLOYEES RETIREMENT SYSTEM  
Last 10 Fiscal Years\***

	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011
Proportion of the net pension liability (asset)	0.00394%	0.00567%	0.00549%	0.00454%	0.00285%	0.00753%	0.00753%	N/A	N/A	N/A
Proportionate share of the net pension liability (asset)	\$ 682,015	\$ 858,385	\$ 739,360	\$ 680,933	\$ 163,496	\$ (170,613)	\$ 384,108	\$ N/A	\$ N/A	\$ N/A
Covered-employee payroll	557,083	718,008	817,153	736,082	607,922	689,517	771,581	N/A	N/A	N/A
Proportionate share of the net pension liability (asset) as a percentage of its covered-employee payroll	0.0%	119.6%	90.5%	92.5%	26.9%	-24.7%	49.8%	N/A	N/A	N/A
Plan fiduciary net position as a percentage of the total pension liability	80.2%	85.0%	83.1%	80.5%	91.9%	103.6%	92.0%	N/A	N/A	N/A

**SCHEDULE OF CONTRIBUTIONS  
OREGON PUBLIC EMPLOYEES RETIREMENT SYSTEM  
Last 10 Fiscal Years\***

	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011
Contractually required contribution	\$ 67,824	\$ 78,769	\$ 42,074	\$ 2,682	\$ 8,986	\$ 21,005	\$ 24,249	\$ N/A	\$ N/A	\$ N/A
Contributions in relation to the contractually required contribution	56,263	34,500	42,074	2,682	9,108	21,371	25,214	N/A	N/A	N/A
Contribution deficiency (excess)	\$ 11,561	\$ 44,269	\$ -	\$ -	\$ (122)	\$ (366)	\$ (965)	\$ N/A	\$ N/A	\$ N/A
Covered-employee payroll	\$ 557,083	\$ 718,008	\$ 817,153	\$ 736,082	\$ 607,922	\$ 689,517	\$ 771,581	\$ N/A	\$ N/A	\$ N/A
Contributions as a percentage of covered-employee payroll	10.1%	4.8%	5.1%	0.3%	1.2%	3.5%	3.7%	N/A	N/A	N/A

\* GASB # 68 requires ten-year trend information. However, until a full ten-year trend is established, only the information for the years available is presented.

The accompanying notes and independent auditors' report should be read with the supplemental schedules.

**PORT OF NEWPORT**  
**NOTES TO REQUIRED SUPPLEMENTARY INFORMATION**  
**For the Year Ended June 30, 2020**

**Changes in Benefit Terms:**

There were no significant changes in benefit terms.

**Changes in Assumptions:**

Actuarial assumptions and other changes are described in the notes to the accompanying financial statements.

**SUPPLEMENTAL INFORMATION**

**PORT OF NEWPORT**  
**COMBINING SCHEDULE OF ASSETS, LIABILITIES AND NET POSITION**

June 30, 2020

**ASSETS**

	General Fund	Bonded Debt Fund	Facilities Maintenance Reserve Fund	Construction Fund	NOAA Lease Revenue Fund	Total Enterprise Funds
<b>Current assets</b>						
Cash and investments	\$ 3,722,742	\$ (18,380)	\$ 261,634	\$ 13,070	\$ 6,091,345	\$ 10,070,411
Property tax receivables	11,433	56,446	-	-	-	67,879
Receivables, net of allowances	471,922	-	-	-	-	471,922
Prepaid expense	144,960	-	-	-	72,433	217,393
Due from (due to)	(1,411)	-	-	-	1,411	-
<b>Total current assets</b>	<b>4,349,646</b>	<b>38,066</b>	<b>261,634</b>	<b>13,070</b>	<b>6,165,189</b>	<b>10,827,605</b>
<b>Noncurrent assets</b>						
Capital assets						
Depreciable capital assets	54,184,014	-	-	-	38,113,100	92,297,114
Non depreciable capital assets	20,606,766	-	-	-	24,928	20,631,694
Accumulated depreciation	(27,563,880)	-	-	-	(14,028,537)	(41,592,417)
Capital assets, net	47,226,900	-	-	-	24,109,491	71,336,391
Bond cost	-	153,929	-	-	230,454	384,383
Bond discount	-	6,805	-	-	-	6,805
<b>Total noncurrent assets</b>	<b>47,226,900</b>	<b>160,734</b>	<b>-</b>	<b>-</b>	<b>24,339,945</b>	<b>71,727,579</b>
<b>Deferred outflows of resources</b>						
Advanced refunding outflows	-	661,701	-	-	459,547	1,121,248
Pension related outflows	193,254	-	-	-	10,171	203,425
<b>Total deferred outflows</b>	<b>193,254</b>	<b>661,701</b>	<b>-</b>	<b>-</b>	<b>469,718</b>	<b>1,324,673</b>
<b>Total assets and deferred outflows</b>	<b>\$ 51,769,800</b>	<b>\$ 860,501</b>	<b>\$ 261,634</b>	<b>\$ 13,070</b>	<b>\$ 30,974,852</b>	<b>\$ 83,879,857</b>

**LIABILITIES AND NET POSITION**

<b>Current liabilities</b>						
Accounts payable	\$ 245,335	\$ -	\$ -	\$ -	\$ 3,001	\$ 248,336
Accrued payroll	148,561	-	-	-	9,712	158,273
Accrued interest payable	15,147	-	-	-	201,373	216,520
Lease deposits	244,280	-	-	-	-	244,280
Notes payable and assessment debt - current	325,454	-	-	-	-	325,454
Bonds payable - current	210,000	335,000	-	-	1,290,000	1,835,000
<b>Total current liabilities</b>	<b>1,188,777</b>	<b>335,000</b>	<b>-</b>	<b>-</b>	<b>1,504,086</b>	<b>3,027,863</b>
<b>Noncurrent liabilities</b>						
Notes payable	3,782,150	-	-	-	-	3,782,150
Bonds payable	2,270,000	11,645,000	-	-	16,565,000	30,480,000
Bonds premium	100,620	704,598	-	-	-	805,218
Pension	647,914	-	-	-	34,101	682,015
<b>Total noncurrent liabilities</b>	<b>6,800,684</b>	<b>12,349,598</b>	<b>-</b>	<b>-</b>	<b>16,599,101</b>	<b>35,749,383</b>
<b>Deferred inflows of resources</b>						
Advanced refunding inflows	-	-	-	-	-	-
Pension related inflows	246,841	-	-	-	12,992	259,833
<b>Total deferred inflows</b>	<b>246,841</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>12,992</b>	<b>259,833</b>
<b>Net position</b>						
Investment in capital assets net of related debt	40,639,296	-	261,634	-	6,254,491	47,155,421
Unrestricted	2,894,202	(11,824,097)	-	13,070	6,604,182	(2,312,643)
<b>Total net position</b>	<b>43,533,498</b>	<b>(11,824,097)</b>	<b>261,634</b>	<b>13,070</b>	<b>12,858,673</b>	<b>44,842,778</b>
<b>Total liabilities, deferred inflows and net position</b>	<b>\$ 51,769,800</b>	<b>\$ 860,501</b>	<b>\$ 261,634</b>	<b>\$ 13,070</b>	<b>\$ 30,974,852</b>	<b>\$ 83,879,857</b>

The accompanying notes and independent auditors' report should be read with the supplemental schedules.

**PORT OF NEWPORT**  
**COMBINING SCHEDULE OF REVENUES, EXPENSES AND CHANGES IN NET POSITION**  
**Year Ended June 30, 2020**

	<u>General Fund</u>	<u>Bonded Debt Fund</u>	<u>Facilities Maintenance Reserve Fund</u>	<u>Construction Fund</u>	<u>NOAA Lease Revenue Fund</u>	<u>Total Enterprise Funds</u>
<b>Operating revenues</b>						
Moorages and leases	\$ 2,463,213	\$ -	\$ -	\$ -	\$ 2,536,568	\$ 4,999,781
Property tax	115,930	748,197	-	-	-	864,127
RV Park	1,047,206	-	-	-	-	1,047,206
Terminals	-	-	-	-	-	-
Hoist dock	1,009,465	-	-	-	-	1,009,465
Launch ramp	90,298	-	-	-	-	90,298
Miscellaneous	143,344	-	-	-	1,808	145,152
<b>Total operating revenues</b>	<u>4,869,456</u>	<u>748,197</u>	<u>-</u>	<u>-</u>	<u>2,538,376</u>	<u>8,156,029</u>
<b>Operating expenses</b>						
Salary and wage	1,210,590	-	-	-	62,101	1,272,691
Payroll tax and benefit	488,085	-	-	-	30,610	518,695
Administration, promotion and marketing	202,642	-	-	436	21,108	224,186
Maintenance	158,104	-	17,990	16,847	2,477	195,418
Utilities	519,978	-	-	-	17,385	537,363
Insurance	190,684	-	-	-	131,161	321,845
Professional fees	90,293	-	-	-	33,225	123,518
Service fees	268,485	-	-	-	-	268,485
Supplies	81,756	-	-	-	47,101	128,857
Other	167,231	-	-	-	10,199	177,430
Depreciation	1,670,859	-	-	-	1,566,596	3,237,455
<b>Total operating expenses</b>	<u>5,048,707</u>	<u>-</u>	<u>17,990</u>	<u>17,283</u>	<u>1,921,963</u>	<u>7,005,943</u>
<b>Operating income (loss)</b>	<u>(179,251)</u>	<u>748,197</u>	<u>(17,990)</u>	<u>(17,283)</u>	<u>616,413</u>	<u>1,150,086</u>
<b>Non-operating revenues (expenses)</b>						
Grants and reimbursements	11,600	-	-	-	-	11,600
Interest income	54,025	2,968	2,244	16	80,711	139,964
Interest expense	(232,372)	(284,751)	-	-	(845,721)	(1,362,844)
<b>Total non-operating revenues (expenses)</b>	<u>(166,747)</u>	<u>(281,783)</u>	<u>2,244</u>	<u>16</u>	<u>(765,010)</u>	<u>(1,211,280)</u>
<b>Income (loss) before transfers and other changes in net losses</b>	<u>(345,998)</u>	<u>466,414</u>	<u>(15,746)</u>	<u>(17,267)</u>	<u>(148,597)</u>	<u>(61,194)</u>
Transfer from other funds	2,725	-	130,200	-	-	132,925
Transfer to other funds	(130,200)	-	-	-	(2,725)	(132,925)
<b>Change in net position</b>	<u>(473,473)</u>	<u>466,414</u>	<u>114,454</u>	<u>(17,267)</u>	<u>(151,322)</u>	<u>(61,194)</u>
Net position, beginning of year	44,006,971	(12,290,511)	147,180	30,337	13,009,995	44,903,972
<b>Net position, end of year</b>	<u>\$ 43,533,498</u>	<u>\$ (11,824,097)</u>	<u>\$ 261,634</u>	<u>\$ 13,070</u>	<u>\$ 12,858,673</u>	<u>\$ 44,842,778</u>

The accompanying notes and independent auditors' report should be read with the supplemental schedules.

**PORT OF NEWPORT**  
**COMBINING SCHEDULE OF CASH FLOWS**  
**Year Ended June 30, 2020**

	General Fund	Bonded Debt Fund	Facilities Maintenance Reserve Fund	Construction Fund	NOAA Lease Revenue Fund	Total Enterprise Funds
<b>Cash flows from operating activities:</b>						
Cash received from tenants	\$ 4,594,005	\$ -	\$ -	\$ -	\$ 2,538,376	\$ 7,132,381
Cash received from property taxes	127,530	778,675	-	-	(62,101)	844,104
Payments to vendors	(1,953,791)	(281,387)	(20,867)	(17,283)	(1,262,579)	(3,535,907)
Payments to employees	(1,210,590)	-	-	-	-	(1,210,590)
<b>Net cash provided by (used in) operating activities</b>	<b><u>1,557,154</u></b>	<b><u>497,288</u></b>	<b><u>(20,867)</u></b>	<b><u>(17,283)</u></b>	<b><u>1,213,696</u></b>	<b><u>3,229,988</u></b>
<b>Cash flows from investing activities:</b>						
Interest income	<u>54,025</u>	<u>2,968</u>	<u>2,244</u>	<u>16</u>	<u>80,711</u>	<u>139,964</u>
<b>Cash flows from noncapital financing activities:</b>						
Advances (to) from other funds	(344)	-	-	-	(1,411)	(1,755)
Transfers from other funds	2,725	-	130,200	1,755	-	134,680
Transfers to other funds	(130,200)	-	-	-	(2,725)	(132,925)
<b>Net cash provided by (used in) noncapital financing activities</b>	<b><u>(127,819)</u></b>	<b><u>-</u></b>	<b><u>130,200</u></b>	<b><u>1,755</u></b>	<b><u>(4,136)</u></b>	<b><u>-</u></b>
<b>Cash flows from capital and related financing activities:</b>						
Property and equipment (additions) deletions	4,853	-	-	-	(90,172)	(85,319)
Bond discount	-	(107,598)	-	-	(198,735)	(306,333)
Bond premium	100,620	-	-	-	121,861	222,481
Advance from new debt	-	5,320,000	-	-	17,855,000	23,175,000
Bonds refunded	-	(4,855,000)	-	-	(17,165,000)	(22,020,000)
Payments on notes and bonds payable	(689,672)	(530,000)	-	-	(995,000)	(2,214,672)
Interest paid	(234,068)	(359,075)	-	-	(574,093)	(1,167,236)
<b>Net cash provided by (used in) capital and related financing activities</b>	<b><u>(818,267)</u></b>	<b><u>(531,673)</u></b>	<b><u>-</u></b>	<b><u>-</u></b>	<b><u>(1,046,139)</u></b>	<b><u>(2,396,079)</u></b>
<b>Change in cash and cash equivalents</b>	<b>665,093</b>	<b>(31,417)</b>	<b>111,577</b>	<b>(15,512)</b>	<b>244,132</b>	<b>973,873</b>
Cash and cash equivalents, beginning of year	<u>3,057,649</u>	<u>13,037</u>	<u>150,057</u>	<u>28,582</u>	<u>5,847,213</u>	<u>9,096,538</u>
<b>Cash and cash equivalents, end of year</b>	<b><u>\$ 3,722,742</u></b>	<b><u>\$ (18,380)</u></b>	<b><u>\$ 261,634</u></b>	<b><u>\$ 13,070</u></b>	<b><u>\$ 6,091,345</u></b>	<b><u>\$ 10,070,411</u></b>
<b>Reported in the Balance Sheet as:</b>						
Unrestricted	\$ 3,722,742	\$ (18,380)	\$ 261,634	\$ 13,070	\$ 6,091,345	\$ 10,070,411
Restricted	-	-	-	-	-	-
<b>Total</b>	<b><u>\$ 3,722,742</u></b>	<b><u>\$ (18,380)</u></b>	<b><u>\$ 261,634</u></b>	<b><u>\$ 13,070</u></b>	<b><u>\$ 6,091,345</u></b>	<b><u>\$ 10,070,411</u></b>
<b>Reconciliation of operating income (loss) to cash provided by (used in) operating activities:</b>						
Operating income (loss)	\$ (179,251)	\$ 748,197	\$ (17,990)	\$ (17,283)	\$ 616,414	\$ 1,150,087
Adjustments to reconcile operating income (loss) to net cash provided by (used in) operating activities						
Depreciation and amortization	1,670,859	-	-	-	1,566,596	3,237,455
Non operating revenues	11,600	38,455	(2,877)	-	-	47,178
(Increase) decrease in current assets:						
Operating receivables	(159,521)	(7,976)	-	-	-	(167,497)
Prepaid expenses	(17,941)	-	-	-	4,155	(13,786)
Increase (decrease) in current liabilities						
Accounts payable and compensated absences	168,393	-	-	-	(14,372)	154,021
Changes to debt related deferred inflows	-	(281,388)	-	-	(955,500)	(1,236,888)
Pension liabilities	63,015	-	-	-	(3,597)	59,418
<b>Net cash provided by (used in) operating activities</b>	<b><u>\$ 1,557,154</u></b>	<b><u>\$ 497,288</u></b>	<b><u>\$ (20,867)</u></b>	<b><u>\$ (17,283)</u></b>	<b><u>\$ 1,213,696</u></b>	<b><u>\$ 3,229,988</u></b>

The accompanying notes and independent auditors' report should be read with the supplemental schedules.

PORT OF NEWPORT

SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGE IN FUND BALANCE -  
BUDGET TO ACTUAL – GENERAL FUND

Year Ended June 30, 2020

	Budgeted Amounts		Actual	Variance
	Original	Final		Favorable (Unfavorable) Final to Actual
<b>Revenues</b>				
Moorage	\$ 1,544,000	\$ 1,544,000	\$ 1,725,003	\$ 181,003
Leases	720,000	720,000	753,116	33,116
RV park	1,158,000	1,158,000	1,047,206	(110,794)
Hoist dock	879,000	879,000	1,009,465	130,465
Intergovernmental	256,300	256,300	-	(256,300)
Launch Ramp	92,000	92,000	90,298	(1,702)
Property Taxes	115,000	115,000	115,930	930
Interest	60,000	60,000	54,025	(5,975)
Miscellaneous	48,000	48,000	70,503	22,503
<b>Total revenues</b>	<b>4,872,300</b>	<b>4,872,300</b>	<b>4,865,546</b>	<b>(6,754)</b>
<b>Expenditures</b>				
Personnel services	1,735,539	1,735,539	1,602,141	133,398
Material and services	2,136,710	2,136,710	1,630,431	506,279
Capital outlay	44,300	44,300	43,891	409
Debt service	786,890	786,890	1,010,262	(223,372)
Operating Contingency	10,000	10,000	-	10,000
<b>Total expenditures</b>	<b>4,713,439</b>	<b>4,713,439</b>	<b>4,286,725</b>	<b>426,714</b>
<b>Excess (deficiency) of revenues over expenditures</b>	<b>158,861</b>	<b>158,861</b>	<b>578,821</b>	<b>419,960</b>
<b>Other financing sources (uses)</b>				
Loan Proceeds	-	-	271,587	271,587
Transfer in	-	-	2,724	2,724
Transfers out	(1,399,770)	(1,399,770)	(130,200)	1,269,570
<b>Total other financing sources (uses)</b>	<b>(1,399,770)</b>	<b>(1,399,770)</b>	<b>144,111</b>	<b>1,543,881</b>
Net changes in fund balances	(1,240,909)	(1,240,909)	722,932	1,963,841
Fund balance, beginning of year	2,450,000	2,450,000	3,317,867	867,867
<b>Fund balance, end of year</b>	<b>\$ 1,209,091</b>	<b>\$ 1,209,091</b>	<b>4,040,799</b>	<b>\$ 2,831,708</b>
<b>Reconciliation to GAAP</b>				
Capital assets, net of depreciation			47,226,900	
Bonds and notes payable			(6,587,604)	
Accrued interest			(15,147)	
Deferred outflows			193,254	
Net pension liability			(647,914)	
Deferred inflows			(246,841)	
Bond premium			(100,620)	
Deposits			(244,280)	
Compensated absences			(85,049)	
<b>Net position, end of year</b>			<b>\$ 43,533,498</b>	

The accompanying notes and independent auditors' report should be read with the supplemental schedules.



**PORT OF NEWPORT**

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGE IN FUND BALANCE -  
BUDGET TO ACTUAL – BONDED DEBT FUND**

Year Ended June 30, 2020

	<b>Budgeted Amounts</b>		<b>Actual</b>	<b>Variance Favorable (Unfavorable) Final to Actual</b>
	<b>Original</b>	<b>Final</b>		
<b>Revenues</b>				
Property Taxes	\$ 832,000	\$ 832,000	\$ 748,198	\$ (83,802)
Interest	7,000	7,000	2,969	(4,031)
<b>Total revenues</b>	<b>839,000</b>	<b>839,000</b>	<b>751,167</b>	<b>(87,833)</b>
<b>Expenditures</b>				
Debt service	881,000	881,000	1,278,061	(397,061)
<b>Total expenditures</b>	<b>881,000</b>	<b>881,000</b>	<b>1,278,061</b>	<b>(397,061)</b>
<b>Excess (deficiency) of revenues over expenditures</b>	<b>(42,000)</b>	<b>(42,000)</b>	<b>(526,894)</b>	<b>(484,894)</b>
<b>Other financing sources (uses)</b>				
Debt refunded	-	-	(4,855,000)	(4,855,000)
Debt proceeds	-	-	5,320,000	5,320,000
<b>Total other financing sources (uses)</b>	<b>-</b>	<b>-</b>	<b>465,000</b>	<b>465,000</b>
Net changes in fund balances	(42,000)	(42,000)	(61,894)	(19,894)
Fund balance, beginning of year	95,000	95,000	99,960	4,960
<b>Fund balance, end of year</b>	<b>\$ 53,000</b>	<b>\$ 53,000</b>	<b>38,066</b>	<b>\$ (14,934)</b>
<b>Reconciliation to GAAP</b>				
Bond cost			153,929	
Deferred outflow, advance refunding valuation			661,701	
Bond discount			6,805	
Bond premium			(704,598)	
Bonds and notes payable			(11,980,000)	
<b>Net position, end of year</b>			<b>\$ (11,824,097)</b>	

The accompanying notes and independent auditors' report should be read with the supplemental schedules.

**PORT OF NEWPORT**

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGE IN FUND BALANCE -  
BUDGET TO ACTUAL – FACILITY MAINTENANCE RESERVE FUND**

Year Ended June 30, 2020

	<b>Budgeted Amounts</b>		<b>Actual</b>	<b>Variance Favorable (Unfavorable) Final to Actual</b>
	<b>Original</b>	<b>Final</b>		
<b>Revenues</b>				
Interest	\$ 2,700	\$ 2,700	\$ 2,244	\$ (456)
<b>Total revenues</b>	<b>2,700</b>	<b>2,700</b>	<b>2,244</b>	<b>(456)</b>
<b>Expenditures</b>				
Capital outlay	120,000	120,000	17,990	102,010
Contingency	10,000	10,000	-	10,000
<b>Total expenditures</b>	<b>130,000</b>	<b>130,000</b>	<b>17,990</b>	<b>112,010</b>
<b>Excess (deficiency) of revenues over expenditures</b>	<b>(127,300)</b>	<b>(127,300)</b>	<b>(15,746)</b>	<b>111,554</b>
<b>Other financing sources (uses)</b>				
Transfers in	204,800	204,800	130,200	(74,600)
<b>Total other financing sources (uses)</b>	<b>204,800</b>	<b>204,800</b>	<b>130,200</b>	<b>(74,600)</b>
Net changes in fund balances	77,500	77,500	114,454	36,954
Fund balance, beginning of year	137,500	137,500	147,180	9,680
	-			
<b>Fund balance, end of year</b>	<b>\$ 215,000</b>	<b>\$ 215,000</b>	<b>\$ 261,634</b>	<b>\$ 46,634</b>

The accompanying notes and independent auditors' report should be read with the supplemental schedules.

**PORT OF NEWPORT**

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGE IN FUND BALANCE -  
BUDGET TO ACTUAL – CONSTRUCTION FUND**

Year Ended June 30, 2020

	<u>Budgeted Amounts</u>		<u>Actual</u>	<u>Variance</u>
	<u>Original</u>	<u>Final</u>		<u>Favorable (Unfavorable) Final to Actual</u>
<b>Revenues</b>				
Interest	\$ 30	\$ 30	\$ 15	\$ (15)
<b>Total revenues</b>	<u>30</u>	<u>30</u>	<u>15</u>	<u>(15)</u>
<b>Expenditures</b>				
Capital outlay	2,410,000	2,410,000	17,282	2,392,718
Contingency	10,000	10,000	-	10,000
<b>Total expenditures</b>	<u>2,420,000</u>	<u>2,420,000</u>	<u>17,282</u>	<u>10,000</u>
<b>Excess (deficiency) of revenues over expenditures</b>	<u>(2,419,970)</u>	<u>(2,419,970)</u>	<u>(17,267)</u>	<u>9,985</u>
<b>Other financing sources (uses)</b>				
Loan payment	-	-	-	-
Intergovernmental	1,200,000	1,200,000	-	(1,200,000)
Transfers in	1,194,970	1,194,970	-	(1,194,970)
Transfers out	-	-	-	-
<b>Total other financing sources (uses)</b>	<u>2,394,970</u>	<u>2,394,970</u>	<u>-</u>	<u>(2,394,970)</u>
Net changes in fund balances	(25,000)	(25,000)	(17,267)	7,733
Fund balance, beginning of year	25,000	25,000	30,337	5,337
<b>Fund balance, end of year</b>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 13,070</u>	<u>\$ 13,070</u>

The accompanying notes and independent auditors' report should be read with the supplemental schedules.

**PORT OF NEWPORT**

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGE IN FUND BALANCE -  
BUDGET TO ACTUAL – NOAA LEASE REVENUE FUND**

Year Ended June 30, 2020

	Budgeted Amounts		Actual	Variance Favorable (Unfavorable) Final to Actual
	Original	Final		
<b>Revenues</b>				
Leases	\$ 2,545,000	\$ 2,545,000	\$ 2,536,568	\$ (8,432)
Interest	100,000	100,000	80,711	(19,289)
Miscellaneous	1,000	1,000	1,808	808
<b>Total revenues</b>	<b>2,646,000</b>	<b>2,646,000</b>	<b>2,619,087</b>	<b>(26,913)</b>
<b>Expenditures</b>				
Personnel services	80,495	80,495	89,392	(8,897)
Material and services	365,400	365,400	262,657	102,743
Capital outlay	-	-	90,171	(90,171)
Debt service	2,001,500	2,001,500	2,608,382	(606,882)
Contingency	100,000	100,000	-	100,000
<b>Total expenditures</b>	<b>2,547,395</b>	<b>2,547,395</b>	<b>3,050,602</b>	<b>(503,207)</b>
<b>Excess (deficiency) of revenues over expenditures</b>	<b>98,605</b>	<b>98,605</b>	<b>(431,515)</b>	<b>(530,120)</b>
<b>Other financing sources (uses)</b>				
Transfer out	-	-	(2,725)	2,725
Debt refunded	-	-	(17,165,000)	17,165,000
Bond proceeds	-	-	17,855,000	17,855,000
<b>Total other financing sources (uses)</b>	<b>-</b>	<b>-</b>	<b>687,275</b>	<b>35,022,725</b>
Net changes in fund balances	98,605	98,605	255,760	157,155
Fund balance, beginning of year	5,655,000	5,655,000	5,896,716	241,716
<b>Fund balance, end of year</b>	<b>\$ 5,753,605</b>	<b>\$ 5,753,605</b>	<b>6,152,476</b>	<b>\$ 398,871</b>
<b>Reconciliation to GAAP</b>				
Capital assets, net of depreciation			24,109,491	
Bonds cost			230,454	
Advance refunding			459,547	
Bonds and notes payable			(17,855,000)	
Accrued interest			(201,373)	
Deferred outflows			10,171	
Net pension liability			(34,101)	
Deferred inflows			(12,992)	
<b>Net position, end of year</b>			<b>\$ 12,858,673</b>	

The accompanying notes and independent auditors' report should be read with the supplemental schedules.

**PORT OF NEWPORT**  
**PORT LEVY**  
**SCHEDULE OF TAX COLLECTIONS AND UNPAID BALANCES**  
**June 30, 2020**

	<b>Imposed Levy or Balance Uncollected July 1, 2019</b>	<b>Discounts</b>	<b>Adjustments</b>	<b>Interest</b>	<b>Cash Collection by County Treasurer</b>	<b>Balance Uncollected or Unsegregated June 30, 2020</b>
<b>Current</b>						
2019-2020	\$ 117,461	\$ (3,026)	\$ 2,542	\$ 9	\$ (111,083)	\$ 5,903
2018-2019	3,246	-	(8)	-	(1,768)	1,470
2017-2018	1,635	-	(7)	-	(775)	853
2016-2017	945	-	-	-	(735)	210
2015-2016	740	-	-	-	(290)	450
2014-2015 and Prior	2,621	-	-	-	(74)	2,547
<b>Total years</b>	<b>\$ 126,648</b>	<b>\$ (3,026)</b>	<b>\$ 2,527</b>	<b>\$ 9</b>	<b>\$ (114,725)</b>	<b>\$ 11,433</b>

The accompanying notes and independent auditors' report should be read with the supplemental schedules.

PORT OF NEWPORT

BOND LEVY

SCHEDULE OF TAX COLLECTIONS AND UNPAID BALANCES

June 30, 2020

	<b>Imposed Levy or Balance Uncollected July 1, 2019</b>	<b>Discounts</b>	<b>Adjustments</b>	<b>Interest</b>	<b>Cash Collection by County Treasurer</b>	<b>Balance Uncollected or Unsegregated June 30, 2020</b>
<b>Current</b>						
2019-2020	\$ 800,123	\$ (20,613)	\$ (693)	\$ 60	\$ (756,680)	\$ 22,197
2018-2019	14,959	-	(35)	-	(8,150)	6,774
2017-2018	15,000	-	(64)	-	(7,114)	7,822
2016-2017	8,973	-	(3)	-	(6,978)	1,992
2015-2016	7,201	-	(2)	-	(2,821)	4,378
2014-2015 and Prior	13,989	-	(2)	-	(704)	13,283
<b>Total years</b>	<b>\$ 860,245</b>	<b>\$ (20,613)</b>	<b>\$ (799)</b>	<b>\$ 60</b>	<b>\$ (782,447)</b>	<b>\$ 56,446</b>

The accompanying notes and independent auditors' report should be read with the supplemental schedules.

**REPORT REQUIRED BY OREGON MINIMUM AUDIT STANDARDS**





**INDEPENDENT AUDITORS' REPORT  
REQUIRED BY OREGON STATE REGULATIONS**

Board of Commissioners  
Port of Newport  
Newport, Oregon

We have audited the basic financial statements of the Port of Newport (the Port) as of and for the year ended June 30, 2020, and have issued our report thereon dated December 14, 2020. We conducted our audit in accordance with auditing standards generally accepted in the United States of America.

**Compliance**

As part of obtaining reasonable assurance about whether the Port's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, including the provisions of Oregon Revised Statutes as specified in Oregon Administrative Rules 162-10-000 through 162-10-320 of the *Minimum Standards for Audits of Oregon Municipal Corporations*, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion.

We performed procedures to the extent we considered necessary to address the required comments and disclosures which included, but were not limited to the following:

- Deposit of public funds with financial institutions (ORS Chapter 295).**
- Indebtedness limitations, restrictions and repayment.**
- Budgets legally required (ORS Chapter 294).**
- Insurance and fidelity bonds in force or required by law.**
- Programs funded from outside sources.**
- Authorized investment of surplus funds (ORS Chapter 294).**
- Public contracts and purchasing (ORS Chapters 279A, 279B, 279C).**

In connection with our testing nothing came to our attention that caused us to believe the Port was not in substantial compliance with certain provisions of laws, regulations, contracts, and grants, including the provisions of Oregon Revised Statutes as specified in Oregon Administrative Rules 162-10-000 through 162-10-320 of the *Minimum Standards for Audits of Oregon Municipal Corporations*.

**OAR 162-10-0230 Internal Control**

In planning and performing our audit of the basic financial statements of the Port as of and for the year ended June 30, 2020, in accordance with auditing standards generally accepted in the United States of America, we considered the Port's internal control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Port's internal control. Accordingly, we do not express an opinion on the effectiveness of the Port's internal control.

Board of Commissioners  
Port of Newport  
Newport, Oregon

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the Port's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control was for the limited purpose described in the first paragraph and was not designed to identify all deficiencies in internal control that might be significant deficiencies or material weaknesses and, therefore, there can be no assurance that all such deficiencies have been identified. We did not identify any deficiencies in internal control that we consider to be material weaknesses.

This report is intended solely for the information and use of the Commissioners and management of the Port of Newport and the Oregon Secretary of State and is not intended to be and should not be used by anyone other than these specified parties.

**KERN & THOMPSON, LLC**  
Certified Public Accountants



Richard V. Proulx, CPA  
Partner

Portland, Oregon  
December 14, 2020



## STAFF REPORT

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**DATE:** 26 January 2021  
**RE:** Port of Newport Waterway Lease – International Terminal  
**TO:** Paula Miranda, General Manager  
**ISSUED BY:** Mark A. Brown, Director of Finance and Business Services

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### **BACKGROUND**

ORS 275.025 gives the title to submersible and submerged lands to the State of Oregon. State law also gives the Oregon State Land Board (DSL) the authority to charge fees to lease these lands. The uses of these lands are defined in OAR 141-082-0265. DSL reviewed the current use of the International Terminal and determined it was incorrectly classified as a Commercial Marina and reclassified it to Marine Industrial. One of the determining factors was the lack of long-term moorage at the International Terminal.

### **DETAIL**

OAR 141-082-0305 defines three methods for the calculation of fees for the use of submerged and submersible lands, they are:

- The Flat Rate method – which is the square feet multiplied by a specific rate,
- 3% of Actual Gross Income – 3% of gross income
- Riparian land value method – “a percent of assessed land value of the upland adjacent to the area leased.”

Commercial Marina use allows for least cost any of the three methodologies, whereas a Marine industrial use allows for “the lesser of riparian or flat rate method”. The Port was therefore required to switch methods.

The administrative rule does not define when the different methodologies are invoiced. However, DSL invoices the 3% gross method in arrears; the riparian and the flat rate methods are invoiced in advance. Therefore, this year the Port received two invoices from DSL for the International Terminal. The same is or will be true of the Commercial Marina and Recreational Marina’s, as the Port switched from the 3% gross to the Flat rate method for those Marinas. In future years the Port will only receive a single invoice.

Switching from the 3% gross method saves staff time to calculate the fees, the flat rate fee is also less expensive. The flat rate fee increases 3% per year, however, any time fees increase more than 3%, the savings from using the flat rate method will increase. Comparing flat rate method to the riparian method for the International Terminal, the flat rate method results in an annual lease payment of \$76,233 (.061 x 124,964), plus the rate increases 3% per year; the riparian method calculation results in an invoice of \$25,480.16.

### **RECOMMENDATION and Motion**

**I recommend a MOTION to approve the payment of DSL invoice numbers 23333 and 23332 for the amounts of \$25,480.16 and \$20,715.66 respectively and all future legally required invoices from the Department of State Lands.**





**Oregon  
Department  
of State Lands**

**INVOICE**

Oregon Department of State Lands  
775 Summer Street NE, Suite 100  
Salem, OR 97301  
Federal EIN: 93-6001772  
Fax: 503-378-4844  
Phone: 503-986-5291  
Contact: Frisone Dario

Newport Port of 600 SE Bay Blvd Newport OR 97365	Invoice #: 23332 Invoice Date: December 8, 2020 Due Date: January 07, 2021 Account Type: Application Account ID: APP0045751
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---- Current Charges ----

Date	Transaction	Fee No.	Amount
12/08/2020	Charge	620	\$20,715.66
Commercial 3% Gross Sales (11/1/2019 through 10/31/2020)			

**Total Current Charges: \$20,715.66**

Account Summary			
Prev. Balance	Current Charges	Payments	Balance Due
\$21,030.09	\$20,715.66	(\$21,030.09)	\$20,715.66

Tear off and return bottom portion with payment. Please do not send cash.

You may pay your invoice online at: <https://apps.oregon.gov/dsl/EPS/>

<b>Mail Payments to:</b> Oregon Dept. of State Lands 775 Summer Street NE Suite 100 Salem, OR 97301	Applicant: Newport Port of Account Type: Application Account ID: APP0045751 Invoice #: 23332 Invoice Date: December 8, 2020 Balance Due: \$20,715.66 Amount Paid: _____
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**Oregon  
Department  
of State Lands**

**INVOICE**

Oregon Department of State Lands  
775 Summer Street NE, Suite 100  
Salem, OR 97301  
Federal EIN: 93-6001772  
Fax: 503-378-4844  
Phone: 503-986-5291  
Contact: Frisone Dario

Newport Port of 600 SE Bay Blvd Newport OR 97365	Invoice #: 23333 Invoice Date: December 8, 2020 Due Date: January 07, 2021 Account Type: Application Account ID: APP0045751
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---- Current Charges ----

Date	Transaction	Fee No.	Amount
12/08/2020	Charge	670-2	\$25,480.16
Waterway lease fee, riparian method, Marine Ind/Service, 124,964 sq ft (11/1/2020 through 10/31/2021)			

**Total Current Charges: \$25,480.16**

Account Summary			
Prev. Balance	Current Charges	Payments	Balance Due
	\$25,480.16		\$25,480.16

Tear off and return bottom portion with payment. Please do not send cash.

You may pay your invoice online at: <https://apps.oregon.gov/dsl/EPS/>

<b>Mail Payments to:</b> Oregon Dept. of State Lands 775 Summer Street NE Suite 100 Salem, OR 97301	Applicant: Newport Port of Account Type: Application Account ID: APP0045751 Invoice #: 23333 Invoice Date: December 8, 2020 Balance Due: \$25,480.16 Amount Paid: _____
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**Operating Fund  
December 2020**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Class</b>	<b>Amount</b>
<b>12/08/2020</b>	<b>45674</b>	<b>Advance Backflow Testing</b>			
11/30/2020	6636		PO710124: Backflow testing	Commercial Marina	125.00
11/30/2020	6635		PO710124: Backflow testing	International Terminal	75.00
11/30/2020	6634		PO710124: Backflow Testing	SB Operations	611.90
					<u>811.90</u>
<b>12/08/2020</b>	<b>45675</b>	<b>Airgas USA</b>			
11/25/2020	9107502590		PO30137: 4.5" cut off disks	Commercial Marina	74.75
					<u>74.75</u>
<b>12/08/2020</b>	<b>45676</b>	<b>Alliance Consulting Engineers</b>	<b>PD3/5 Electrical Upgrade Design</b>		
11/23/2020	1606		Conduct conditional assessment (90%) and create schematic drawings and documents (40%)	Commercial Marina	7,183.00
					<u>7,183.00</u>
<b>12/08/2020</b>	<b>45677</b>	<b>Alsco</b>			
11/18/2020	LPOR2588935		Shop towels, shirt, and mats	Administration	34.75
11/20/2020	LPOR2590084		SB mats	SB Customer Service	72.06
					<u>106.81</u>
<b>12/08/2020</b>	<b>45678</b>	<b>Alsea Bay Power Products</b>			
11/24/2020	327455		PO710145: Lawnmower parts	SB Operations	129.96
					<u>129.96</u>
<b>12/08/2020</b>	<b>45679</b>	<b>Amazon Capital Services</b>			
11/30/2020	1PDW-H9PH-XGRC		PO30139: Pushbutton pendant station for hoist	Commercial Marina	113.31
					<u>113.31</u>
<b>12/08/2020</b>	<b>45680</b>	<b>Barrelhead Supply</b>			
11/17/2020	296762		PO710140: Building materials for Annex shed	SB Operations	118.37
					<u>118.37</u>
<b>12/08/2020</b>	<b>45681</b>	<b>bio-Med Testing Services</b>			
11/10/2020	80419		Pre-employment background checks	Commercial Marina	69.00
					<u>69.00</u>



**Operating Fund  
December 2020**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Class</b>	<b>Amount</b>
<b>12/08/2020</b>	<b>45682</b>	<b>Employee</b>			
11/30/2020	12/20 Reimbursement		Employee reimbursement - work boots	Commercial Marina	150.00
					<u>150.00</u>
<b>12/08/2020</b>	<b>45683</b>	<b>City of Newport Room Tax</b>			
11/30/2020	Nov 2020 Room Tax		Transient room tax - November 2020	SB Customer Service	3,660.92
					<u>3,660.92</u>
<b>12/08/2020</b>	<b>45684</b>	<b>Coastal Paper &amp; Supply</b>			
11/10/2020	583670		PO710123: Paper products and cleaning supplies	SB Operations	448.86
			PO710123: Shipping	SB Operations	4.00
11/17/2020	583979		PO710132: Paper products and cleaning supplies	SB Operations	279.44
			PO710132: Shipping	SB Operations	4.00
11/24/2020	584331		PO710141: Paper products and cleaning supplies	SB Operations	477.58
			PO710141: Shipping	SB Operations	4.00
11/24/2020	584330		PO30125: Paper products and cleaning supplies	Commercial Marina	452.46
			PO30125: Shipping	Commercial Marina	4.00
					<u>1,674.34</u>
<b>12/08/2020</b>	<b>45685</b>	<b>Coastal Refrigeration Heating &amp; AC</b>			
11/01/2020	1187-13723		PO710149: Semi-annual HVAC and heating maintenance	SB Operations	532.35
					<u>532.35</u>
<b>12/08/2020</b>	<b>45686</b>	<b>Copeland Lumber Yards</b>			
11/10/2020	2011-259414		PO30116: 1/2"-4x8 treated plywood for docks	Commercial Marina	110.16
			PO30116: Lumber crayon, 12" combo square, and pack of sawzall blades	Commercial Marina	56.03
11/16/2020	2011-262769		PO30121: 25 lb box 3" SS deck screw torx head	Commercial Marina	232.74
					<u>398.93</u>
<b>12/08/2020</b>	<b>45687</b>	<b>Dahl &amp; Dahl</b>			
11/17/2020	263695		PO30122: Take load of debris to dump	Commercial Marina	34.53
11/17/2020	263705		PO30122: Take load of debris to dump	Commercial Marina	226.42
					<u>260.95</u>





**Operating Fund  
December 2020**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Class</b>	<b>Amount</b>
<b>12/08/2020</b>	<b>45688</b>	<b>DEQ</b>			
11/03/2020	AQCAO21-2314		Air Quality ACDP - Cleaner Air Oregon Fee	SB Operations	50.00
11/03/2020	AQCDP21-2210		Air Quality ACDP - Category V Annual Fee	SB Operations	180.00
11/10/2020	WQ21STM-1438		Water Quality Annual Permit	International Terminal	1,257.00
					<u>1,487.00</u>
<b>12/08/2020</b>	<b>45689</b>	<b>Design Space</b>			
11/20/2020	1163292-IN		Customs office lease	Administration	217.00
					<u>217.00</u>
<b>12/08/2020</b>	<b>45690</b>	<b>DH Goebel, Architect</b>	<b>Final Design phase 3 of New Admin Bldg</b>		
12/03/2020	PONdec20 - 201203		Architectural Services 60%	Administration	22,680.00
			Structural Engineering Services 60%	Administration	5,400.00
					<u>28,080.00</u>
<b>12/08/2020</b>	<b>45691</b>	<b>Digital Deployment</b>			
11/14/2020	107821		Website monthly fee	Administration	450.00
					<u>450.00</u>
<b>12/08/2020</b>	<b>45692</b>	<b>Earth Works Excavation</b>			
11/01/2020	1918		Drain pipe repair	SB Operations	50,835.00
11/01/2020	1913-Retainer		Drain pipe repair - retainer	SB Operations	8,946.65
11/01/2020	1906 - Retainer		Drain pipe repair - retainer	SB Operations	2,377.20
					<u>62,158.85</u>



**Operating Fund  
December 2020**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Class</b>	<b>Amount</b>
<b>12/08/2020</b>	<b>45693</b>	<b>EARTH20</b>			
12/01/2020	953746		10 bottles of water package - 9	Commercial Marina	53.46
			10 bottles of water package - 1	Administration	5.94
					<u>59.40</u>
<b>12/08/2020</b>	<b>45694</b>	<b>Ecolube Recovery</b>			
11/25/2020	9865112520		PO710147: Used oil recovery	SB Operations	157.15
					<u>157.15</u>
<b>12/08/2020</b>	<b>45695</b>	<b>Englund Marine Supply Co</b>			
11/06/2020	972684/6		PO30114: 10-24x3/4 ss bolts and 10-24 ss nuts	Commercial Marina	15.20
11/12/2020	149245/6		PO50049: Rain gear	International Terminal	163.78
			PO50049: Freight	International Terminal	12.57
11/12/2020	972902/6		PO710137: Gloves and liners	SB Operations	155.04
			PO710137: Supplies to repair cable gate by brewery	SB Operations	121.66
			PO710137: Net needle	SB Operations	4.26
11/16/2020	973056/6		PO30120: Anti-seize lubricant	Commercial Marina	18.28
11/16/2020	973052/6		PO710138: Rope for tie lines	SB Operations	210.00
					<u>700.79</u>
<b>12/08/2020</b>	<b>45696</b>	<b>Fastenal Company</b>			
11/16/2020	ORNEW142612		PO30118: Dock hardware	Commercial Marina	85.88
			PO30118: 3/4x8 SDS bit and 1/4"x1/2" socket adapter	Commercial Marina	37.74
11/25/2020	ORNEW142717		PO30142: Dock hardware	Commercial Marina	2.67
					<u>126.29</u>



**Operating Fund  
December 2020**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Class</b>	<b>Amount</b>
<b>12/08/2020</b>	<b>45697</b>	<b>FIB MasterCard AB</b>			
11/22/2020	Zoom.us		10/22/2020 - Online meeting software	Administration	29.98
11/22/2020	Zoom.us		09/22/2020 - Online meeting software	Administration	29.98
11/22/2020	Fees		09/21/2020 - Finance charge	Administration	42.49
			09/27/2020 - Late fee	Administration	10.00
			10/22/2020 - Over limit fee	Administration	35.00
			10/22/2020 - Finance charge	Administration	49.24
			11/22/2020 - Over limit fee	Administration	35.00
			11/22/2020 - Finance charge	Administration	60.67
11/22/2020	Newport Chamber		10/02/2020 - PO50035: Greens fee for Port golf team	International Terminal	225.00
11/22/2020	Newport Chamber		10/02/2020 - Golf cart fee for Port golf team	International Terminal	20.00
11/22/2020	Gordon Electric		10/16/2020 - Relays - Midwest LC33N1 load center interior	SB Operations	1,080.00
11/22/2020	My Security Sign		08/24/2020 - Video camera surveillance signs	SB Operations	206.40
11/22/2020	Direct Metals		08/24/2020 - PO30055: Ramp grating	Commercial Marina	3,246.00
11/22/2020	Kartri		09/14/2020 - PO710037: Shower curtains for Marina showers	SB Operations	229.10
					<u>5,298.86</u>
<b>12/08/2020</b>	<b>45698</b>	<b>FIB MasterCard KH</b>			
11/22/2020	PCC		10/22/2020 - Conference registration	Commercial Marina	35.00
11/22/2020	OAMR		11/17/2020 - Membership renewal	Administration	60.00
					<u>95.00</u>
<b>12/08/2020</b>	<b>45699</b>	<b>FIB MasterCard MB</b>			
11/22/2020	Business 21		10/28/2020 - HR training	Administration	318.00
11/22/2020	Udemy OL Courses		10/29/2020 - VBA course	Administration	12.99
11/22/2020	Intuit		11/10/2020 - QB hosting	Administration	280.45
11/22/2020	PayPal		11/02/2020 - Credit card fees	SB Customer Service	176.40
					<u>787.84</u>
<b>12/08/2020</b>	<b>45700</b>	<b>Fred Meyer</b>			
11/17/2020	0240448		PO710139: First-aid kit supplies	SB Operations	70.16
					<u>70.16</u>



**Operating Fund  
December 2020**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Class</b>	<b>Amount</b>
<b>12/08/2020</b>	<b>45701</b>	<b>G &amp; K Floors</b>			
12/01/2020	120120		Janitorial services - SB	SB Customer Service	1,680.00
			Janitorial services - Port office	Administration	200.00
					<u>1,880.00</u>
<b>12/08/2020</b>	<b>45702</b>	<b>Grainger</b>			
11/12/2020	9715610920		PO30117: Lockout/tagout padlocks	Commercial Marina	77.50
			PO30117: Freight	Commercial Marina	10.98
					<u>88.48</u>
<b>12/08/2020</b>	<b>45703</b>	<b>Greater Newport Chamber of Commerce</b>			
11/25/2020	100580		2020 membership renewal	Administration	259.00
			Kiosk brochure advertising	Administration	150.00
					<u>409.00</u>
<b>12/08/2020</b>	<b>45704</b>	<b>Harvey's Lock &amp; Key</b>			
11/19/2020	21716		PO30130: Cylinder combo change service call	Commercial Marina	81.50
					<u>81.50</u>
<b>12/08/2020</b>	<b>45705</b>	<b>HDR Engineering</b>			
12/07/2020	1200313800		PD5 Approach Pier - Professional services	Commercial Marina	1,177.50
12/08/2020	1200300415-R		Professional services - 10% retainer	Commercial Marina	361.25
					<u>1,538.75</u>
<b>12/08/2020</b>	<b>45706</b>	<b>Hippo Facility Management</b>			
11/01/2020	25210		License Fee	Administration	3,996.84
					<u>3,996.84</u>
<b>12/08/2020</b>	<b>45707</b>	<b>Hyak</b>			
12/01/2020	23917		IT services - MS 365, web filtering, desktop support	Administration	4,625.00
12/07/2020	24006	State of Oregon CRF	Surface laptops	Administration	5,399.90
					<u>10,024.90</u>
<b>12/08/2020</b>	<b>45708</b>	<b>Idea Print Works</b>			
11/10/2020	10101		PO30101: PON clothing	Commercial Marina	926.00
					<u>926.00</u>



**Operating Fund  
December 2020**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Class</b>	<b>Amount</b>
<b>12/08/2020</b>	<b>45709</b>	<b>Industrial Welding Supply</b>			
11/19/2020	147491		PO710142: Oxygen/acetylene small tanks	SB Operations	33.50
			PO710142: Sledge hammer and drill bits	SB Operations	91.90
					<u>125.40</u>
<b>12/08/2020</b>	<b>45710</b>	<b>Larry Smith</b>			
12/04/2020	8722347		Refund moorage - sold boat and cancelled reservation	South Beach	823.62
					<u>823.62</u>
<b>12/08/2020</b>	<b>45711</b>	<b>Newport Gutter Cleaning</b>			
11/24/2020	112120-01		PO710152: Moss treatment for Marina building	SB Operations	1,033.00
					<u>1,033.00</u>
<b>12/08/2020</b>	<b>45712</b>	<b>Newport News-Times</b>			
11/13/2020	102501		PO10056: Lien notice for F/V Sea Wolf	Administration	148.26
					<u>148.26</u>
<b>12/08/2020</b>	<b>45713</b>	<b>NW Natural</b>			
11/16/2020	1584561-3 11-20		SB gas - shop	SB Operations	136.65
11/16/2020	1584562-1 11-20		SB gas	SB Customer Service	226.74
					<u>363.39</u>
<b>12/08/2020</b>	<b>45714</b>	<b>Orkin</b>			
11/25/2020	205972649		December pest control	Administration	45.00
					<u>45.00</u>
<b>12/08/2020</b>	<b>45715</b>	<b>Pacific Habitat Services</b>			
11/25/2020	1-7008-02		Prep of wetland delineation report and mitigation plan for 9-acre lot at McLean Point	International Terminal	3,249.75
					<u>3,249.75</u>



**Operating Fund  
December 2020**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Class</b>	<b>Amount</b>
<b>12/08/2020</b>	<b>45716</b>	<b>Petty Cash</b>			
11/30/2020	Petty Cash - SB		Shipping Solutions - postage/shipping	SB Customer Service	17.89
			Fred Meyer- replace stolen tote and lock	SB Customer Service	19.58
			Newport Ace Hardware - screws	SB Operations	9.99
			Dollar Tree - Halloween decor	SB Customer Service	10.00
			Dryer #4 refund	South Beach	2.00
			Barrelhead Supply - recepticle plug-A Dock	SB Operations	2.99
			Newport Ace Hardware - roller mop	SB Customer Service	17.99
			Washer #3 refund	South Beach	2.50
			Fred Meyer - duct tape	SB Customer Service	29.19
11/30/2020	Petty Cash CM		Fred Meyer - shipping box for records requested by auditors	Administration	5.25
			Fred Meyer - candy for front office	Administration	37.72
			USPS - postage for DEQ reporting	International Terminal	7.95
			Fred Meyer - light bulb for CM shop refrigerator	Commercial Marina	5.45
			USPS - postage for DEQ reporting	International Terminal	7.55
			Fred Meyer - band aids for first aid kit	Commercial Marina	15.88
			Fred Meyer - Thanksgiving gift card	Administration	35.72
			Fred Meyer - candy for front office	Administration	32.75
			Fred Meyer - ant traps	Administration	3.96
					<u>264.36</u>
<b>12/08/2020</b>	<b>45717</b>	<b>Pioneer Connect</b>			
12/01/2020	Shop 1220		Telephone	SB Operations	41.71
12/01/2020	Office 1220		Telephone	SB Customer Service	233.10
					<u>274.81</u>



**Operating Fund  
December 2020**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Class</b>	<b>Amount</b>
<b>12/08/2020</b>	<b>45718</b>	<b>Platt Electric Supply</b>			
11/13/2020	0X88495		PO710131: 7 W flourescent bulbs	SB Operations	105.60
			PO710131: Wire strippers	SB Operations	40.00
11/18/2020	1A47511		PO50051: 4' flourescent fixtures and LED bulbs for FWT and NIT buildings	International Terminal	294.07
11/20/2020	1A75261	State of Oregon CRF	PO30129: UV germicidal light	Commercial Marina	145.08
11/24/2020	1A96442		PO30132: Dewalt DCH273 cordless rotary hammer	Commercial Marina	481.00
11/25/2020	1B09301		PO30132: Dewalt DCD708B cordless drill promo	Commercial Marina	0.01
11/25/2020	1B14074		PO30135: Conduit fittings and wire connectors	Commercial Marina	68.70
					<u>1,134.46</u>
<b>12/08/2020</b>	<b>45719</b>	<b>Portland Bolt &amp; Manufacturing Co</b>			
11/30/2020	137073		PO30126: Hardware for docks	Commercial Marina	1,506.50
			PO30126: Freight	Commercial Marina	70.45
					<u>1,576.95</u>
<b>12/08/2020</b>	<b>45720</b>	<b>Rule Steel Tanks</b>			
11/01/2020	0038271-IN		PO710045: 6 new towable dumpsters	SB Operations	10,746.00
			PO710045: Freight	SB Operations	1,200.00
					<u>11,946.00</u>
<b>12/08/2020</b>	<b>45721</b>	<b>Smart Foodservice - Cash &amp; Carry</b>			
11/12/2020	0061		PO710135: Breakroom supplies	SB Operations	95.00
11/17/2020	0007		PO50050: Cleaning supplies	International Terminal	66.35
			PO50050: Breakroom supplies	International Terminal	45.56
					<u>206.91</u>



**Operating Fund  
December 2020**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Class</b>	<b>Amount</b>
<b>12/08/2020</b>	<b>45722</b>	<b>Staples</b>			
11/30/2020	3463348342	State of Oregon CRF	PO10063: Face masks	Administration	97.90
			PO10063: Clorox wipes	Administration	31.95
			PO10063: Reinforcement labels	Administration	2.77
			PO10063: Bottled water	Administration	5.55
11/30/2020	3463348345		PO10057: Paper towels and alcohol wipes	Administration	59.88
11/30/2020	3463348346		PO10057: Office supplies	Administration	192.21
			PO10057: Hand soap	Administration	13.86
11/30/2020	3463348349	State of Oregon CRF	PO10064: Face masks	Administration	39.16
					<u>443.28</u>
<b>12/08/2020</b>	<b>45723</b>	<b>T &amp; L Septic Tank Service</b>			
11/25/2020	151111		Chemical toilet rental - SB dry camp	SB Operations	80.00
11/25/2020	151110		Chemical toilet rental - NIT	International Terminal	80.00
11/25/2020	151109		Chemical toilet rental - Marina & RV park	SB Operations	80.00
11/25/2020	151108		Chemical toilet rental - SB south restroom	SB Operations	80.00
11/25/2020	151107		Chemical toilet rental - Marina store	SB Operations	80.00
11/25/2020	151106		Chemical toilet rental - Bay front	Commercial Marina	200.00
11/25/2020	151105		Chemical toilet rental - Bay front	Commercial Marina	260.00
					<u>860.00</u>
<b>12/08/2020</b>	<b>45724</b>	<b>TCB Security Services</b>			
12/01/2020	230399		Monthly security contract - SB Marina	SB Operations	2,116.35
			Monthly security contract - SB RV	SB Customer Service	2,116.35
			Monthly security contract - CM	Commercial Marina	2,116.35
			Monthly security contract - NIT	International Terminal	1,122.95
					<u>7,472.00</u>
<b>12/08/2020</b>	<b>45725</b>	<b>Thompson's Nursery</b>			
11/24/2020	6247		PO710133: Shrubs for SB landscaping	SB Operations	196.00
					<u>196.00</u>





**Operating Fund  
December 2020**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Class</b>	<b>Amount</b>
<b>12/08/2020</b>	<b>45726</b>	<b>Thompson's Sanitary Service</b>			
11/30/2020	13499 11-2020		Trash disposal - PD7	Commercial Marina	959.74
11/30/2020	12514 11-2020		Trash disposal - SB	SB Customer Service	2,267.97
11/30/2020	12058 11-2020		Trash disposal - NIT	International Terminal	1,562.35
					<u>4,790.06</u>
<b>12/08/2020</b>	<b>45727</b>	<b>TWGW NAPA Auto Parts</b>			
11/12/2020	840272		PO710136: Tarp strap for dumpsters	SB Operations	114.50
11/12/2020	840266		PO710136: Oil and oil filters	SB Operations	56.44
11/19/2020	841673		PO30128: 2006 Ford F350 maintenance	Commercial Marina	566.70
11/20/2020	841736		PO30131: 9/16" spark plug socket	Commercial Marina	5.69
			PO30131: 3/8" universal joint adapter	Commercial Marina	5.69
11/25/2020	842629		PO710146: Floor jack	SB Operations	249.00
			PO710146: Tractor oil	SB Operations	38.27
11/25/2020	842671		PO710146: Spring u-bolt	SB Operations	33.98
12/01/2020	843542		PO30140: Forklift rear-view mirror and adhesive	Commercial Marina	23.98
					<u>1,094.25</u>
<b>12/08/2020</b>	<b>45728</b>	<b>Verizon Wireless</b>			
11/12/2020	9866885422		Monthly cell phone - Admin	Administration	49.38
			Monthly cell phone - CM	Commercial Marina	67.95
			New phone - CM	Commercial Marina	194.98
			New phone - NIT	International Terminal	249.99
			Monthly cell phone - NIT	International Terminal	113.23
			Monthly cell phone - SB	SB Operations	69.49
			Monthly MiFi - SB CS	SB Customer Service	10.13
			Monthly cell phone plan - Admin	Administration	136.50
					<u>891.65</u>
<b>12/08/2020</b>	<b>45729</b>	<b>Voya (State of Oregon Plan)</b>			
12/01/2020	December - 2020		Monthly employee contributions	Administration	50.00
					<u>50.00</u>



**Operating Fund  
December 2020**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Class</b>	<b>Amount</b>
<b>12/14/2020</b>	<b>45730</b>	<b>ADP</b>			
12/14/2020			VOID		0.00
					<u>0.00</u>
<b>12/18/2020</b>	<b>45731-45756</b>	<b>Employees</b>			
12/15/2020	12/20 Bonus		Happy Holidays!	Administration	800.00
				Commercial Marina	600.00
				SB Operations	600.00
				SB Customer Service	200.00
				International Terminal	300.00
				NOAA	100.00
					<u>2,600.00</u>
<b>12/09/2020</b>	<b>45757</b>	<b>Redeemer</b>			
12/01/2020	Refund		Cancelled moorage - sold vessel	Commercial Marina	1,323.84
					<u>1,323.84</u>
<b>12/18/2020</b>	<b>45758</b>	<b>AlSCO</b>			
11/19/2020	LPOR2589473		NIT towels	International Terminal	32.95
12/02/2020	LPOR2594378		Shop towels, shirt, and mats	Administration	34.75
12/03/2020	LPOR2594871		NIT towels	International Terminal	32.95
12/04/2020	LPOR2595392		SB mats	SB Customer Service	72.06
					<u>172.71</u>
<b>12/18/2020</b>	<b>45759</b>	<b>Amazon Capital Services</b>			
12/05/2020	1JLC-3GR7-XTKD		PO30136: C12 safety glasses	Commercial Marina	14.95
12/05/2020	1CNJ-JJ1Q-G1QQ		PO30136: Bison Life safety glasses	Commercial Marina	14.79
			PO30136: Freight	Commercial Marina	5.99
12/08/2020	1D4P-1LDD-DPWH		PO710153: AED cabinets	SB Operations	379.80
			PO710153: Freight	SB Operations	28.49
12/09/2020	1K7X-3VQW-NWDC	State of Oregon CRF	PO50056: Face masks and nitrile gloves	International Terminal	305.90
			PO50056: Freight	International Terminal	8.41
					<u>758.33</u>



**Operating Fund  
December 2020**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Class</b>	<b>Amount</b>
<b>12/18/2020</b>	<b>45760</b>	<b>Barrelhead Supply</b>			
12/01/2020	297339		PO710150: Sign parts	SB Operations	57.87
12/03/2020	297489		PO710157: Sign parts	SB Operations	98.72
12/07/2020	297640		PO710159: Sign parts	SB Operations	45.03
					<u>201.62</u>
<b>12/18/2020</b>	<b>45761</b>	<b>Business Oregon - IFA</b>			
12/09/2020	65541 1/21		Loan payment - principal	International Terminal	2,083.33
					<u>2,083.33</u>
<b>12/18/2020</b>	<b>45762</b>	<b>Business Oregon - OBDD</b>	<b>Loan payment</b>		
12/16/2020	655-36-02Q1001 01-21		Principal - January 2021	International Terminal	5,483.99
			Interest - January 2021	International Terminal	2,316.01
					<u>7,800.00</u>
<b>12/18/2020</b>	<b>45763</b>	<b>CenturyLink - Business Service</b>			
12/01/2020	180358310		Telephone	Administration	22.22
					<u>22.22</u>
<b>12/18/2020</b>	<b>45764</b>	<b>Coastal Paper &amp; Supply</b>			
12/08/2020	584816		PO710154: Paper products and cleaning supplies	SB Operations	500.10
			PO710154: Shipping	SB Operations	4.00
					<u>504.10</u>
<b>12/18/2020</b>	<b>45765</b>	<b>CoastCom By Wave</b>			
12/01/2020	121313501-0008525		Internet - November 2020	SB Customer Service	1,036.04
			Internet - November 2020	Administration	500.00
					<u>1,536.04</u>
<b>12/18/2020</b>	<b>45766</b>	<b>Conrad Forrest Products</b>			
12/03/2020	00192362		PO30123: 3x6x8 ledger boards for PD5	Commercial Marina	287.40
					<u>287.40</u>
<b>12/18/2020</b>	<b>45767</b>	<b>Copeland Lumber Yards</b>			
12/04/2020	2012-272583		PO30143: Silicone caulk	Commercial Marina	47.53
					<u>47.53</u>



**Operating Fund  
December 2020**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Class</b>	<b>Amount</b>
<b>12/18/2020</b>	<b>45768</b>	<b>Dahl &amp; Dahl</b>			
12/09/2020	264881		PO30146: Take load of garbage to dump	Commercial Marina	<u>236.38</u>
					236.38
<b>12/18/2020</b>	<b>45769</b>	<b>Employee</b>			
12/01/2020	Med Reimbursement		Medical expense reimbursement	Administration	<u>824.56</u>
					824.56
<b>12/18/2020</b>	<b>45770</b>	<b>Design Space</b>			
12/04/2020	1164736-IN		Temporary office rental	Administration	<u>877.00</u>
					877.00
<b>12/18/2020</b>	<b>45771</b>	<b>Digital Deployment</b>			
12/14/2020	108274		Website monthly fee	Administration	<u>450.00</u>
					450.00
<b>12/18/2020</b>	<b>45772</b>	<b>Englund Marine Supply Co</b>			
12/07/2020	154473/6		PO50057: Hoses for dock hoist	International Terminal	<u>37.61</u>
					37.61
<b>12/18/2020</b>	<b>45773</b>	<b>Fastenal Company</b>			
12/07/2020	ORNEW142862		PO710158: Stop signs	SB Operations	<u>291.00</u>
					291.00
<b>12/18/2020</b>	<b>45774</b>	<b>Forinash</b>			
12/10/2020	251162		PO710168: Framed print for Fred's retirement	SB Operations	<u>225.00</u>
					225.00
<b>12/18/2020</b>	<b>45775</b>	<b>Fred Meyer</b>			
12/01/2020	0240492		PO710151: Christmas decorations	SB Customer Service	<u>348.92</u>
					348.92
<b>12/18/2020</b>	<b>45776</b>	<b>Harvey's Lock &amp; Key</b>			
12/02/2020	21735		PO30145: Replace worn out lock in NW restroom	Commercial Marina	492.44
12/04/2020	21624		PO30144: Keys for Local Ocean hoist shack access	Commercial Marina	<u>93.40</u>
					585.84



**Operating Fund  
December 2020**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Class</b>	<b>Amount</b>
<b>12/18/2020</b>	<b>45777</b>	<b>HDR Engineering</b>			
11/06/2020	1200307496		PD5 Approach Pier - Professional services	Commercial Marina	5,980.00
					<u>5,980.00</u>
<b>12/18/2020</b>	<b>45778</b>	<b>Lincoln County Public Works</b>			
12/01/2020	6145		Fuel for trucks - CM	Commercial Marina	121.38
			Fuel for trucks - SB	SB Operations	115.35
					<u>236.73</u>
<b>12/18/2020</b>	<b>45779</b>	<b>MacPherson Gintner &amp; Diaz</b>			
11/30/2020	81674		Professional services	Administration	3,487.50
					<u>3,487.50</u>
<b>12/18/2020</b>	<b>45780</b>	<b>National Business Solutions</b>			
12/02/2020	IN81569		IT contract charge - 12/20	Administration	1,302.65
					<u>1,302.65</u>
<b>12/18/2020</b>	<b>45781</b>	<b>Newport Signs</b>			
12/09/2020	10640	State of Oregon CRF	PO50055: Covid 19 signs	International Terminal	344.00
					<u>344.00</u>
<b>12/18/2020</b>	<b>45782</b>	<b>Pacific Coast Congress HMPM</b>			
12/01/2020	2012831		Membership dues and directory 2021	Administration	275.00
					<u>275.00</u>
<b>12/18/2020</b>	<b>45783</b>	<b>PacificSource Administrators</b>			
12/01/2020	2641		November HRE member fees	Administration	85.00
12/05/2020	7461		12/5/2020 HRE Insurance Withholding	Administration	160.84
			12/5/2020 HRE Insurance Withholding	SB Customer Service	50.00
					<u>295.84</u>
<b>12/18/2020</b>	<b>45784</b>	<b>Platt Electric Supply</b>			
12/04/2020	1B61370		PO710155: LED lamps for docks	SB Operations	287.32
					<u>287.32</u>





**NOAA Fund  
December 2020**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
<b>12/08/2020</b>	<b>15094</b>	<b>Amazon Capital Services</b>		
11/19/2020	1GXW-PVTP-KQD3		Philips AED kit and wall case	1,495.00
11/20/2020	1LDW-4LMF-6MRG	State of Oregon CRF	Face masks	<u>45.57</u>
				1,540.57
<b>12/08/2020</b>	<b>15095</b>	<b>Pacific Habitat Services</b>		
11/25/2020	1-6898-04		PO60019: NOAA Dock Anode Repair - JPA prep and Corps coordination	852.00
				<u>852.00</u>
<b>12/08/2020</b>	<b>15096</b>	<b>Pioneer Connect</b>		
12/01/2020	December 2020		Telephone	<u>228.78</u>
				228.78
<b>12/08/2020</b>	<b>15097</b>	<b>Solmar Hydro</b>		
11/23/2020	PON_3_20		Hydrographic survey for NOAA pier	<u>4,500.00</u>
				4,500.00
<b>12/08/2020</b>	<b>15098</b>	<b>Spiro Landscapes</b>		
11/25/2020	00025797		Landscape maintenance	<u>450.00</u>
				450.00
<b>12/08/2020</b>	<b>15099</b>	<b>Thompsons Sanitary Service</b>		
11/30/2020	22644 11-2020		November service	<u>461.40</u>
				461.40
<b>12/08/2020</b>	<b>15100</b>	<b>Verizon Wireless</b>		
11/12/2020	9866885422		Phone charges and Mifi	<u>63.16</u>
				63.16



**NOAA Fund  
December 2020**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
<b>12/18/2020</b>	<b>15101</b>	<b>Coastal Refrigeration Heating &amp; AC</b>		
11/01/2020	1187-13739		PO60031: Replace ductless split system indoor and outdoor units for office	5,765.30
				<hr/> 5,765.30
<b>12/18/2020</b>	<b>15102</b>	<b>Special Districts Insurance Services</b>		
12/01/2020	Jan Health-Dental-Lf		Monthly health-dental-life insurance	833.77
				<hr/> 833.77
			<b>Total</b>	<hr/> <b>\$ 14,694.98</b> <hr/>





## **STAFF REPORT**

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**DATE:** *January 20, 2021*  
**RE:** *Secretary of State Lease to the Port*  
**TO:** *Port of Newport Board of Commissioners*  
**ISSUED BY:** *General Manager*

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### **BACKGROUND**

The Port entered into a lease with the Secretary of the Army (US Army Corps or USACE) for a property near and under the Newport Bridge at South Beach, for day use parking on December 11, 1989 for a Term from November 01, 1989 until October 31, 2014. The Premises also included parts of Rogue parking area.

Although the Term of the lease has expired, the Port continued to use the Premises without extending the Lease. Recently, during a meeting with the USACE, we came upon this oversight, which we are now looking into correcting it.

The confusion was due to another agreement with the Oregon Department of Transportation (ODOT), which also had some easements rights with the USACE, and apparently have also entered into agreements with the Port.

We have since renegotiated the lease to eliminate areas the Port does not use, therefore eliminating liabilities, such as part of the trail leading to the condominium next door. We also addressed the rights of other parties, such as ODOT, and removing those liabilities to the Port.

Because of the use of that portion of Rogue's parking lot doesn't quite fit the requirements under the lease, we have also removed the area from the original lease. We will continue to negotiate that portion of property, which may lead to the Port having to purchase the area. That includes an approximate 11,000 square feet. We are waiting for the USACE further review and proposal. Meanwhile, we will budget for such purchase, which we will present to the Commission later.

The Lease area is currently free of charge, so long as the use doesn't change.

### **RECOMMENDATION**

I would recommend a motion to approve Resolution 2021-01 as presented.



**PORT OF NEWPORT  
RESOLUTION 2021-01**

**A RESOLUTION AUTHORIZING THE PORT OF NEWPORT TO ENTER  
INTO A LEASE AGREEMENT WITH THE SECRETARY OF THE  
ARMY FOR THE SOUTH BEACH DAY USE AREA**

**WHEREAS** the Port entered into a lease with the Secretary of the Army (USACE) on December 11<sup>th</sup> of 1989 (the Lease); and

**WHEREAS** the Term of the Lease was from November 01, 1989 until October 31, 2014;  
and

**WHEREAS** although the Term of the lease has expired, the Port continued to use the Premises without extending the Lease; and

**WHEREAS** the Port and the USACE have negotiated a new lease, including a smaller footprint to the Premises.

**NOW THEREFORE, THE PORT OF NEWPORT BOARD OF COMMISSIONERS  
RESOLVES AS FOLLOWS:**

The General Manager is hereby authorized to execute the attached Lease, as presented.

**APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS** this  
26<sup>th</sup> day of January, 2021.

ATTEST:

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James Burke, President

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Walter Chuck, Secretary//Treasurer



**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, PORTLAND DISTRICT  
PO BOX 2946  
PORTLAND OR 97208-2946

December 17, 2020

Real Estate Division

Paula Miranda  
General Manager  
Port of Newport  
600 SE Bay Blvd.  
Newport, Oregon 97365

Dear Ms. Miranda,

Enclosed for signature are two copies of proposed Department of the Army Lease No. DACW57-1-20-0047, granting use of property owned by the United States and administered by the U.S. Army Corps of Engineers at Yaquina Bay and Harbor Project, Lincoln County, Oregon. This document will replace Lease No. DACW57-1-90-0008, which expired on October 31, 2014.

Please review, sign, and return the enclosed documents to the United States Army Corps of Engineers, Portland District, ATTN: Real Estate Division, P.O. Box 2946, Portland, OR 97208-2946. Once the agreements are accepted on behalf of the Department of the Army a fully executed copy will be returned for your records. Please ensure that the person attesting to the certificate of authority is different than the person signing the Lease.

If you have any questions or require further assistance, please contact Robin Norris at 503-808-4669, or email at [Robin.C.Norris@usace.army.mil](mailto:Robin.C.Norris@usace.army.mil).

Sincerely,

Amanda J. Dethman  
District Chief of Real Estate  
Real Estate Contracting Officer

Enclosure

**DEPARTMENT OF THE ARMY**  
**LEASE TO NON-STATE GOVERNMENTAL AGENCIES**  
**FOR PUBLIC PARK AND RECREATIONAL PURPOSES**  
**SOUTH BEACH DAY USE AREA**  
**YAQUINA BAY and HARBOR PROJECT, SOUTH JETTY**  
**LINCOLN COUNTY, OREGON**

**THIS LEASE** is made on behalf of the United States, between the **SECRETARY OF THE ARMY**, hereinafter referred to as the Secretary, and the Port of Newport, hereinafter referred to as the Lessee,

**WITNESSETH:**

That the Secretary, by authority of Title 16, United States Code, Section 460d, and for the consideration hereinafter set forth, hereby Leases to the Lessee, the property identified in **Exhibits "A" and "B"**, attached hereto and made a part hereof, hereinafter referred to as the premises, for public park and recreational purposes.

**THIS LEASE** is granted subject to the following conditions:

**1. TERM**

Said premises are hereby Leased for a term of twenty-five years (25) years, beginning November 1, 2014 and ending October 31, 2039.

**2. CONSIDERATION**

The consideration for this Lease is the operation and maintenance of the premises by the Lessee for the benefit of the United States and the general public in accordance with the conditions herein set forth.

**3. NOTICES**

All correspondence and notices to be given pursuant to this Lease shall be addressed, if to the grantee, to the Port of Newport, 600 SE Bay Boulevard, Newport Oregon 97365, and if to the United States, to the District Engineer, Attention: Chief, Real Estate Division, Portland District, PO Box 2946, Portland, Oregon 97208-2946, or as may from time to time otherwise be directed by the parties. Notice shall be deemed to have been duly given if and when enclosed in a properly sealed envelope or wrapper addressed as aforesaid, and deposited, postage prepaid, in a post office regularly maintained by the United States Postal Service.

#### 4. AUTHORIZED REPRESENTATIVES

Except as otherwise specifically provided, any reference herein to "Secretary of the Army," "District Engineer," "said officer" or "Lessor" shall include their duly authorized representatives. Any reference to "Lessee" shall include sublessees, assignees, transferees, concessionaires, and its duly authorized representatives.

#### 5. DEVELOPMENT PLANS

The Lessee shall be guided by an annual Plan of Operation and Maintenance in furtherance of the Lessees implementing Plan of Recreation Development and Management (Development Plan) attached as **Exhibit "C"** which shows the facilities and services necessary to meet the current and potential public demand and the management and development activities to be undertaken by the Lessee and any sublessees. No later than 1 April of each year the Lessee will submit the annual Plan to be mutually agreed on between the Lessee and the District Engineer. Such annual Plan shall include but is not limited to the following:

- a. Plans for management, maintenance and development activities to be undertaken by the Lessee and any sublessees.
- b. Report of the management, maintenance and development accomplishments of the Lessee for the preceding year.
- c. Report on any significant modification of policies or procedures which are planned for the following year as well as those implemented in the preceding year.
- d. Minor modifications to the Development Plan. Major modifications are to be accomplished by amendment to the Plan before proceeding to implement any changes in the development or management of the Leased premises.
- e. Budget of the Lessee for carrying out all activities for the upcoming year.
- f. Personnel to be used in the management of the Leased premises.
- g. Annual certification that all water and sanitary systems on the premises have been inspected and comply with Federal, state and local standards. Lessee will also provide a statement of compliance with the Rehabilitations Act and the Americans with Disabilities Act, as required in the condition on **NON-DISCRIMINATION**, noting any deficiencies and providing a schedule for correction.

The use and occupation of the premises shall be subject to the general supervision and approval of the District Engineer. During the term of the Lease, the District Engineer will notify the Lessee of any updates to the existing project Master Plan affecting the premises and the Lessee may provide comments.

## 6. STRUCTURES AND EQUIPMENT

The Lessee shall have the right, during the term of the Lease, to erect such structures and to provide such equipment upon the premises as may be necessary to furnish the facilities and services authorized. Those structures and equipment shall be and remain the property of the Lessee, except as otherwise provided in the Condition on **RESTORATION**. However, no structures may be erected or altered upon the premises unless and until the type of use, design, and proposed location or alteration thereof shall have been approved in writing by the District Engineer. The District Engineer may require the Lessee, upon the completion of each of the proposed developments to furnish complete "as built" construction plans for all facilities.

## 7. APPLICABLE LAWS AND REGULATIONS

a. The Lessee shall comply with all applicable Federal laws and regulations and with all applicable laws, ordinances, and regulations of the state, county, and municipality wherein the premises are located, including, but not limited to, those regarding construction, health, safety, food service, water supply, sanitation, use of pesticides, and licenses or permits to do business. The Lessee shall make and enforce such regulations as are necessary and within its legal authority in exercising the privileges granted in this Lease, provided that such regulations are not inconsistent with those issued by the Secretary of the Army or with the provisions of 16 U.S.C. § 460d.

b. The Lessee will provide an annual certification that all water and sanitary systems on the premises have been inspected and comply with Federal, state and local standards. The Lessee will also provide a statement of compliance with the Rehabilitations Act and the Americans with Disability Act, as required in the condition on **NON-DISCRIMINATION**, noting any deficiencies and providing a schedule for correction.

## 8. CONDITION OF PREMISES

a. The Lessee acknowledges that it has inspected the premises, knows its condition, and understands that the same is Leased without any representations or warranties whatsoever and without obligation on the part of the United States to make any alterations, repairs, or additions thereto.

## 9. FACILITIES AND SERVICES

The Lessee shall provide the facilities and services as agreed upon in the Development Plan referred to in the Condition on **DEVELOPMENT PLANS** either directly or through subleases or concession agreements that have been reviewed and accepted by the District Engineer. These subleases or agreements shall state: (1) that they are granted subject to the provisions of this Lease; and (2) that the agreement will not be effective until the third party activities have been approved by the District Engineer. The Lessee will not allow any third party activities with a rental to the Lessee or prices to the public which would give the third party an undue economic advantage or

circumvent the intent of the Development Plan. The rates and prices charged by the Lessee or its sub-Lessees or concessionaires shall be reasonable and comparable to rates charged for similar goods and services by others in the area. The use of sublessee's and concessionaires will not relieve the Lessee from the primary responsibility for ensuring compliance with all of the terms and conditions of this Lease.

## **10. TRANSFERS, ASSIGNMENTS, SUBLEASES**

a. Without prior written approval of the District Engineer, the Lessee shall neither transfer nor assign this Lease nor sublet the premises or any part thereof, nor grant any interest, privilege, or license whatsoever in connection with this Lease.

b. The Lessee will not sponsor or participate in timeshare ownership of any structures, facilities, accommodations, or personal property on the premises. The Lessee will not subdivide nor develop the premises into private residential development.

## **11. FEES**

Fees may be charged by the Lessee for the entrance to or use of the premises or any facilities, however, no user fees may be charged by the Lessee or its sub-Lessees for use of facilities developed in whole or part with federal funds if a user charge by the Corps of Engineers for the facility would be prohibited under law.

## **12. ACCOUNTS, RECORDS AND RECEIPTS**

All monies received by the Lessee from operations conducted on the premises, including, but not limited to, entrance, admission and user fees and rental or other consideration received from its concessionaires, may be utilized by the Lessee for the administration, maintenance, operation and development of the premises. Beginning 5 years from the date of this Lease and continuing at 5-year intervals, any such monies not so utilized or programmed for utilization within a reasonable time shall be paid to the District Engineer. The Lessee shall establish and maintain accurate records and accounts and provide an annual statement of receipts and expenditures to the District Engineer. Annual or weekly entrance fees not collected on the Project, which also are honored at other recreational areas operated by the Lessee, are excluded from this requirement. The District Engineer shall have the right to perform audits or to require the Lessee to audit the records and accounts of the Lessee, third party concessionaires and sub-Lessees, in accordance with auditing standards and procedures promulgated by the American Institute of Certified Public Accountants or by the state, and furnish the District Engineer with the results of such an audit.

## **13. PROTECTION OF PROPERTY**

The Lessee shall be responsible for any damage that may be caused to property of the United States by the activities of the Lessee under this Lease and shall exercise due diligence in the protection of all property located on the premises against fire or damage from any and all other causes. Any property of the United States damaged or destroyed



by the Lessee incident to the exercise of the privileges herein granted shall be promptly repaired or replaced by the Lessee to the satisfaction of the District Engineer, or at the election of the District Engineer, reimbursement may be made therefore by the Lessee in an amount necessary to restore or replace the property to a condition satisfactory to the District Engineer.

#### **14. RIGHT TO ENTER AND FLOOD**

The right is reserved to the United States, its officers, agents, and employees to enter upon the premises at any time and for any purpose necessary or convenient in connection with Government purposes; to make inspections; to remove timber or other material, except property of the Lessee; to flood the premises; to manipulate the level of the lake or pool in any manner whatsoever; and/or to make any other use of the land as may be necessary in connection with project purposes, and the Lessee shall have no claim for damages on account thereof against the United States or any officer, agent, or employee thereof.

#### **15. LIGHTS, SIGNALS AND NAVIGATION**

There shall be no unreasonable interference with navigation by the exercise of the privileges granted by this Lease. If the display of lights and signals on any work hereby authorized is not otherwise provided for by law, such lights and signals as may be prescribed by the Coast Guard or by the District Engineer shall be installed and maintained by and at the expense of the Lessee.

#### **16. INSURANCE**

a. At the commencement of this Lease, the Lessee, unless self-insured, and its sub-Lessees and concessionaires at the commencement of operating under the terms of this Lease as third parties, shall obtain from a reputable insurance company or companies contracts of liability insurance. The insurance shall provide an amount not less than that which is prudent, reasonable and consistent with sound business practices or a minimum Combined Single Limit of \$500,000, whichever is greater, for any number of persons or claims arising from any one incident with respect to bodily injuries or death resulting therefrom, property damage, or both, suffered or alleged to have been suffered by any person or persons, resulting from the operations of the Lessee, sub-lessees and concessionaires under the terms of this Lease. The Lessee shall require its insurance company to furnish to the District Engineer a copy of the policy or policies, or, if acceptable to the District Engineer, certificates of insurance evidencing the purchase of such insurance. The District Engineer shall have the right to review and revise the amount of minimum liability insurance required.

b. The insurance policy or policies shall specifically provide protection appropriate for the types of facilities, services and products involved; and shall provide that the District Engineer be given thirty (30) days notice of any cancellation or change in such insurance.

c. In the event the Lessee is self-insured, the Lessee shall certify such self-insurance in writing in the minimum amount specified above to the District Engineer. The Lessee's insurance status shall not eliminate the requirement for its sub-lessees and concessionaires to have insurance from a reputable insurance carrier as set out above.

d. The District Engineer may require closure of any or all of the premises during any period for which the Lessee and/or its sub-Lessees and concessionaires do not have the required insurance coverage.

## **17. RESTORATION**

On or before the expiration of this Lease or its termination by the Lessee, the Lessee shall vacate the premises, remove the property of the Lessee, and restore the premises to a condition satisfactory to the District Engineer. If, however, this Lease is revoked, the Lessee shall vacate the premises, remove said property therefrom, and restore the premises to the aforesaid condition within such time as the District Engineer may designate. In either event, if the Lessee shall fail or neglect to remove said property and restore the premises, then, at the option of the District Engineer, said property shall either become the property of the United States without compensation therefore, or the District Engineer may cause the property to be removed and no claim for damages against the United States or its officers or agents shall be created by or made on account of such removal and restoration work. The Lessee shall also pay the United States on demand any sum which may be expended by the United States after the expiration, revocation, or termination of this Lease in restoring the premises.

## **18. NON-DISCRIMINATION**

a. The Lessee shall not discriminate against any person or persons or exclude them from participation in the Lessee's operations, programs or activities conducted on the Leased premises, because of race, color, religion, sex, age, handicap, or national origin. The Lessee will comply with the Americans with Disabilities Act and attendant Americans with Disabilities Act Accessibility Guidelines (ADAAG) published by the Architectural and Transportation Barriers Compliance Board.

b. The Lessee, by acceptance of this Lease, is receiving a type of Federal assistance and, therefore, hereby gives assurance that it will comply with the provisions of Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d); the Age Discrimination Act of 1975 (42 U.S.C. § 6102); the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794); and all requirements imposed by or pursuant to the Directive of the Department of Defense (32 CFR Part 300) issued as Department of Defense Directives 5500.11 and 1020.1, and Army Regulation 600-7. This assurance shall be binding on the Lessee, its agents, successors, transferees, sublessees and assignees.

## 19. SUBJECT TO EASEMENTS

This Lease is subject to all existing easements, easements subsequently granted, and established access routes for roadways and utilities located, or to be located, on the premises, provided that the proposed grant of any new easement or route will be coordinated with the Lessee, and easements will not be granted which will, in the opinion of the District Engineer, interfere with developments, present or proposed, by the Lessee. The Lessee will not close any established access routes without written permission of the District Engineer.

## 20. SUBJECT TO MINERAL INTERESTS

This Lease is subject to all outstanding mineral interests. As to federally owned mineral interests, it is understood that they may be included in present or future mineral Leases issued by the Bureau of Land Management (BLM), which has responsibility for mineral development on Federal lands. The Secretary will provide Lease stipulations to BLM for inclusion in such mineral Leases that are designed to protect the premises from activities that would interfere with the Lessee's operations or would be contrary to local laws.

## 21. COMPLIANCE, CLOSURE, REVOCATION AND RELINQUISHMENT

a. The Lessee and/or any sub-Lessees or licensees are charged at all times with full knowledge of all the limitations and requirements of this Lease, and the necessity for correction of deficiencies, and with compliance with reasonable requests by the District Engineer. This Lease may be revoked in the event that the Lessee violates any of the terms and conditions and continues and persists in such non-compliance, or fails to obtain correction of deficiencies by sub-lessees or licensees. The Lessee will be notified of any non-compliance, which notice shall be in writing or shall be confirmed in writing, giving a period of time in which to correct the non-compliance. Failure to satisfactorily correct any substantial or persistent non-compliance within the specified time is grounds for closure of all or part of the premises, temporary suspension of operation, or revocation of the Lease, after notice in writing of such intent. Future requests by the Lessee to extend the Lease, expand the premises, modify authorized activities, or assign the Lease shall take into consideration the Lessee's past performance and compliance with the Lease terms.

b. This Lease may be relinquished by the Lessee by giving one (1) year prior written notice to the District Engineer in the manner prescribed in the Condition on **NOTICES**.

## 22. HEALTH AND SAFETY

a. The Lessee shall keep the premises in good order and in a clean, sanitary, and safe condition and shall have the primary responsibility for ensuring that any sub-Lessees and concessionaires operate and maintain the premises in such a manner.

b. In addition to the rights of revocation for non-compliance, the District Engineer, upon discovery of any hazardous conditions on the premises that presents an immediate threat to health and/or danger to life or property, will so notify the Lessee and will require that the affected part or all of the premises be closed to the public until such condition is corrected and the danger to the public eliminated. If the condition is not corrected within the time specified, the District Engineer will have the option to: (1) correct the hazardous conditions and collect the cost of repairs from the Lessee; or, (2) revoke the Lease. The Lessee and its assignees or sub-Lessees shall have no claim for damages against the United States, or any officer, agent, or employee thereof on account of action taken pursuant to this condition.

### **23. PUBLIC USE**

No attempt shall be made by the Lessee, or any of its sub-Lessees or concessionaires, to forbid the full use by the public of the premises and of the water areas of the project, subject, however, to the authority and responsibility of the Lessee to manage the premises and provide safety and security to the visiting public.

### **24. PROHIBITED USES**

a. The Lessee shall not permit gambling on the premises or install or operate, or permit to be installed or operated thereon, any device which is illegal, or use the premises or permit them to be used for any illegal business or purpose. There shall not be conducted on or permitted upon the premises any activity which would constitute a nuisance.

b. As an exception, some games of chance, such as raffles, games and sporting events, may be conducted by nonprofit organizations under special use permits issued in conjunction with special events, if permissible by state and local law. Any request to conduct such activities must be submitted in writing to the District Engineer.

c. In accordance with state and local laws and regulations, the Lessee may sell, store, or dispense, or permit the sale, storage, or dispensing of beer, malt beverages, light wines or other intoxicating beverages on the premises in those facilities where such service is customarily found. Bar facilities will only be permitted if offered in connection with other approved activities. Advertising of such beverages outside of buildings is not permitted. Carry out package sales of hard liquor is prohibited.

### **25. NATURAL RESOURCES**

The Lessee shall cut no timber, conduct no mining operations, remove no sand, gravel, or kindred substances from the ground, commit no waste of any kind, nor in any manner substantially change the contour or condition of the premises, except as may be authorized under and pursuant to the Development Plan described in the Condition on **DEVELOPMENT PLANS** herein. The Lessee may salvage fallen or dead timber; however, no commercial use shall be made of such timber. Except for timber salvaged by the Lessee when in the way of construction of improvements or other facilities, all

sales of forest products will be conducted by the United States and the proceeds therefrom shall not be available to the Lessee under the provisions of this Lease.

## 26. DISPUTES CLAUSE

a. Except as provided in the Contract Disputes Act of 1978 (41 U.S.C. 7101-7109) (the Act), all disputes arising under or relating to this Lease shall be resolved under this clause and the provisions of the Act.

b. "Claim," as used in this clause, means a written demand or written assertion by the Lessee seeking, as a matter of right, the payment of money in a sum certain, the adjustment of interpretation of Lease terms, or other relief arising under or relating to this Lease. A claim arising under this Lease, unlike a claim relating to that Lease, is a claim that can be resolved under a Lease clause that provides for the relief sought by the Lessee. However, a written demand or written assertion by the Lessee seeking the payment of money exceeding \$100,000 is not a claim under the Act until certified as required by subparagraph c. (2) below.

c. (1) A claim by the Lessee shall be made in writing and submitted to the District Engineer for a written decision. A claim by the Government against the Lessee shall be subject to a written decision by the District Engineer.

(2) For Lessee claims exceeding \$100,000, the Lessee shall submit with the claim a certification that:

- (i) The claim is made in good faith;
- (ii) Supporting data are accurate and complete to the best of the Lessee's knowledge and belief; and
- (iii) The amount requested accurately reflects the Lease adjustment for which the Lessee believes the Government is liable.

(3) If the Lessee is an individual, the certificate shall be executed by that individual. If the Lessee is not an individual, the certification shall be executed by:

- (i) A senior company official in charge at the Lessee's location involved; or
- (ii) An officer or general partner of the Lessee having overall responsibility of the conduct of the Lessee's affairs.

d. For Lessee claims of \$100,000 or less, the District Engineer must, if requested in writing by the Lessee, render a decision within 60 days of the request. For Lessee-certified claims over \$100,000, the District Engineer must, within 60 days, decide the claim or notify the Lessee of the date by which the decision will be made.

e. The District Engineer's decision shall be final unless the Lessee appeals or files a suit as provided in the Act.

f. At the time a claim by the Lessee is submitted to the District Engineer or a claim by the Government is presented to the Lessee, the parties, by mutual consent, may agree to use alternative means of dispute resolution. When using alternate dispute

resolution procedures, any claim, regardless of amount, shall be accompanied by the certificate described in paragraph c.(2) of this clause, and executed in accordance with paragraph c.(3) of this clause

**g.** The Government shall pay interest on the amount found due and unpaid by the Government from (1) the date the District Engineer received the claim (properly certified if required), or (2) the date payment otherwise would be due, if that date is later, until the date of payment. Simple interest on claims shall be paid at the rate, fixed by the Secretary of the Treasury, as provided in the Act, which is applicable to the period during which the District Engineer receives the claim, and then at the rate applicable for each 6-month period as fixed by the Treasury Secretary during the pendency of the claim.

**h.** The Lessee shall proceed diligently with the performance of the Lease, pending final resolution of any request for relief, claim, appeal, or action arising under the Lease, and comply with any decision of the District Engineer.

## **27. ENVIRONMENTAL PROTECTION**

**a.** Within the limits of their respective legal powers, the parties to this Lease shall protect the project against pollution of its air, ground, and water. The Lessee shall comply promptly with any laws, regulations, conditions or instructions affecting the activity hereby authorized, if and when issued by the Environmental Protection Agency, or any Federal, state, interstate or local governmental agency having jurisdiction to abate or prevent pollution. The disposal of any toxic or hazardous materials within the Leased area is specifically prohibited. Such regulations, conditions, or instructions in effect or prescribed by the Environmental Protection Agency, or any Federal, state, interstate or local governmental agency, are hereby made a condition of this Lease. The Lessee shall require all sanitation facilities on boats moored at the Lessee's facilities, including rental boats, to be sealed against any discharge into the lake. Services for waste disposal, including sewage pump-out of watercraft, shall be provided by the Lessee as appropriate. The Lessee shall not discharge waste or effluent from the premises in such a manner that the discharge will contaminate streams or other bodies of water or otherwise become a public nuisance.

**b.** The Lessee will use all reasonable means available to protect the environment and natural resources, and where damage nonetheless occurs from the Lessee's activities, the Lessee shall be liable to restore the damaged resources.

**c.** The Lessee must obtain approval in writing from the District Engineer before any pesticides or herbicides are applied to the premises.

## **28. ENVIRONMENTAL CONDITION OF PROPERTY**

An Environmental Condition of Property (ECP) documenting the known history of the property with regard to the storage, release or disposal of substances thereon is attached hereto and made a part hereof as **Exhibit "D"**. Upon expiration, revocation or

termination of this Lease, another ECP shall be prepared which will document the environmental condition of the property at that time. A comparison of the two assessments will assist the District Engineer in determining any environmental restoration requirements. Any such requirements will be completed by the Lessee in accordance with the condition on **RESTORATION**.

## **29. HISTORIC PRESERVATION**

The Lessee shall not remove or disturb, or cause or permit to be removed or disturbed, any historical, archaeological, architectural or other cultural artifacts, relics, remains, or objects of antiquity. In the event such items are discovered on the premises, the Lessee shall immediately notify the District Engineer and protect the site and the material from further disturbance until the District Engineer gives clearance to proceed.

## **30. SOIL AND WATER CONSERVATION**

The Lessee shall maintain in a manner satisfactory to the District Engineer, all soil and water conservation structures that may be in existence upon said premises at the beginning of, or that may be constructed by the Lessee during the term of, this Lease, and the Lessee shall take appropriate measures to prevent or control soil erosion within the premises. Any soil erosion occurring outside the premises resulting from the activities of the Lessee shall be corrected by the Lessee as directed by the District Engineer.

## **31. TRANSIENT USE**

**a.** Camping, including transient trailers or recreational vehicles, at one or more campsites for a period longer than thirty (30) days during any sixty (60) consecutive day period is prohibited. The Lessee will maintain a ledger and reservation system for the use of any such campsites.

**b.** Occupying any lands, buildings, vessels or other facilities within the premises for the purpose of maintaining a full-or part-time residence is prohibited, except for employees residing on the premises for security purposes, if authorized by the District Engineer.

## **32. COVENANT AGAINST CONTINGENT FEES**

The Lessee warrants that no person or selling agency has been employed or retained to solicit or secure this Lease upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by the Lessee for the purpose of securing business. For breach or violation of this warranty, the United States shall have the right to annul this Lease without liability or, in its discretion, to require the Lessee to pay, in addition to the Lease rental or consideration, the full amount of such commission, percentage, brokerage, or contingent fee.

### 33. OFFICIALS NOT TO BENEFIT

No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this Lease or to any benefits to arise therefrom. However nothing herein contained shall be construed to extend to any incorporated company if the Lease be for the general benefit of such corporation or company.

### 34. MODIFICATIONS

This Lease contains the entire agreement between the parties hereto, and no modification of this agreement, or waiver, or consent hereunder shall be valid unless the same be in writing, signed by the parties to be bound or by a duly authorized representative; and this provision shall apply to this clause as well as all other conditions of this Lease.

### 35. EXECUTIVE ORDER 13658

a. Any reference in this section to “prime contractor” or “contractor” shall mean the Port of Newport and any reference to “contract” shall refer to the Lease.

b. The parties expressly stipulate this contract is subject to Executive Order 13658, the regulations issued by the Secretary of Labor in 29 CFR part 10 pursuant to the Executive Order, and the following provisions.

c. Minimum Wages.

(1) Each worker (as defined in 29 CFR 10.2) engaged in the performance of this contract by the prime contractor or any subcontractor, regardless of any contractual relationship which may be alleged to exist between the contractor and worker, shall be paid not less than the applicable minimum wage under Executive Order 13658.

(2) The minimum wage required to be paid to each worker performing work on or in connection with this contract between January 1, 2015 and December 31, 2015 shall be \$10.10 per hour. The minimum wage shall be adjusted each time the Secretary of Labor's annual determination of the applicable minimum wage under section 2(a)(ii) of Executive Order 13658 results in a higher minimum wage. Adjustments to the Executive Order minimum wage under section 2(a)(ii) of Executive Order 13658 will be effective for all workers subject to the Executive Order beginning January 1 of the following year. If appropriate, the contracting officer, or other agency official overseeing this contract shall ensure the contractor is compensated only for the increase in labor costs resulting from the annual inflation increases in the Executive Order 13658 minimum wage beginning on January 1, 2016. The Secretary of Labor will publish annual determinations in the Federal Register no later than 90 days before such new wage is to take effect. The Secretary will also publish the applicable minimum wage on [www.wdol.gov](http://www.wdol.gov) (or any successor Web site). The applicable published minimum wage is incorporated by reference into this contract.

(3) The contractor shall pay unconditionally to each worker all wages due free and



clear and without subsequent deduction (except as otherwise provided by 29 CFR 10.23), rebate, or kickback on any account. Such payments shall be made no later than one pay period following the end of the regular pay period in which such wages were earned or accrued. A pay period under this Executive Order may not be of any duration longer than semi-monthly.

(4) The prime contractor and any upper-tier subcontractor shall be responsible for the compliance by any subcontractor or lower-tier subcontractor with the Executive Order minimum wage requirements. In the event of any violation of the minimum wage obligation of this clause, the contractor and any subcontractor(s) responsible therefore shall be liable for the unpaid wages.

(5) If the commensurate wage rate paid to a worker on a covered contract whose wages are calculated pursuant to a special certificate issued under 29 U.S.C. 214(c), whether hourly or piece rate, is less than the Executive Order minimum wage, the contractor must pay the Executive Order minimum wage rate to achieve compliance with the Order. If the commensurate wage due under the certificate is greater than the Executive Order minimum wage, the contractor must pay the 14(c) worker the greater commensurate wage.

**d. Withholding.**

The agency head shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld from the prime contractor under this or any other Federal contract with the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay workers the full amount of wages required by Executive Order 13658.

**e. Contract Suspension/Contract Termination/Contractor Debarment.**

In the event of a failure to pay any worker all or part of the wages due under Executive Order 13658 or 29 CFR part 10, or a failure to comply with any other term or condition of Executive Order 13658 or 29 CFR part 10, the contracting agency may on its own action or after authorization or by direction of the Department of Labor and written notification to the contractor, take action to cause suspension of any further payment, advance or guarantee of funds until such violations have ceased. Additionally, any failure to comply with the requirements of this clause may be grounds for termination of the right to proceed with the contract work. In such event, the Government may enter into other contracts or arrangements for completion of the work, charging the contractor in default with any additional cost. A breach of the contract clause may be grounds for debarment as a contractor and subcontractor as provided in 29 CFR 10.52.

**f.** The contractor may not discharge any part of its minimum wage obligation under Executive Order 13658 by furnishing fringe benefits or, with respect to workers whose wages are governed by the Service Contract Act, the cash equivalent thereof.

**g.** Nothing herein shall relieve the contractor of any other obligation under Federal, State or local law, or under contract, for the payment of a higher wage to any worker, nor shall a lower prevailing wage under any such Federal, State, or local law, or under

contract, entitle a contractor to pay less than \$10.10 (or the minimum wage as established each January thereafter) to any worker.

**h. Payroll Records.**

(1) The contractor shall make and maintain for three years records containing the information specified in paragraphs (h) (1) (i) through (vi) of this section for each worker and shall make the records available for inspection and transcription by authorized representatives of the Wage and Hour Division of the U.S. Department of Labor:

- (i) Name, address, and social security number.
- (ii) The worker's occupation(s) or classification(s)
- (iii) The rate or rates of wages paid.
- (iv) The number of daily and weekly hours worked by each worker.
- (v) Any deductions made; and
- (vi) Total wages paid.

(2) The contractor shall also make available a copy of the contract, as applicable, for inspection or transcription by authorized representatives of the Wage and Hour Division.

(3) Failure to make and maintain or to make available such records for inspection and transcription shall be a violation of 29 CFR part 10 and this contract, and in the case of failure to produce such records, the contracting officer, upon direction of an authorized representative of the Department of Labor, or under its own action, shall take such action as may be necessary to cause suspension of any further payment or advance of funds until such time as the violations are discontinued.

(4) The contractor shall permit authorized representatives of the Wage and Hour Division to conduct investigations, including interviewing workers at the worksite during normal working hours.

(5) Nothing in this clause limits or otherwise modifies the contractor's payroll and recordkeeping obligations, if any, under the Davis-Bacon Act, as amended, and its implementing regulations; the Service Contract Act, as amended, and its implementing regulations; the Fair Labor Standards Act, as amended, and its implementing regulations; or any other applicable law.

**i.** The contractor (as defined in 29 CFR 10.2) shall insert this clause in all of its covered subcontracts and shall require its subcontractors to include this clause in any covered lower-tier subcontracts. The prime contractor and any upper-tier subcontractor shall be responsible for the compliance by any subcontractor or lower-tier subcontractor with this contract clause.

**j. Certification of Eligibility.**

(1) By entering into this contract, the contractor (and officials thereof) certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of the sanctions imposed pursuant to section 5 of the Service Contract Act, section 3(a) of the Davis-Bacon Act, or 29 CFR 5.12(a)(1).

(2) No part of this contract shall be subcontracted to any person or firm whose name appears on the list of persons or firms ineligible to receive Federal contracts.

(3) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

**k. Tipped employees.**

(1) In paying wages to a tipped employee as defined in section 3(t) of the Fair Labor Standards Act, 29 U.S.C. 203(t), the contractor may take a partial credit against the wage payment obligation (tip credit) to the extent permitted under section 3(a) of Executive Order 13658. In order to take such a tip credit, the employee must receive an amount of tips at least equal to the amount of the credit taken; where the tipped employee does not receive sufficient tips to equal the amount of the tip credit the contractor must increase the cash wage paid for the workweek so that the amount of cash wage paid and the tips received by the employee equal the applicable minimum wage under Executive Order 13658. To utilize this provision:

- (i) The employer must inform the tipped employee in advance of the use of the tip credit;
- (ii) The employer must inform the tipped employee of the amount of cash wage that will be paid and the additional amount by which the employee's wages will be considered increased on account of the tip credit;
- (iii) The employees must be allowed to retain all tips (individually or through a pooling arrangement and regardless of whether the employer elects to take a credit for tips received); and
- (iv) The employer must be able to show by records that the tipped employee receives at least the applicable Executive Order minimum wage through the combination of direct wages and tip credit.

**l. Anti-retaliation.**

It shall be unlawful for any person to discharge or in any other manner discriminate against any worker because such worker has filed any complaint or instituted or caused to be instituted any proceeding under or related to Executive Order 13658 or 29 CFR part 10, or has testified or is about to testify in any such proceeding.

**m. Disputes concerning labor standards.** Disputes related to the application of Executive Order 13658 to this contract shall not be subject to the general disputes clause of the contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR part 10. Disputes within the meaning of this contract clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the workers or their representatives.

**n. Notice.**

The contractor must notify all workers performing work on or in connection with a covered contract of the applicable minimum wage rate under the Executive Order. With respect to service employees on contracts covered by the Service Contract Act and

laborers and mechanics on contracts covered by the Davis-Bacon Act, the contractor may meet this requirement by posting, in a prominent and accessible place at the worksite, the applicable wage determination under those statutes. With respect to workers performing work on or in connection with a covered contract whose wages are governed by the FLSA, the contractor must post a notice provided by the Department of Labor in a prominent and accessible place at the worksite so it may be readily seen by workers. Contractors that customarily post notices to workers electronically may post the notice electronically provided such electronic posting is displayed prominently on any Web site that is maintained by the contractor, whether external or internal, and customarily used for notices to workers about terms and conditions of employment.

### **36. EXECUTIVE ORDER 13658 HOLD HARMLESS AND INDEMNIFICATION**

If a duly authorized representative of the United States discovers or determines, whether before or subsequent to executing this contract, that an erroneous determination regarding the applicability of Executive Order 13658 was made, contractor, to the extent permitted by law, agrees to indemnify and hold harmless the United States, its officers, agents, and employees, for and from any and all liabilities, losses, claims, expenses, suits, fines, penalties, judgments, demands or actions, costs, fees, and damages directly or indirectly arising out of, caused by, related to, resulting from or in any way predicated upon, in whole or in part, the erroneous Executive Order 13658 determination. This includes contractor releasing any claim or entitlement it would otherwise have to an equitable adjustment to the contract and indemnifying and holding harmless the United States from the claims of subcontractors and contractor employees.

### **37. EXECUTIVE ORDER 13706**

Any reference in this section to "prime contractor" or "contractor" shall mean the Port of Newport and any reference to "contract" shall refer to the Lease.

#### **a. Executive Order 13706.**

This contract is subject to Executive Order 13706, the regulations issued by the Secretary of Labor in 29 CFR part 13 pursuant to the Executive Order, and the following provisions.

#### **b. Paid Sick Leave.**

(1) The contractor shall permit each employee (as defined in 29 CFR 13.2) engaged in the performance of this contract by the prime contractor or any subcontractor, regardless of any contractual relationship that may be alleged to exist between the contractor and employee, to earn not less than 1 hour of paid sick leave for every 30 hours worked. The contractor shall additionally allow accrual and use of paid sick leave as required by Executive Order 13706 and 29 CFR part 13. The contractor shall in particular comply with the accrual, use, and other requirements set forth in 29 CFR 13.5 and 13.6, which are incorporated by reference in this contract.

(2) The contractor shall provide paid sick leave to all employees when due free

and clear and without subsequent deduction (except as otherwise provided by 29 CFR 13.24), rebate, or kickback on any account. The contractor shall provide pay and benefits for paid sick leave used no later than one pay period following the end of the regular pay period in which the paid sick leave was taken.

(3) The prime contractor and any upper-tier subcontractor shall be responsible for the compliance by any subcontractor or lower-tier subcontractor with the requirements of Executive Order 13706, 29 CFR part 13, and this clause.

**c. Withholding.**

The contracting officer shall, upon its own action or upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the prime contractor under this or any other Federal contract with the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay employees the full amount owed to compensate for any violation of the requirements of Executive Order 13706, 29 CFR part 13, or this clause, including any pay and/or benefits denied or lost by reason of the violation; other actual monetary losses sustained as a direct result of the violation, and liquidated damages.

**d. Contract Suspension/Contract Termination/Contractor Debarment.**

In the event of a failure to comply with Executive Order 13706, 29 CFR part 13, or this clause, the contracting agency may on its own action or after authorization or by direction of the Department of Labor and written notification to the contractor, take action to cause suspension of any further payment, advance, or guarantee of funds until such violations have ceased. Additionally, any failure to comply with the requirements of this clause may be grounds for termination of the right to proceed with the contract work. In such event, the Government may enter into other contracts or arrangements for completion of the work, charging the contractor in default with any additional cost. A breach of the contract clause may be grounds for debarment as a contractor and subcontractor as provided in 29 CFR 13.52.

**e.** The paid sick leave required by Executive Order 13706, 29 CFR part 13, and this clause is in addition to a contractor's obligations under the Service Contract Act and Davis-Bacon Act, and a contractor may not receive credit toward its prevailing wage or fringe benefit obligations under those Acts for any paid sick leave provided in satisfaction of the requirements of Executive Order 13706 and 29 CFR part 13.

**f.** Nothing in Executive Order 13706 or 29 CFR part 13 shall excuse noncompliance with or supersede any applicable Federal or State law, any applicable law or municipal ordinance, or a collective bargaining agreement requiring greater paid sick leave or leave rights than those established under Executive Order 13706 and 29 CFR part 13.

**g. Recordkeeping.**

(1) Any contractor performing work subject to Executive Order 13706 and 29 CFR

part 13 must make and maintain, for no less than three (3) years from the completion of the work on the contract, records containing the information specified in paragraphs (i) through (xv) of this section for each employee and shall make them available for inspection, copying, and transcription by authorized representatives of the Wage and Hour Division of the U.S. Department of Labor:

- (i) Name, address, and Social Security number of each employee;
  - (ii) The employee's occupation(s) or classification(s);
  - (iii) The rate or rates of wages paid (including all pay and benefits provided);
  - (iv) The number of daily and weekly hours worked;
  - (v) Any deductions made;
  - (vi) The total wages paid (including all pay and benefits provided) each pay period;
  - (vii) A copy of notifications to employees of the amount of paid sick leave the employee has accrued, as required under 29 CFR 13.5(a)(2);
  - (viii) A copy of employees' requests to use paid sick leave, if in writing, or, if not in writing, any other records reflecting such employee requests;
  - (ix) Dates and amounts of paid sick leave taken by employees (unless a contractor's paid time off policy satisfies the requirements of Executive Order 13706 and 29 CFR part 13 as described in § 13.5(f)(5), leave must be designated in records as paid sick leave pursuant to Executive Order 13706);
  - (x) A copy of any written responses to employees' requests to use paid sick leave, including explanations for any denials of such requests, as required under 29 CFR 13.5(d)(3);
  - (xi) Any records reflecting the certification and documentation a contractor may require an employee to provide under 29 CFR 13.5(e), including copies of any certification or documentation provided by an employee;
  - (xii) Any other records showing any tracking of or calculations related to an employee's accrual or use of paid sick leave;
  - (xiii) The relevant covered contract;
  - (xiv) The regular pay and benefits provided to an employee for each use of paid sick leave; and
  - (xv) Any financial payment made for unused paid sick leave upon a separation from employment intended, pursuant to 29 CFR 13.5(b)(5), to relieve a contractor from the obligation to reinstate such paid sick leave as otherwise required by 29 CFR 13.5(b)(4).
- (2)
- (i) If a contractor wishes to distinguish between an employee's covered and non-covered work, the contractor must keep records or other proof reflecting such distinctions. Only if the contractor adequately segregates the employee's time will time spent on non-covered work be excluded from hours worked counted toward the accrual of paid sick leave. Similarly, only if that contractor adequately segregates the employee's time may a contractor properly refuse an employee's request to use paid sick leave on the ground that the employee was scheduled to perform non-covered work during the time she asked to use paid sick leave.

- (ii) If a contractor estimates covered hours worked by an employee who performs work in connection with covered contracts pursuant to 29 CFR 13.5(a)(i) or;
- (iii) the contractor must keep records or other proof of the verifiable information on which such estimates are reasonably based. Only if the contractor relies on an estimate that is reasonable and based on verifiable information will an employee's time spent in connection with non-covered work be excluded from hours worked counted toward the accrual of paid sick leave. If a contractor estimates the amount of time an employee spends performing in connection with covered contracts, the contractor must permit the employee to use her paid sick leave during any work time for the contractor.

(3) In the event a contractor is not obligated by the Service Contract Act, the Davis- Bacon Act, or the Fair Labor Standards Act to keep records of an employee's hours worked, such as because the employee is exempt from the FLSA's minimum wage and overtime requirements, and the contractor chooses to use the assumption permitted by 29 CFR 13.5(a)(1)(iii), the contractor is excused from the requirement in paragraph (1)(d) of this section to keep records of the employee's number of daily and weekly hours worked.

- (4)
  - (i) Records relating to medical histories or domestic violence, sexual assault, or stalking, created for purposes of Executive Order 13706, whether of an employee or an employee's child, parent, spouse, domestic partner, or other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship, shall be maintained as confidential records in separate files/records from the usual personnel files.
  - (ii) If the confidentiality requirements of the Genetic Information Nondiscrimination Act of 2008 (GINA), section 503 of the Rehabilitation Act of 1973, and/or the Americans with Disabilities Act (ADA) apply to records or documents created to comply with the recordkeeping requirements in this contract clause, the records and documents must also be maintained in compliance with the confidentiality requirements of the GINA, section 503 of the Rehabilitation Act of 1973, and/or ADA as described in 29 CFR 1635.9, 41 CFR 60-741.23(d), and 29 CFR 1630.14(c)(1), respectively.
  - (iii) The contractor shall not disclose any documentation used to verify the need to use 3 or more consecutive days of paid sick leave for the purposes listed in 29 CFR 13.5(c)(1)(iv) (as described in 29 CFR 13.5(e)(1)(ii)) and shall maintain confidentiality about any domestic abuse, sexual assault, or stalking, unless the employee consents or when disclosure is required by law.

(5) The contractor shall permit authorized representatives of the Wage and Hour Division to conduct interviews with employees at the worksite during normal working

hours.

(6) Nothing in this contract clause limits or otherwise modifies the contractor's recordkeeping obligations, if any, under the Davis-Bacon Act, the Service Contract Act, the Fair Labor Standards Act, the Family and Medical Leave Act, Executive Order 13658, their respective implementing regulations, or any other applicable law.

**h.** The contractor (as defined in 29 CFR 13.2) shall insert this clause in all of its covered subcontracts and shall require its subcontractors to include this clause in any covered lower-tier subcontracts.

**i.** Certification of Eligibility.

(1) By entering into this contract, the contractor (and officials thereof) certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of the sanctions imposed pursuant to section 5 of the Service Contract Act, section 3(a) of the Davis-Bacon Act, or 29 CFR 5.12(a)(1).

(2) No part of this contract shall be subcontracted to any person or firm whose name appears on the list of persons or firms ineligible to receive Federal contracts currently maintained on the System for Award Management Web site, <http://www.SAM.gov>.

(3) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

**j.** Interference/Discrimination.

(1) A contractor may not in any manner interfere with an employee's accrual or use of paid sick leave as required by Executive Order 13706 or 29 CFR part 13. Interference includes, but is not limited to, miscalculating the amount of paid sick leave an employee has accrued, denying or unreasonably delaying a response to a proper request to use paid sick leave, discouraging an employee from using paid sick leave, reducing an employee's accrued paid sick leave by more than the amount of such leave used, transferring an employee to work on non-covered contracts to prevent the accrual or use of paid sick leave, disclosing confidential information contained in certification or other documentation provided to verify the need to use paid sick leave, or making the use of paid sick leave contingent on the employee's finding a replacement worker or the fulfillment of the contractor's operational needs.

(2) A contractor may not discharge or in any other manner discriminate against any employee for:

- (i) Using, or attempting to use, paid sick leave as provided for under Executive Order 13706 and 29 CFR part 13;
- (ii) Filing any complaint, initiating any proceeding, or otherwise asserting any right or claim under Executive Order 13706 and 29 CFR part 13;



- (iii) Cooperating in any investigation or testifying in any proceeding under Executive Order 13706 and 29 CFR part 13; or
- (iv) Informing any other person about his or her rights under Executive Order 13706 and 29 CFR part 13.

**k. Waiver.**

Employees cannot waive, nor may contractors induce employees to waive, their rights under Executive Order 13706, 29 CFR part 13, or this clause.

**l. Notice.**

The contractor must notify all employees performing work on or in connection with a covered contract of the paid sick leave requirements of Executive Order 13706, 29 CFR part 13, and this clause by posting a notice provided by the Department of Labor in a prominent and accessible place at the worksite so it may be readily seen by employees. Contractors that customarily post notices to employees electronically may post the notice electronically, provided such electronic posting is displayed prominently on any Web site that is maintained by the contractor, whether external or internal, and customarily used for notices to employees about terms and conditions of employment.

**m.** Disputes concerning labor standards. Disputes related to the application of Executive Order 13706 to this contract shall not be subject to the general disputes clause of the contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR part 13. Disputes within the meaning of this contract clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

**38. DISCLAIMER**

This Lease is effective only insofar as the rights of the United States in the premises are concerned; and the Lessee shall obtain such permission as may be required on account of any other existing rights. It is understood that the granting of this Lease does not eliminate the necessity of obtaining any Department of the Army permit which may be required pursuant to the provisions of Section 10 of the Rivers and Harbors Act of 3 March 1899 (30 Stat. 1151; 33 U.S.C. § 403), or Section 404 of the Clean Water Act (33 U.S.C. § 1344).

**39. SPECIAL CONDITIONS**

The Lessee shall not be responsible or liable for any damage to, or destruction of, property of the United States located on the premises by the activities of a third party incident to the valid exercise of rights in the premises granted by United States to said third party except to the extent the Lessee's negligent or willful act or omission caused or contributed to such damage or destruction.

**IN WITNESS WHEREOF**, I have hereunto set my hand by authority of the Secretary of Army, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
**AMANDA J. DETHMAN**  
District Chief of Real Estate  
Real Estate Contracting Officer

**THIS LEASE** is also executed by the Lessee this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
**PAULA J. MIRANDA**  
General Manager  
Port of Newport

ACKNOWLEDGMENT

STATE OF OREGON )  
 ) :ss  
COUNTY OF LINCOLN )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2020, before me the undersigned Notary Public, personally appeared **Paula J. Miranda**, known to me to be the person described in the foregoing instrument, who acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

**GIVEN** under my hand and seal, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

(Seal)

My commission expires on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ACKNOWLEDGMENT

STATE OF OREGON )  
 ) :ss  
COUNTY OF MULTNOMAH )

BEFORE ME, a Notary Public in and for Multnomah County, personally appeared **Amanda J. Dethman**, to me known to be the identical person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the said instrument by authority of the Secretary of the Army, for the purposes therein expressed as the act and deed of the United States.

GIVEN under my hand and seal, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

(Seal)

My commission expires on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

## CERTIFICATE OF AUTHORITY

I \_\_\_\_\_ certify that I am the \_\_\_\_\_ of  
(name) (title)

Port of Newport that **Paula J. Miranda** who signed the foregoing instrument on behalf of the grantee was then General Manager of the Port of Newport. I further certify that the said officer was acting within the scope of powers delegated to this governing body of the grantee in executing said instrument.

Port of Newport

Date: \_\_\_\_\_

\_\_\_\_\_  
Clerk or Appropriate Official



***FOLLOWING, IS A DESCRIPTION FOR A UNITED STATES ARMY CORPS OF ENGINEERS (USACE) PARCEL CONTAINING PORTIONS WHICH ARE DETERMINED BY A JUDGEMENT OF THE CIRCUIT COURT OF THE UNITED STATES FOR THE DISTRICT OF OREGON; LYDIA BRASFIELD AND J.W. BRASFIELD VS THE UNITED STATES, FEBRUARY 27, 1889 NO. 1545. THE FOLLOWING DESCRIBED USACE PARCEL DOES NOT TRACE THE AFOREMENTIONED PLAT CREATED BY SAID DECISION IN ITS ENTIRETY AS AN ORDINARY HIGH WATER (OHW) LINE WAS APPLIED TO SAID JUDGEMENT DEED, WITH THE BEST EVIDENCE OF THE OHW IS PROVIDED, AND APPLIED, BY AN UNRECORDED DOCUMENT HELD BY LINCOLN COUNTY AS "CORVALLIS & EASTERN RAILROAD CO. SECTION MAPS OF TIDE AND MARSH LANDS" DATED 1912 SURVEY. SAID DOCUMENT REVEALED THE PLAT CREATED BY THE AFOREMENTIONED JUDGEMENT EXTENDED WATERWARD BEYOND THE ORDINARY HIGH WATER LINE. OREGON REVISED STATUES ORS 274.025 SPECIFY THAT THE TITLE TO SUBMERSIBLE AND SUBMERGED LANDS BELOW THE ORDINARY HIGH WATER LINE BELONG TO THE STATE. THUSLY, THE AREA OF SAID PLAT LYING WATERWARD OF THE SAID OHW WAS NOT OWNED BY THE DEFENDANT (BRASFIELD) AND COULD NOT, PER ORS 274.025, BE CONVEYED TO THE FEDERAL GOVERNMENT BY SAID COURT DECREE.***

***FOLLOWING DESCRIBED AS FOLLOWS:***

***COMMENCING*** AT THE CENTER SECTION QUARTER CORNER SECTION 17, TOWNSHIP 11 SOUTH, RANGE 11 WEST, WILLAMETTE MERIDIAN, LINCOLN COUNTY, OREGON. SAID MONUMENT BEING A 5/8" REBAR WITH A YELLOW PLASTIC CAP, SET BY OREGON LICENSED SURVEYOR 574 AS PER LINCOLN COUNTY CS#12577, THE CENTER QUARTER MARK BEING IDENTICAL WITH THE SOUTH EAST CORNER OF LOT 6, BLOCK 1 OF SOUTH BEACH, BOOK 3, PAGE 3, LINCOLN COUNTY, AND THE SOUTH EAST CORNER OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 11 SOUTH, RANGE 11 WEST AS DETERMINED PER LINCOLN COUNTY CS#21138;

THENCE, NORTH 00°20'16" WEST, 961.37 FEET ALONG THE CENTER SECTION LINE, TO A RAILROAD SPIKE AS DETERMINED PER LINCOLN COUNTY CS#21138 AND ALSO BEING A POINT WITHIN SAID UNITED STATES DISTRICT COURT DECREE NO. 1545, DATED FEBRUARY 27, 1889, SAID POINT BEING THE SOUTH EAST CORNER OF 'FIRST TRACT' (LISTED AS A 1.74 ACRE PARCEL) DESCRIBED IN SAID DECREE ALSO BEING THE ***TRUE POINT OF BEGINNING***;

THENCE, CONTINUING ALONG THE EASTERLY LINE OF SAID 'FIRST TRACT', ALSO SAID NORTH-SOUTH CENTER SECTION LINE, NORTH 00°20'16" WEST, 121.51 FEET TO A TO A USACE 2" ALUMINUM CAP';

THENCE, CONTINUING ALONG THE EASTERLY LINE OF SAID 'FIRST TRACT', ALSO SAID NORTH-SOUTH CENTER SECTION LINE, NORTH 00°20'16" WEST, 2.4 FEET MORE OR LESS, TO THE BACK OF A CURB AS IN EXISTENCE NOVEMBER, 2020,

THENCE, ALONG SAID BACK OF CURB, BEING ON A CURVE TO THE RIGHT, WITH A RADIUS OF 162.44 FEET, A DELTA ANGLE OF 21°22'48", AN ARC LENGTH OF 60.62 FEET AND A LONG CHORD OF NORTH 45° 56'46" WEST, 60.62 FEET TO A POINT WHICH INTERSECTS AN ORDINARY HIGH WATER (HEREAFTER REFERRED TO AS OHW) LINE PER SAID CS#21138,

THENCE, LEAVING SAID BACK OF CURB, AND ALONG SAID OHW LINE, SOUTH 64°18'02" WEST, A DISTANCE OF 24.00 FEET ALONG SAID OHW LINE TO A USACE 2 INCH CAP ON A 5/8 INCH REBAR REPRESENTING OHW 18 PER LINCOLN COUNTY CS#21138;

THENCE, SOUTH 52°44'01" WEST, A DISTANCE OF 100.07 FEET ALONG SAID OHW LINE TO A USACE 2 INCH CAP ON A 5/8 INCH REBAR REPRESENTING OHW 17 PER SAID CS#21138;

THENCE, CONTINUING ALONG SAID OHW LINE SOUTH 28°10'02" WEST, A DISTANCE OF 63.81 FEET, TO A POINT LAYING ON A POINT REPRESENTING THE EXTENT OF A BICYCLE/PEDESTRIAN PATH, POINT ALSO BEING NORTH 28°10'40" EAST, 6.80 FEET FROM A RAILROAD SPIKE BEING THE CENTERLINE OF A BICYCLE PATH PER SAID CS#21138;

THENCE, FOLLOWING THE EASTERNMOST EXTENT OF SAID BICYCLE/PEDESTRIAN PATH, A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 67.94 FEET, A RADIUS OF 133.46 FEET, A DELTA ANGLE OF 29°10'08", A LONG CHORD BEARING OF SOUTH 05° 30'57" EAST, 67.21 FEET;

THENCE, ALONG SAID EASTERNMOST EXTENT OF SAID BICYCLE/PEDESTRIAN PATH, SOUTH 22°01'59" WEST, 17.28 FEET,

THENCE, CONTINUING ALONG SAID EASTERNMOST EXTENT OF SAID BICYCLE/PEDESTRIAN PATH, SOUTH 29°57'49" WEST, 20.78 FEET;

THENCE, LEAVING SAID BICYCLE/PEDESTRIAN PATH, SOUTH 05°35'09" EAST, 8.53 FEET, MORE OR LESS, TO THE BACK OF A CURB AS IN EXISTENCE NOVEMBER, 2020;

THENCE, ALONG SAID BACK OF CURB, SOUTH 28°17'58" EAST, 16.8 FEET, MORE OR LESS, TO A POINT ON SAID BACK OF CURB;

THENCE, LEAVING SAID BACK OF CURB, SOUTH 28°17'58" EAST, 36.12 FEET, TO A POINT LAYING ON THE NORTHERLY LINE PER 'THE REGATTA, A CONDOMINIUM, PLAT NO. BK 1, PG 201, 201A-B, LINCOLN COUNTY RECORDS, ALSO BEING NORTH 38°20'16" WEST, 7.5 FEET, MORE OR LESS, PERPENDICULAR OF THE SOUTHERLY LINE OF USACE HOLDINGS PER LINCOLN CS#21138;

THENCE, ALONG SAID NORTHERLY BOUNDARY, NORTH 51°32'37" EAST, 76.97 FEET, TO A 5/8 INCH REBAR REPRESENTING THE MOST NORTHEASTERLY POINT OF SAID 'THE REGATTA, A CONDOMINIUM, ALSO BEING 7.5 FEET, MORE OR LESS, PERPENDICULAR OF THE SOUTHERLY LINE OF USACE HOLDINGS PER LINCOLN CS#21138;

THENCE, LEAVING SAID NORTHERLY BOUNDARY, SOUTH 00°17'31" EAST, 9.67 FEET, TO A POINT LAYING ON THE SOUTHERLY LINE OF USACE HOLDINGS PER LINCOLN CS#21138;

THENCE, CONTINUING ALONG SAID SOUTHERLY LINE OF USACE HOLDINGS, NORTH 51°39'44" EAST, 127.39 FEET, TO A RAILROAD SPIKE, AS DETERMINED PER LINCOLN COUNTY CS#21138 AND ALSO BEING A POINT WITHIN SAID UNITED STATES DISTRICT COURT DECREE NO. 1545, DATED FEBRUARY 27, 1889, SAID POINT BEING THE SOUTH EAST CORNER OF 'FIRST TRACT' (LISTED AS A 1.74 ACRE PARCEL) DESCRIBED IN SAID DECREE ALSO BEING THE **TRUE POINT OF BEGINNING**;

THENCE, SOUTH 00°20'16" EAST, 961.37 FEET ALONG THE CENTER SECTION LINE TO THE CENTER SECTION QUARTER CORNER SECTION 17, TOWNSHIP 11 SOUTH, RANGE 11 WEST, WILLAMETTE MERIDIAN, LINCOLN COUNTY, OREGON. SAID MONUMENT BEING A 5/8" REBAR WITH A YELLOW PLASTIC CAP, SET BY OREGON LICENSED SURVEYOR 574 AS PER LINCOLN COUNTY CS#12577, THE CENTER QUARTER MARK BEING IDENTICAL WITH THE SOUTH EAST CORNER OF LOT 6, BLOCK 1 OF SOUTH BEACH, BOOK 3, PAGE 3, LINCOLN COUNTY, AND THE SOUTH EAST CORNER OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 11 SOUTH, RANGE 11 WEST AS DETERMINED PER LINCOLN COUNTY CS#21138, BEING THE POINT OF **COMMENCEMENT**.

**DESCRIBED PARCEL CONTAINS 0.76 ACRES (33184 SQ FT)** more or less.

**BASIS OF BEARING: OREGON COORDINATE REFERENCE SYSTEM OREGON COASTAL ZONE (OREGON COAST COORDINATE REFERENCE SYSTEMS IS A LOW-DISTORTION PROJECTION IN WHICH GRID COORDINATE ZONE DISTANCES CLOSELY MATCH THE SAME DISTANCE MEASURED ON THE GROUND.)**

**ALL DISTANCES INTERNATIONAL FOOT.**



September 28, 2020

District Engineer, Portland District, US Army Corps of Engineers

ATTN: Real Estate Division

P.O. Box 2946

Portland, OR 97208

RE: Plan of Recreation Development and Management (Development Plan)  
South Beach Day Use Area, Lease DACW57-1-20-0047

The Port of Newport leases a parcel of land from the US Army Corps of Engineers (USACE) in the Yaquina Bay area for public recreation purposes. The lease requires the Port to provide the USACE with Development Plan and an annual plan of operation and maintenance of the leased property that implements that plan.

The parcel is approximately 1.0 acre in size with the majority of the land consisting of rip rap and shore stabilization material. Improvements include a city walking trail, picnic bunkers, lamp posts, and a parking lot.

Normal maintenance includes mowing and edging the grass, cleaning and weeding the public parking lot which accesses the walking trails, and maintain and repair the picnic bunkers and lamp posts as needed. The Port will work with the City of Newport to maintain the asphalt on the trail system.

The management and maintenance of the leased property will continue consistent with previous years into the future. Current policies or procedures will continue to be implemented for the foreseeable future.

The leased parcel is managed by the Port's South Beach Marina Maintenance Team that consists of the Harbormaster and four maintenance crew people.

Sincerely,



Aaron T. Bretz  
Director of Operations  
Port of Newport

DACW57-1-20-0047  
Exhibit C



**US Army Corps  
of Engineers®**

Portland District

## **Supplement Update to Environmental Condition of Property**

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# **Port of Newport South Beach Park**



Prepared by:  
Arthur F Leskovich  
Portland District  
US Army Corps of Engineers  
September 2020

DACW57-1-20-0047, Exhibit D

1. PURPOSE

The purpose of this supplemental information is to update a prior Environmental Site Assessment (ESA) on the Newport South Beach Park originally prepared by REK Associates and Portage dated December 21, 2016 and to document that there has been no changes in the environmental condition of the property since the prior ESA. The only observed change to the previous ESA is the Oregon Department of Transportation (DOT) has staged temporary fencing with laydown areas around and under the Yaquina Bay Bridge (Highway 101) above the property. The DOT is in the process of constructing scaffolding to be used to access the bridge for anticipated repairs and repainting. This update revealed no evidence of recognized environmental conditions or material threat in, on, or at the property nor evidence to indicate a migration of hazardous substances or petroleum products from adjoining properties.

2. DOCUMENTS REVIEWED

CENWP-RE project records and Phase I Environmental Site Assessment of the Newport South Beach Park, Lincoln County, OR, December 2016 provided by CENWP-RE.

3. DATABASES REVIEWED

No new areas of concern were identified in federal or state database records for this supplemental update for the subject property or properties within an approximate minimum search distance between December 2018 and August 2020.

The Phase 1 ESA of the Port of Newport South Beach Park, December 2016 reference of the Environmental Data Resources (ERD) review did, however, identify several sites with recognized environmental conditions located near the property as summarized below.

Port of Newport

The Port of Newport is listed in two databases as a location for potential recognized environmental conditions: Leaking Underground Storage Tank (LUST) and National Pollutant Discharge Elimination System (NPDES). The leaking underground storage tank at the Port of Newport has a cleanup date of June 2, 2010, and the NPDES permit is no longer active.

Newport Research Station – Northwest Fisheries Science Center

The Newport Research Station is listed in two databases as a location for potential recognized environmental conditions: Aboveground Storage Tank (AST) and Hazardous Substances Information Survey (HSIS). The aboveground storage tank located at this property contains diesel fuel and propylene glycol. There are several hazardous substances located at this facility, including formaldehyde and propylene glycol. This facility is located east of the property.

Rogue Ales

Rogue Ales, a brewery, is listed in two databases as a location for potential recognized environmental conditions: HSIS and AST. The listing in each of these databases is for the aboveground storage tanks used to hold chemicals for brewery activities. This is a current location

for potential recognized environmental conditions. Rogue Ales is located immediately east of the property.

#### Motel 6

The Motel 6 is a commercial hotel property located southeast of the property. This facility is listed in two databases for potential recognized environmental conditions: AST and HSIS. The listings are for an aboveground storage tank that contains propane.

#### Newport Marina at South Beach

The Newport Marina at South Beach is located within the Port of Newport and is located east of the property. This facility is used for the moorage of recreation vessels and boat launchings. This facility is listed in three databases for potential recognized environmental conditions: Underground Storage Tank (UST), LUST, and SPILLS (reported oil spills). There are two active underground storage tanks at this facility, with the contents unknown. The leaking underground storage tank was reported on June 30, 2014 and has not yet been remediated. There have been several oil spills in Yaquina Bay reported to the Coast Guard that have been attributed to this facility.

#### Yaquina Bay Coast Guard Station

The Yaquina Bay Coast Guard Station is located on the north side of the Yaquina Bay. This facility is listed in one database for potential recognized environmental conditions: LUST. The leaking underground storage tank at this facility was remediated on May 28, 2004.

#### Drum Site at the Corner of SE Ferry Slip Road and SE Chestnut St.

This is listed by the Oregon Department of Environmental Quality as containing five drums of roofing tar that leaked onto the soil. In December 1999, five drums were reported to be corroding and potentially leaking onto the soil. The Oregon Department of Environmental Quality listed the site in the Environmental Cleanup Site Information (ECSI) database. The drums were removed from the site. The site has not been delisted from this database because it is still in the site evaluation process. This site is located about 2,300 feet southeast of the property.

#### Oregon Coast Aquarium

The Oregon Coast Aquarium is a recreational and research facility located about 2,500 feet southeast of the property. This facility is listed in two databases for potential recognized environmental conditions: UST and LUST. The facility has two decommissioned underground storage tanks located on the property. A leaking underground storage tank was remediated in September 1993.

#### Pioneer Telephone Co-op

The former Pioneer Telephone Co-op facility is located near the Oregon Coast Aquarium. The facility is listed in the LUST database. The leaking under-ground tank was remediated April 4, 1994.

#### Spy, LLC

Spy, LLC, is a truck yard located on Hwy 101, about 1 mile southeast of the property. This site is listed on four databases for potential recognized environmental conditions: Enforcement and

Compliance History Online (ECHO), Facility Index System (FINDS), ECSI, and Confirmed Release List (CRL). The listing in these databases is related to an incident that involved the storage of leaking drums in a wetland area, the storage of hazardous wastes, and the burying of hazardous wastes on the location. The initial remediation has occurred with the removal of the drums and contaminated soil. As of November 28, 2001, the site has been recommended for an expanded preliminary assessment.

#### Port of Newport International Terminal

The Port of Newport International Terminal is located on the north site of Yaquina Bay approximately 1-mile northeast of the property. This facility is listed in five databases for potential recognized environmental conditions: ECSI, Volunteer Cleanup Site (VCS), Oregon Brownfields, FINDS, and ECHO. The listings are related to oil spills from vessels located at the facility. These oil spills were remediated as of December 2002.

#### Morse Brothers Truck Stop

Morse Brothers Truck Stop is listed in the ECSI database. In 2002 a listing was created for this property for having a leaking aboveground storage diesel tank. The location in relation to the property cannot be confirmed.

#### High Risk Historical Records

High Risk Historical Records (HRHR) is a database that records historical properties which, at one time, had potential contaminants. These historical properties include proprietary manufactured gas plants, historic auto stations, and historic dry cleaners. EDR reported that there are no HRHR properties located within 1/2 mile of the property.

#### 4. MAPS & PHOTOGRAPHS REVIEWED

Aerial photos reviewed since original ESA (Appendix A):

09/24/2020 – Color Aerial Photo, Google Earth

Maps reviewed since original ESA (Appendix A):

Newport South Beach Park, EPA Cleanup Site map 9/18/20

Site Photographs - (Appendix A):

Oregon DOT staging/scaffolding, September 2020

## 5. PROPERTY INSPECTION

Two (2) additional visual site inspection (VSI) has been conducted on the subject property since the Dec. 2016 Phase 1. ACOE Real Estate Specialist Ben Hier conducted an Outgrant Compliance Inspection on 6/29/2019. The purpose of the VSI was to identify any changes or new environmental areas of concern for the subject property and adjoining properties. No changes at the site were observed and Ben met with the Port Director to discuss the lease renewal requirements.

An onsite Visual Site Inspection (VSI) occurred on July 7, 2020 by ACOE employees Robin Norris (Real Estate) and Greg Speer (Operations, Project Manager) met onsite with Aaron Bretz with the Port of Newport. No changes to the site or REC's were observed.

## 6. INTERVIEWS

Telephone interviews were conducted the week of September 17, 2020 to provide this update and document the most recent July 7, 2020 VSI. There was only one observed significant change to the property as documented in the original Phase I Environmental Site Assessment that was completed in December 2016. The following personnel participated in a phone interviews and confirmed the observed activities by the Oregon Department of Transportation at the site.

- Robin Norris, Realty Specialist, US Army Corps of Engineers Portland District
- Greg Speer, Project Manager, US Army Corps of Engineers Portland District
- Aaron Bretz, Director of Operations, Port of Newport

One new observation was identified in the interviews:

- Aaron Bretz explained the Oregon Department of Transportation recently has occupied areas under the Yaquina Bridge (including their leased area) and constructed fenced staging areas and scaffolding around the bridge pillars to provide safe access to the bridge for repairs. He said he was not aware of communications with the Port to occupy their leased property. He had informed the ACOE Real Estate office of the activity.
- Greg Speer confirmed the construction activities and has provided site photos from the construction activities which apparently began in August/September 2020.

## 7. CONCLUSIONS AND RECOMMENDATIONS

This supplemental update and review have revealed no change in the environmental condition of the subject property. The conclusions of the prior ESA are still valid. The prior Phase I ESA was performed in conformance with the scope and limitations of ASTM Standard Practice E1527 on the Newport South Beach Park and revealed no evidence of recognized environmental conditions in connection with the property. It is expected that the ODOT construction/repair activities associated with the Yaquina Bay Bridge are consistent with industry Best Management Practices for the protection of the lands and surface waters under and adjacent to the bridge project. The current

and historical use of the property as an open space and recreation area has not caused contamination that would indicate the need for further study of the property or prevent a decision to conduct a property disposal and real estate transaction on the subject property. In addition, there was no evidence to indicate a migration of hazardous substances or petroleum products from adjacent properties in, on, at, or to the subject property tract.

I declare that to the best of our professional knowledge and belief, I meet the definition of Environmental professional as defined in §312.10 of 40 CFR §312. I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Prepared by:

Arthur F Leskowich, Environmental Resource Specialist

Education

University of West Florida, BS, Biology, 1985.

Brief Summary of Relevant Experience

Mr. Leskowich has more than 10 years working for the U.S. Army Corps of Engineers and over 30 years experience as an environmental professional completing environmental analysis, environmental remediation, environmental inspection, project management, and has extensive knowledge of environmental laws and regulations.

**LESKOWICH.ARTHUR.F.1262483610** Digitally signed by  
**R.F.1262483610** LESKOWICH.ARTHUR.F.1262483610  
Date: 2020.09.28 16:04:58 -07'00'

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Arthur F Leskowich  
Environmental Compliance Coordinator  
Channels and Harbors  
Portland District, U.S. Army Corps of Engineers  
CENWP-ODN-P

8. REFERENCES

American Society for Testing and Materials (ASTM). 2013. Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. E1527-13.

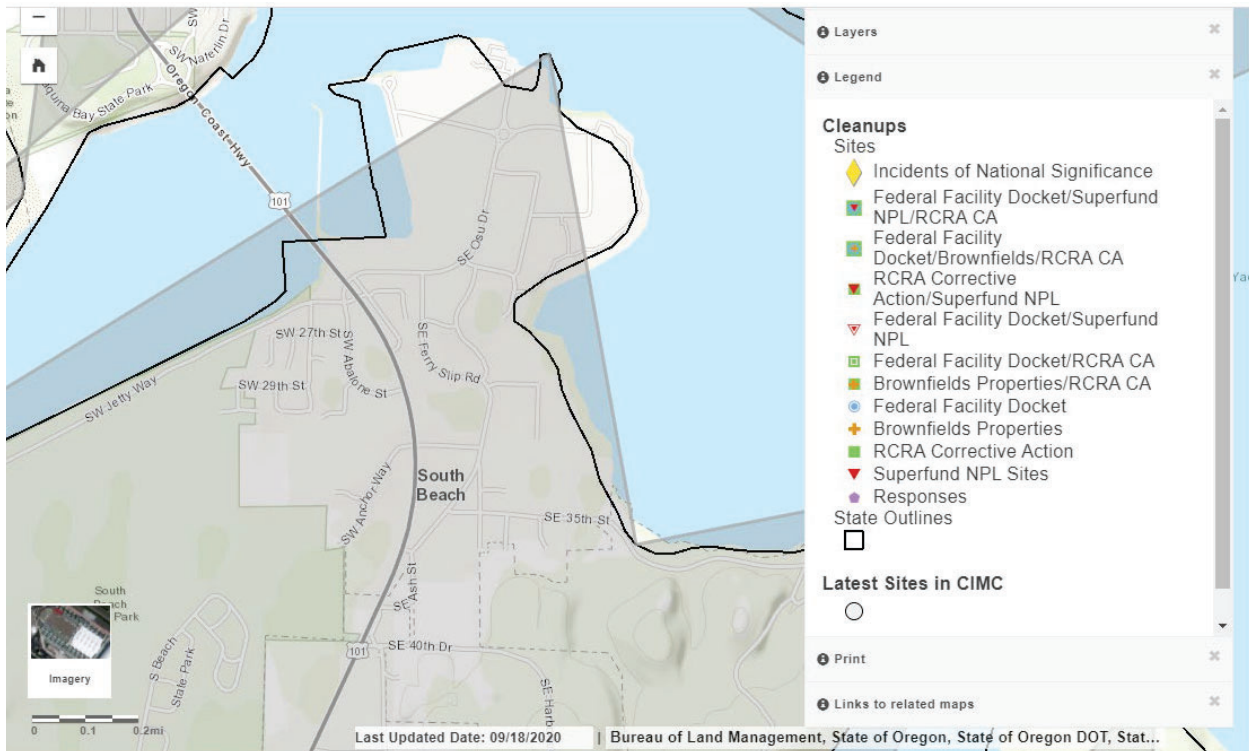
United States Army Corps of Engineers USACE, 2010. Environmental Quality- Environmental Compliance Policies. ER 200-2-3.

Phase I Environmental Site Assessment of the Newport South Beach Park , Lincoln County, Oregon, REK Associates and Portage, December 21, 2016.

APPENDIX A: MAPS & Photographs Reviewed



Google Earth Aerial screenshot 9/18/20



EPA Cleanups in My Community Map, Screenshot, 09/18/20





Yaquina Bridge, Newport - ODOT Staging area – Looking south



Yaquina Bridge, Newport - ODOT Scaffolding looking northeast



Yaquina Bridge, Newport - ODOT Staging area – looking north



Yaquina Bridge, Newport - ODOT Staging area and scaffolding - looking north

PHASE I ENVIRONMENTAL SITE ASSESSMENT  
OF THE PORT OF NEWPORT SOUTH BEACH PARK  
Newport, Lincoln County, Oregon



December 21, 2016

PREPARED FOR:

*U.S. Army Corps of Engineers, Portland District*

PREPARED BY:



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## EXECUTIVE SUMMARY

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The Port of Newport South Beach Park property assessed in this report, hereinafter referred to as the *property*, consists of an approximately 4-acre tract near SW 26<sup>th</sup> Street and Hwy 101 located in the city of Newport, Lincoln County, Oregon. The property is currently owned by U.S. Army Corps of Engineers, hereinafter referred to as the *user*. The property is currently under lease by the City of Newport for public park and recreation purposes, and the City of Newport has requested to renew its lease with the U.S. Army Corps of Engineers.

The land borders residential property to the south, and mixed used residential/commercial property to the east. The property is bounded by the Yaquina Bay on the north and west. The property is currently being used as a public park. There are no buildings on the property. There is infrastructure for walking paths and parking areas on the property. The south end of the Yaquina Bay bridge, including several supporting piers, is located on the property.

A Phase I Environmental Site Assessment site visit was performed of the property on October 19, 2016, in conformance with the scope and limitations of American Society for Testing and Materials practice E-1527-13.

Based on results of the inspection and information gathered during the inquiries process, no recognized environmental conditions exist on the property but there have been several oil spills from marine vessels within the bay near the property.

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# CONTENTS

1.0	INTRODUCTION .....	1
1.1	Purpose .....	1
1.2	Detailed Scope-of-Services .....	1
1.3	Significant Assumptions .....	1
1.4	Limitations and Exceptions .....	1
1.5	Special Terms and Conditions.....	1
2.0	SITE DESCRIPTION .....	1
2.1	General Location and Legal Description .....	1
2.2	Site and Vicinity General Characteristics .....	1
2.3	Current Use of the Property .....	2
2.4	Descriptions of Structures, Roads, and Other Improvements .....	2
2.5	Current Uses of the Adjoining Properties .....	2
3.0	USER-PROVIDED INFORMATION.....	2
3.1	Overview .....	2
3.2	Title Records .....	3
4.0	RECORDS REVIEW.....	3
4.1	Physical Setting .....	3
4.2	Historical Use of Property .....	3
4.3	Historical Use of Adjoining Properties .....	3
4.4	Environmental Sources .....	3
5.0	INTERVIEWS .....	9
6.0	SITE RECONNAISSANCE .....	9
6.1	Methodology .....	9
6.2	General Site Setting.....	9
7.0	FINDINGS.....	11
8.0	CONCLUSIONS.....	11
9.0	DEVIATIONS .....	11
10.0	REFERENCES.....	12
11.0	SIGNATURES .....	12
12.0	QUALIFICATIONS.....	12

Appendix A – Legal Description

Appendix B – Property Map

Appendix C – EDR Records Reports

Appendix D – Interviews

Appendix E – Photographs

## TABLES

Table 1. Results of review of standard environmental records (source: EDR). .....	4
Table 2. Results of review of additional environmental records (source: EDR). .....	4
Table 3. Results of review of high-risk historical records (source: EDR). .....	6
Table 4. Results of review of recovered government archives (source: EDR). .....	6



## **1.0 INTRODUCTION**

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### **1.1 Purpose**

A Phase I Environmental Site Assessment (ESA) site visit was performed of the Port of Newport South Beach Park property (hereinafter referred to as the *property*) on October 19, 2016, in order to identify and disclose recognized environmental conditions associated with the property. The property consists of a public park on approximately 4 acres located in Newport, Oregon.

This Phase I ESA has been completed at the request of U.S. Army Corps of Engineers, Portland District, and in accordance with the All Appropriate Inquiries Standard (40 CFR 312) and the American Society for Testing and Materials (ASTM) E-1527-13, "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process."

### **1.2 Detailed Scope-of-Services**

Development of this ESA included an evaluation by Environmental Data Resources (EDR) of available historical environmental records regarding the property, evaluation of other publicly available records, a site reconnaissance, and interviews with the present/former owners and persons with information about the current and historical use of the property. All activities were performed in conformance with the scope and limitations of ASTM E-1527-13.

### **1.3 Significant Assumptions**

A good-faith effort was made to visually assess as much of the property as possible. Sections that were not physically walked down were visually assessed from a distance.

### **1.4 Limitations and Exceptions**

None

### **1.5 Special Terms and Conditions**

None

## **2.0 SITE DESCRIPTION**

---

### **2.1 General Location and Legal Description**

The property assessed in this report consists of a public park on approximately 4 acres in a residential/mixed use neighborhood. The property is owned by the U.S. Army Corps of Engineers and is leased to the Port of Newport, Oregon, for recreational use. The property is within the Port of Newport, city of Newport, Lincoln County, Oregon. The survey maps of the property are provided in Appendix A.

### **2.2 Site and Vicinity General Characteristics**

The elevation of the property is at sea level and increases to the southeast. The property is accessed by Jetty Way and SW Abalone Street from the south and SE Marine Science Drive on the east. The property is bisected by Hwy 101 on the Yaquina Bay bridge. There are no identified roadways and roadway infrastructure on the property, except for Hwy 101 on the Yaquina Bay bridge. A parking lot west of Hwy 101 is accessed from SE Marina Science Drive.

There is a paved walking path that crosses the property from the east to the west. Additionally, there are several picnic tables on the property. The property has some trees, especially near the central portion of the property. There appear to be recreationist-created paths to the beach and rocky area at the water. Maps of the property are provided in Appendix B.

Surrounding the property are single- and multi-family residential properties. Most notable is a multi-family residential unit directly to the south of the property. Directly to the east is a commercial property.

## **2.3 Current Use of the Property**

The property is currently leased to the Port of Newport for a public park. The current use of the property is for recreation. The property has several parking areas, walkways, picnic tables, lawns, and trees.

## **2.4 Descriptions of Structures, Roads, and Other Improvements**

There are no buildings or paved roads on the property. A paved pedestrian walkway crosses the eastern extent of the property. There is also a paved parking area near the townhomes on the western side of the Yaquina Bay bridge. This parking area appears to be used by recreationists and residents of the townhomes. Additionally, there are several recreationist-created walkways from the paved walkway to the beach area.

Picnic tables and associated shelters are located on the grassy area in the eastern portion of the property. Near the southeast corner of the property is a fish cleaning station.

Throughout the property are signs of electrical, sanitary sewer, surface water control, and water utility infrastructure.

## **2.5 Current Uses of the Adjoining Properties**

The surrounding properties are commercial and residential in use. The properties to the south are residential townhomes and single-family residential homes. These properties are connected to the property by paved roadways and trails. Adjacent to the east are public and commercial properties associated with the Port of Newport.

## **3.0 USER-PROVIDED INFORMATION**

---

### **3.1 Overview**

As specified in ASTM E-1527-13, Section 6 – User’s Responsibilities, the user is required to assist with identifying possible recognized environmental conditions. In an effort to meet this requirement, the user is requested to provide the following information:

- Environmental liens or activity and use limitations associated with the property
- Specialized knowledge or experience regarding the property
- Commonly known or reasonably ascertainable information regarding the property
- Whether the purchase price may reflect a valuation reduction for environmental issues

- Reason for performing the Phase I ESA.

This Phase I ESA has been requested as part of a lease renewal of the property. The user and prospective owner have indicated that the property value is not affected by any environmental issues.

Additional information obtained through the records review and interviews is summarized in Sections 4.0 and 5.0, respectively.

### **3.2 Title Records**

A search of the title documents revealed no information indicating any environmental liens or activity and use limitation associated with hazardous substances or petroleum products for the property.

## **4.0 RECORDS REVIEW**

---

### **4.1 Physical Setting**

The elevation of the property is at sea level. Based on the surface topography, it is assumed that groundwater and surface water flow from south to north. There are several buildings located directly south of the property. Due to the surface water and groundwater flow direction, contaminants from adjoining properties to the south and southeast could potentially migrate to the property.

Based on Soil Conservation Service SSURGO data, the soil on the property consists of poorly graded coarse-grained sands. The soil is well drained and has very quick infiltration rates. As such, potential contamination from surrounding sites could infiltrate the property via groundwater and surface water.

The property is within 100-year and 500-year flood zones and contains wetlands listed in state or national wetland inventories.

### **4.2 Historical Use of Property**

The property has been vacant or has been used for public recreation since at least 1936, when the Yaquina Bay bridge was opened. The picnic facilities were constructed in 1979 (Port of Newport 2013). It is assumed that the initial walkways and grassy area were installed around the same time and that they have undergone periodic maintenance since then.

### **4.3 Historical Use of Adjoining Properties**

Based on interviews and historical maps, the surrounding and adjacent properties were residential or commercial allotments. Historical uses of the properties include residential housing and small commercial ventures, including fueling stations with underground storage tanks.

### **4.4 Environmental Sources**

An EDR review of environmental sources did not identify recognized environmental conditions on the property. The EDR review did, however, identify several sites with recognized environmental conditions located near the property (EDR 2016a, EDR 2016b, and EDR 2016c).

Results of the environmental sources review are summarized in in Table 1 (standard environmental records), Table 2 (additional environmental records), Table 3 (high risk historical records), and Table 4 (recovered government archives).

Table 1. Results of review of standard environmental records (source: EDR).

<b>Standard Environmental Records</b>			
<b>Database</b>	<b>Approximate Minimum Search Distance (miles)</b>	<b>Date of List</b>	<b>Findings</b>
Federal NPL	1.0	04/15/2016	0
Proposed NPL	1.0	04/15/2016	0
NPL Liens	Property	03/30/1994	0
Delisted NPL	1.0	04/15/2016	0
CERCLIS	0.5	04/15/2016	0
Federal Facility	0.5	5/20/2016	0
SEMS	0.5	04/15/2016	0
RCRA CORRACTS	1.0	09/02/2016	0
RCRA-TSDF	0.5	09/02/2016	0
RCRA-LQG	0.25	09/02/2016	0
RCRA-SQG	0.25	09/02/2016	0
RCRA-CESQG	0.25	09/02/2016	0
US ENG Controls	0.5	09/02/2016	0
US INST Controls	0.5	09/02/2016	0
LUCIS	0.5	06/11/2015	0
ERNS	Property	05/20/2016	0
ECSI	1.0	08/10/2016	4
CRL	1.0	08/10/2016	1
SWF/LF	0.5	06/13/2016	0
LUST	0.5	08/10/2016	5
INDIAN LUST R10	0.5	02/18/2016	0
FEMA UST	0.25	04/12/2010	0
UST	0.25	08/10/2016	1
AST	0.25	08/10/2016	3
INDIAN UST R10	0.25	02/18/2016	0
VCS	0.5	08/10/2016	0
BROWNFIELDS	0.5	08/10/2016	0

Table 2. Results of review of additional environmental records (source: EDR).

<b>Additional Environmental Records</b>			
<b>Database</b>	<b>Approximate Minimum Search Distance (miles)</b>	<b>Date of List</b>	<b>Findings</b>
US Brownfields	0.5	09/02/2016	0
HIST LF	0.5	07/18/2003	0
SWRCY	0.5	08/10/2016	0
INDIAN - ODI	05	01/24/2008	0
ODI	0.5	09/17/2004	0

<b>Additional Environmental Records</b>			
<b>Database</b>	<b>Approximate Minimum Search Distance (miles)</b>	<b>Date of List</b>	<b>Findings</b>
Debris Region 9	0.5	09/21/2009	0
US HIST CDL	Property	09/23/2016	0
CDL 2	Property	06/13/2016	0
CDL	Property	06/13/2016	0
US CDL	Property	09/23/2016	0
LIENS 2	Property	04/24/2014	0
HMIRS	Property	09/23/2016	0
SPILLS	Property	08/10/2016	0
HAZMAT	Property	06/13/2016	0
SPILLS 90	Property	02/11/2013	0
RCRA NonGen/NLR	0.25	09/02/2016	0
FUDS	1.0	10/13/2015	0
DOT OPS	Property	09/18/2012	0
DOD	1.0	01/11/2007	0
FUDS	1.0	04/24/2014	0
SCRD DRYCLEANERS	0.5	05/02/2011	0
US FIN ASSUR	Property	09/02/2016	0
EPA WATCH LIST	Property	06/17/2014	0
2020 COR ACTION	0.25	03/09/2015	0
TSCA	Property	01/29/2015	0
TRIS	Property	04/05/2016	0
SSTS	Property	02/25/2011	0
ROD	1.0	02/24/2014	0
RMP	Property	09/02/2016	0
RAATS	Property	08/07/1995	0
PRP	Property	10/20/2014	0
PADS	Property	09/02/2016	0
ICIS	Property	03/09/2015	0
FTTS	Property	05/11/2009	0
MLTS	Property	04/15/2016	0
COAL ASH DOE	Property	10/22/2009	0
COAL ASH EPA	0.5	10/20/2014	0
PCB Transformer	Property	09/10/2012	0
RADINFO	Property	09/16/2015	0
HIST FTTS	Property	09/10/2007	0
DOT OPS	Property	09/18/2012	0
CONSENT	1.0	09/23/2016	0
INDIAN RESERV	Property	09/23/2016	0
FUSRAP	1.0	09/29/2016	0
UMTRA	0.5	03/01/2012	0
LEAD SMELTERS	Property	09/02/2016	0

<b>Additional Environmental Records</b>			
<b>Database</b>	<b>Approximate Minimum Search Distance (miles)</b>	<b>Date of List</b>	<b>Findings</b>
US AIRS	Property	01/04/2016	0
US MINES	0.25	09/23/2016	0
FINDS	Property	11/03/2015	0
DOCKET HWC	Property	09/02/2016	0
UXO	1.0	04/05/2016	0
AIRS	Property	03/15/2016	0
COAL ASH	0.5	11/10/2015	0
DRYCLEANERS	0.25	06/13/2016	0
US Financial Assurance	Property	05/04/2016	0
HSIS	Property	08/10//2016	0
MANIFEST	0.25	08/10/2016	0
NPDES	Property	08/10/2016	0
UIC	Property	08/10/2016	0
FUELS PROGRAM	0.25	07/13/2016	0
ECHO	Property	01/04/2016	0

Table 3. Results of review of high-risk historical records (source: EDR).

<b>High Risk Historical Records</b>			
<b>Database</b>	<b>Approximate Minimum Search Distance (miles)</b>	<b>Date of List</b>	<b>Findings</b>
EDR MGP	1.0	N/A	0
US HIST Auto Station	0.25	N/A	0
US HIST Cleaners	0.25	N/A	0

Table 4. Results of review of recovered government archives (source: EDR).

<b>Recovered Government Archives</b>			
<b>Database</b>	<b>Approximate Minimum Search Distance (miles)</b>	<b>Date of List</b>	<b>Findings</b>
RGA HWS	Property	01/03/2014	0
RGA LUST	Property	12/27/2013	0
RGA LF	Property	01/13/2014	0

The following provides additional information on recognized environmental conditions reported by EDR as occurring near the property.

***Port of Newport***

The Port of Newport is listed in two databases as a location for potential recognized environmental conditions: Leaking Underground Storage Tank (LUST) and National Pollutant Discharge Elimination System (NPDES). The leaking underground storage tank at the Port of Newport has a cleanup date of June 2, 2010, and the NPDES permit is no longer active.

### ***Newport Research Station – Northwest Fisheries Science Center***

The Newport Research Station is listed in two databases as a location for potential recognized environmental conditions: Aboveground Storage Tank (AST) and Hazardous Substances Information Survey (HSIS). The aboveground storage tank located at this property contains diesel fuel and propylene glycol. There are several hazardous substances located at this facility, including formaldehyde and propylene glycol. This facility is located east of the property.

### ***Rogue Ales***

Rogue Ales, a brewery, is listed in two databases as a location for potential recognized environmental conditions: HSIS and AST. The listing in each of these databases is for the aboveground storage tanks used to hold chemicals for brewery activities. This is a current location for potential recognized environmental conditions. Rogue Ales is located immediately east of the property.

### ***Motel 6***

The Motel 6 is a commercial hotel property located southeast of the property. This facility is listed in two databases for potential recognized environmental conditions: AST and HSIS. The listings are for an aboveground storage tank that contains propane.

### ***Newport Marina at South Beach***

The Newport Marina at South Beach is located within the Port of Newport and is located east of the property. This facility is used for the moorage of recreation vessels and boat launchings. This facility is listed in three databases for potential recognized environmental conditions: Underground Storage Tank (UST), LUST, and SPILLS (reported oil spills). There are two active underground storage tanks at this facility, with the contents unknown. The leaking underground storage tank was reported on June 30, 2014, and has not yet been remediated. There have been several oil spills in Yaquina Bay reported to the Coast Guard that have been attributed to this facility.

### ***Yaquina Bay Coast Guard Station***

The Yaquina Bay Coast Guard Station is located on the north side of the Yaquina Bay. This facility is listed in one database for potential recognized environmental conditions: LUST. The leaking underground storage tank at this facility was remediated on May 28, 2004.

### ***Drum Site at the Corner of SE Ferry Slip Road and SE Chestnut St.***

This is listed by the Oregon Department of Environmental Quality as containing five drums of roofing tar that leaked onto the soil. In December 1999, five drums were reported to be corroding and potentially leaking onto the soil. The Oregon Department of Environmental Quality listed the site in the Environmental Cleanup Site Information (ECSI) database. The drums were removed from the site. The site has not been delisted from this database because it is still in the site evaluation process. This site is located about 2,300 feet southeast of the property.

### ***Oregon Coast Aquarium***

The Oregon Coast Aquarium is a recreational and research facility located about 2,500 feet southeast of the property. This facility is listed in two databases for potential recognized environmental conditions: UST and LUST. The facility has two decommissioned underground storage tanks located on the property. A leaking underground storage tank was remediated in September 1993.

### ***Pioneer Telephone Co-op***

The former Pioneer Telephone Co-op facility is located near the Oregon Coast Aquarium. The facility is listed in the LUST database. The leaking under-ground tank was remediated April 4, 1994.

### ***Spy, LLC***

Spy, LLC, is a truck yard located on Hwy 101, about 1 mile southeast of the property. This site is listed on four databases for potential recognized environmental conditions: Enforcement and Compliance History Online (ECHO), Facility Index System (FINDS), ECSI, and Confirmed Release List (CRL). The listing in these databases is related to an incident that involved the storage of leaking drums in a wetland area, the storage of hazardous wastes, and the burying of hazardous wastes on the location. The initial remediation has occurred with the removal of the drums and contaminated soil. As of November 28, 2001, the site has been recommended for an expanded preliminary assessment.

### ***Port of Newport International Terminal***

The Port of Newport International Terminal is located on the north site of Yaquina Bay approximately 1 mile northeast of the property. This facility is listed in five databases for potential recognized environmental conditions: ECSI, Volunteer Cleanup Site (VCS), Oregon Brownfields, FINDS, and ECHO. The listings are related to oil spills from vessels located at the facility. These oil spills were remediated as of December 2002.

### ***Morse Brothers Truck Stop***

Morse Brothers Truck Stop is listed in the ECSI database. In 2002 a listing was created for this property for having a leaking aboveground storage diesel tank. The location in relation to the property cannot be confirmed.

### ***High Risk Historical Records***

High Risk Historical Records (HRHR) is a database that records historical properties which, at one time, had potential contaminants. These historical properties include proprietary manufactured gas plants, historic auto stations, and historic dry cleaners. EDR reported that there are no HRHR properties located within 1/2 mile of the property.



## *Orphan Sites*

The EDR review noted two orphan sites<sup>1</sup> within the vicinity of the property: 4 J's Plaza Property and the Port of Newport. An independent records search found that both of these sites are either at considerable distance from the property or have achieved closure for the incidents.

## **5.0 INTERVIEWS**

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Interviews were attempted or questionnaires distributed to obtain information on recognized environmental conditions in connection with the property. An attempt was made to conduct interviews with the following persons:

- Benjamin Hier, Realty Specialist, U.S. Army Corps of Engineers
- Kevin Greenwood, General Manager, Port of Newport
- Derrick Tokos, Community Development Director, City of Newport.

At the time of publication of this report, a response had been obtained only from Mr. Hier. His completed questionnaire is provided in Appendix D. His completed questionnaire indicates that he is not aware of any environmental cleanup liens, activity use limitations, land use restrictions, or institutional controls in connection with the property. He reported no previous communications with any federal, state, tribal, or local agency concerning environmental conditions on the property. He had no knowledge of government officials ever investigating, citing, or being involved with any violations of environmental law at the property or in the immediate vicinity of the property. Also, he was not aware of commonly known or reasonable ascertainable information about the property or surrounding properties that would cause concern about the environmental condition of the property.

## **6.0 SITE RECONNAISSANCE**

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### **6.1 Methodology**

A site reconnaissance was performed by an investigator on October 19, 2016, beginning at approximately 1 p.m. No limiting conditions (e.g., restricted access, snow cover) existed at that time. The property was inspected by walking the perimeter and several transects within the property. Surrounding properties were observed from the property line. The investigator was:

- James R. Jackson, Environmental Scientist, Portage, Inc.

Photographs taken during the site reconnaissance are provided in Appendix E.

### **6.2 General Site Setting**

Based on observations during the site reconnaissance, the property is generally flat, as are the surrounding properties. The hydrological gradient appeared to be from the south to the north across the entire property.

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<sup>1</sup> An *orphan site* is a site that is listed in a database but whose location cannot be verified.

The main access to the property was from the south using Southwest Jetty Way/SW 26<sup>th</sup> or from the east using SE Marine Science Drive/SW Abalone Street. These roads are paved. There is a paved parking lot on the south side of property near the townhomes on an adjacent property. The parking lot is connected to the property with a paved driveway from SE Marine Science Drive. There are no paved vehicle roads on the property.

A paved walkway extends from the east side to the center part of the property. The walkway ends on Southwest Jetty Way. There are several recreationist-created pathways from the paved walkway to Yaquina Bay.

Six picnic tables are on the east side of the property. The tables are embedded in concrete pads and surrounded by wooden walls that are approximately 4 feet high. A fish cleaning station is in the southeast corner of the property. The station includes a metal table with water outlets with hoses reaching down to the table. The excess water is drained to the ground from the table through a pipe that discharges to a sanitary sewer. The fish cleaning table is directly north of a public restroom. The restroom is not on the property.

Two concrete piers supporting the Yaquina Bay bridge are located on the property. Electrical conduit for overhead lighting on the bridge is attached to the piers, running from the ground to the bridge deck. Also attached to the piers are drainage pipes that collect water from the bridge roadway.

The vegetation on the east side of the property consists mostly of grass. Several other vegetation species occur near the rock shoring along the waterway. A couple of tree species are found along the walkway. The western portion of the property consists primarily of rock shoring with scattered grass vegetation.

A water outlet is located on the shore near the central part of the property. It appears to be part of a surface water management system. Grates are located in the paved parking lot near the townhomes.

Two sanitary sewer manholes are on the property. Additionally, utility access covers are located throughout the property, apparently for underground water, sewer, communication, and electrical utility infrastructure.

Some scattered household trash was observed in the rock shoring along the water front. No ground staining was observed. No unusual odors, such as solvent or petroleum, were encountered.

No water wells were observed during the reconnaissance.

There are no oil or gas pipelines or wells or evidence of any other mining activities, and no underground or aboveground storage tanks on the property. There are no sumps, septic tanks, or septic fields and no evidence that the property has ever been used for solid waste disposal, except for a few scattered areas with discarded household garbage.

## **7.0 FINDINGS**

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This investigation revealed no current or historical recognized environmental conditions at the property. One site within 1/2 mile of the property (Rogue Ales) was identified during the records review process as having recognized environmental conditions that could potentially impact the property. The one site is at the same elevation and is upstream from the property.

A site reconnaissance performed October 19, 2016, revealed no unexplained/unusual bare areas, ground staining, or unusual surface features or odors. The property was observed to be fully developed with maintained grassy areas, walking paths, and underground utilities. No evidence was observed of wells, underground or aboveground storage tanks, septic tanks, or leach fields, and no indication that the property has ever been used for the disposal of solid waste (except for a few areas where household garbage was dumped). There is no evidence to suggest that chemicals or petroleum products have been stored, disposed of, spilled, or leaked on the property.

No direct evidence or information that the property environment has been adversely affected by current or past offsite use, storage, handling and/or disposal practices involving hazardous materials/wastes or petroleum products was observed or obtained during the reconnaissance or records review.

## **8.0 CONCLUSIONS**

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A Phase I ESA in conformance with the scope and limitations of ASTM E-1527-13 was performed on the Port of Newport South Beach property, located on SE Marine Science Drive, Lincoln County, Oregon.

Based on conditions identified during the inspection and information gathered during the inquiries process, it is unlikely that any additional investigation is necessary to detect the presence of hazardous substances or petroleum products at the property. No data gaps were encountered that would affect the identification of conditions indicative of releases or threatened releases of hazardous substances on, at, in, or to the subject property. No environmental samples were collected during this investigation, but it is unlikely that environmental conditions beyond the scope of this investigation exist on the property. In summary, this ESA has revealed no evidence of recognized environmental conditions in connection with the property.

## **9.0 DEVIATIONS**

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No deviations were made from ASTM E-1527-13 or the intent of this Phase I ESA.

## 10.0 REFERENCES

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- EDR, 2016a, *EDR Historical Topo Map Report with QuadMatch™, Port of Newport South Beach Park*, Inquiry Number: 4741778.4, Environmental Data Resources, September 30, 2016.
- EDR, 2016b, *Certified Sanborn® Map Report, Port of Newport South Beach Park*, Inquiry Number: 4741778.3, Environmental Data Resources, September 30, 2016.
- EDR, 2016c, *The EDR Radius Map™ Report with GeoCheck®, Port of Newport South Beach Park*, Inquiry Number: 4741778.2s, Environmental Data Resources, September 30, 2016.
- ODEQ, 2016, Oregon Department of Environmental Quality, Leaking Underground Storage Tanks (LUST) Database. Accessed on October 5, 2016, at <http://www.deq.state.or.us/lq/tanks/lust/lustpubliclookup.asp>
- Port of Newport, 2013, *Capital Facilities Plan*, prepared for the Port of Newport by SHN Consulting Engineers and Geologists, Inc., January 2013.

## 11.0 SIGNATURES

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Prepared by:  
James R. Jackson, Environmental Professional  
Portage, Inc.

I, James R. Jackson, declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in 40 *Code of Federal Regulations* (CFR) Part 312.10. I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.



December 21, 2016

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Signature

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Date

## 12.0 QUALIFICATIONS

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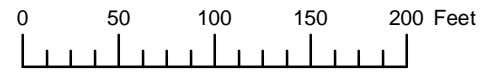
James R. Jackson has a bachelor of science in biology from Washington State University and master of science in environmental and resource management from Arizona State University. Mr. Jackson has more than 10 years of environmental remediation, environmental analysis, and project management experience, and has extensive knowledge of environmental laws and regulations.

# **Appendix A**

## **Legal Description**

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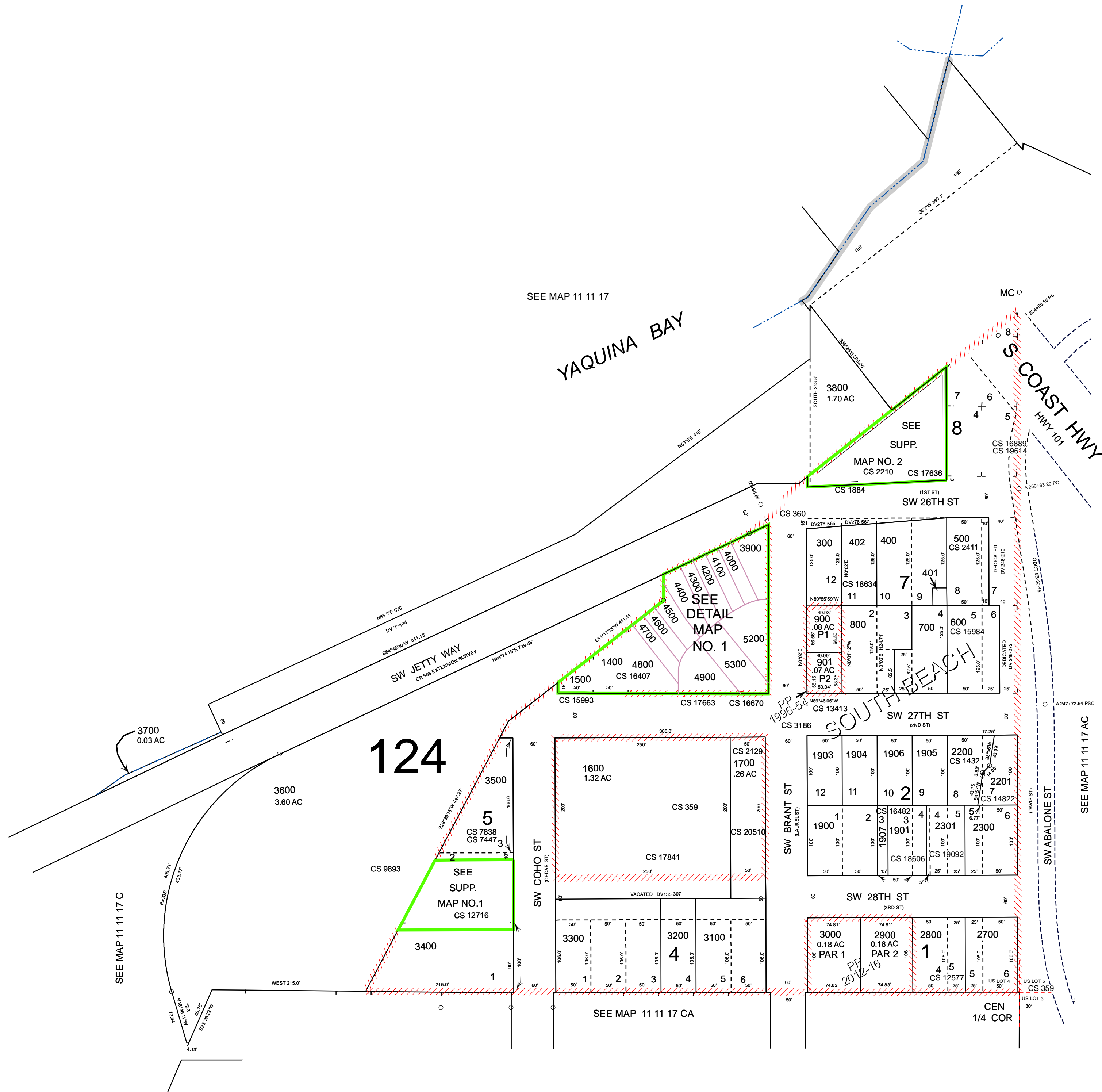
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



S.E.1/4 N.W.1/4 SEC.17 T.11S. R.11W. W.M.  
LINCOLN COUNTY  
1" = 100'

11 11 17 BD  
NEWPORT

- Cancelled
- 100
- 200
- 1000
- 1100
- 1200
- 1201
- 1300
- 1800
- 1902
- 2000
- 2100
- 2400
- 2500
- 2600
- 3401
- 5000
- 5100



Revised: SAO  
05/23/2013

NEWPORT  
11 11 17 BD

SEC. 7  
SEC. 8  
SEC. 18  
SEC. 17

### RECORD OF SURVEY FOR

## SCHROFF, GREEN, CHRISTENSEN, LING & SCHROFF

LOCATED IN THE W 1/2 AND SE 1/4 OF SEC. 17  
T. 11 S., R. 11 W., WILLAMETTE MERIDIAN  
LINCOLN COUNTY, OREGON

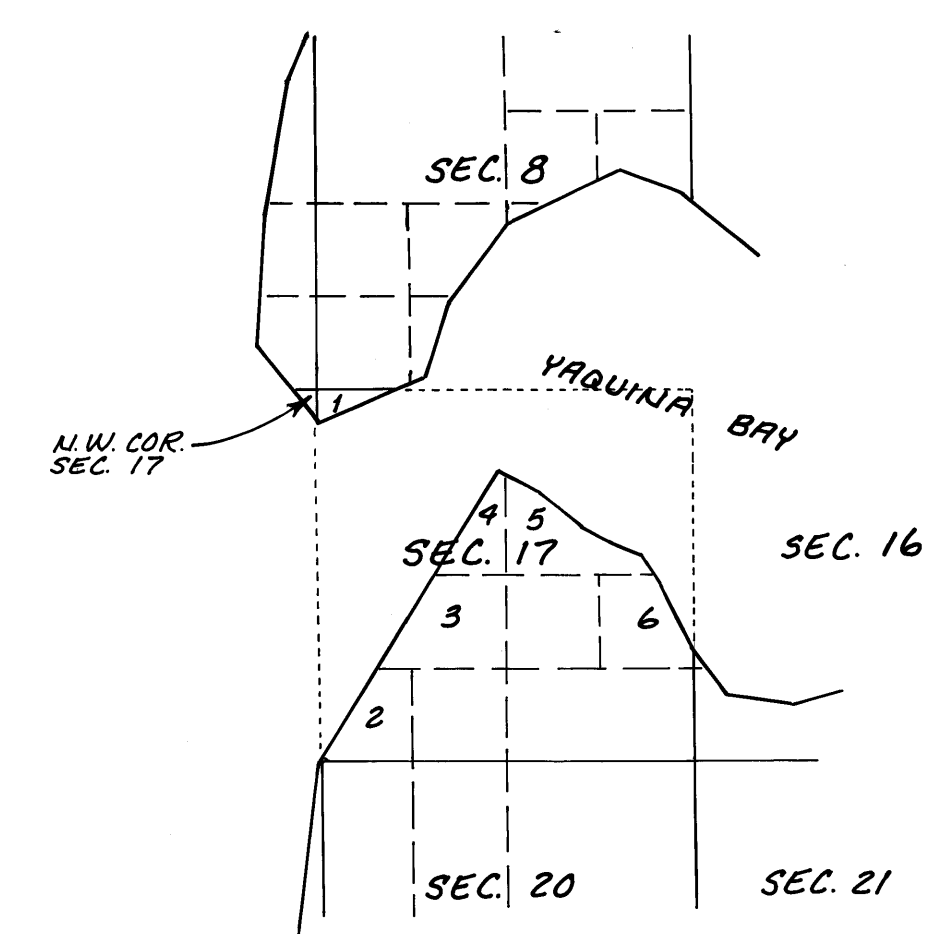
DATE: APRIL 1, 1982  
SCALE: 1" = 100'

**NARRATIVE**  
A SEPARATE NARRATIVE ACCOMPANIES AND IS FILED WITH THIS MAP. THIS NARRATIVE EXPLAINS THE PURPOSE OF THE SURVEY, THE BASIS ON WHICH THE LINES WERE ESTABLISHED AND WHICH FOUND MONUMENTS AND DEED ELEMENTS CONTROLLED THE LINES ESTABLISHED OR REESTABLISHED.

THIS IS THE POSITION OF THE WEST LINE OF SECTION 17 AS ESTABLISHED BY HOLDING BURDETT'S LOCATION OF THE SOUTHWEST CORNER OF SECTION 17 AS MONUMENTED BY HIM IN 1971.

THIS IS THE POSITION OF THE WEST LINE OF SECTION 17 USING THE NORTHWEST CORNER OF SECTION 20 AS CONTROLLING SHIRLEY IN 1963 USED THESE TWO CONTROL POINTS TO SINGLE PROPORTION THE SOUTHWEST CORNER OF SECTION 17 AS SHOWN HEREON. THIS LINE WAS USED IN THE 1912 SURVEY AS THE BASIS OF LOCATING THE MEAN HIGH TIDE LINE. HANNIA RETRACED THE HIGH TIDE LINE IN JANUARY OF 1916 BY USING THIS POSITION OF THE WEST LINE OF SECTION 17. I HAVE ALSO USED THIS WEST LINE TO RETRACE THE HIGH TIDE LINE.

REGISTERED PROFESSIONAL LAND SURVEYOR  
**Jack R. Burrell**  
OREGON  
JACK R. BURRELL  
1839



- LEGEND**
- SET 5/8" x 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "JACK R. BURRELL 1630 OREGON"
  - FOUND MONUMENT AS SHOWN
  - RECORD DATA
  - SET 5/8" x 30" IRON ROD AS PER ABOVE WITH 4x4 POST

MEAN HIGH WATER LINE (1912 SURVEY)

POINT IS NORTH 97° FROM S.E. COR. OF GOVT. LOT 4 AS PER PLAT OF SOUTH BEACH (POINT IS 960' NORTH OF CENTER CORNER OF SEC. 17, BK. 1, PG. 104)

Calculated position of record monument that was used as beginning of Co. Rd. #400. Note: According to CS 6663 this monument is South 210° and West 170' from the northwest corner of Block 8.

I REESTABLISHED THIS POINT NORTH 312° 32' OF THE SOUTH 1/4 COR. OF SEC. 17 (N 0° 15' E, 3122.95' AS PER PLAT OF HARBORTON).

POINT "A" FD 2" PIPE CS 3959 (S.E. COR. GOVT. LOT 4 - PLAT OF SOUTH BEACH)

NOTE: SEE THE "TABLE OF FALLINGS" BELOW THAT DESCRIBES THE RELATIONSHIPS OF THESE FOUND MONUMENTS TO THE PLAT CORNERS WHICH THEY WERE INTENDED TO MARK.

**BASIS OF BEARINGS**  
MONUMENTS FD AT PTS. A & B (NORTH 264° 50' ORIGINAL G.L.O. SURVEY) (NORTH 264° 2' WINGGONER'S ADD. TO SOUTH BEACH)

**BASIS OF BEARINGS**  
MONUMENTS FD AT PTS. A & B (NORTH 264° 50' ORIGINAL G.L.O. SURVEY) (NORTH 264° 2' WINGGONER'S ADD. TO SOUTH BEACH)

**BASIS OF BEARINGS**  
MONUMENTS FD AT PTS. A & B (NORTH 264° 50' ORIGINAL G.L.O. SURVEY) (NORTH 264° 2' WINGGONER'S ADD. TO SOUTH BEACH)

POINT "B" 5 1/4" CORNER OF SECTION 17 FD 1/2" PIPE W/ BRASS CAP SEC CS NO. 2492

N 0° 16' 46" E 10443.38' - POINT "C" TO POINT "D" (NORTH 10560 G.L.O. SURVEY)

Curve Data - PC to PT CENTERLINE COUNTY ROAD

Calculated position of road PL. as per Co. Rd. Survey performed by J. Hanna in 1975

BASIS OF LOCATION OF 1/2 HIGH TIDE MARK (S 0° 25' 15" W 3329.82' FROM NW CORNER OF SECTION 17 AS PER 1912 SURVEY)

PARCEL "A"

PARCEL "B"

PARCEL "C"

PARCEL "D"

PARCEL "E"

PARCEL "F"

PARCEL "G"

PARCEL "H"

PARCEL "I"

PARCEL "J"

PARCEL "K"

PARCEL "L"

PARCEL "M"

PARCEL "N"

REVISED PARCEL "W" (ORIGINAL PARCEL "W" DESCRIBED IN BK. 120, PG. 1209)

REVISED PARCEL "Y" (ORIGINAL PARCEL "Y" DESCRIBED IN BK. 120, PG. 1209)

REVISED PARCEL "Z" (ORIGINAL PARCEL "Z" DESCRIBED IN BK. 120, PG. 1209)

REVISED PARCEL "X" (ORIGINAL PARCEL "X" DESCRIBED IN BK. 120, PG. 1209)

REVISED PARCEL "V" (ORIGINAL PARCEL "V" DESCRIBED IN BK. 120, PG. 1209)

REVISED PARCEL "U" (ORIGINAL PARCEL "U" DESCRIBED IN BK. 120, PG. 1209)

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NARRATIVE FOR HARBORTON KEYS RECORD OF SURVEY

I. LOCATION OF SURVEY:

West 1/2 and SE 1/4 of Section 17, Township 11 South,  
Range 11 West, W.M., Lincoln County, Oregon.

II. SURVEY FOR:

Schroff, Green, Christensen, Ling and Schroff.

III. DATE OF SURVEY:

April 1, 1982

IV. PURPOSE OF SURVEY:

The purpose of this survey is to establish the location of lots  
in "HARBORTON", "WAGGONER'S ADDITION TO SOUTH BEACH" and property  
abutting the last said subdivision to the west.

Of particular importance to this boundary determination are the  
locations of:

- a) the south and west lines of Section 17;
- b) the south line of Government Lot 3 in Section 17;
- c) the plat of "HARBORTON";
- d) the plat of "WAGGONER'S ADDITION TO SOUTH BEACH";
- e) the high tide line of 1912;
- f) the location of the South Jetty Road (County Road No. 568);

V. PREVIOUS SURVEYS OF IMPORTANCE

A brief history of controlling surveys performed in Section 17  
are:

1) Original GLO Survey of 1867

Section 17 is a fractional section due to the location of Yaquina Bay.  
This survey marked the south and west lines of Section 17. None  
of the lines between the fractional Government Lots 2,3, or 4 were  
established at this time.

- 2) Plat of "SOUTH NEWPORT" recorded in July, 1887.  
Irvin owned Government Lot 2 and the SE 1/4 SW 1/4 of Section 16 of which he platted a portion thereof.
- 3) Plat of "SOUTH BEACH" recorded in July 1887.  
Brasfield owned Government Lots 3 and 4. The southeast corner of this plat is also the southeast corner of Government Lot 4. This plat indicates that the lots were laid out on a due "North" bearing and the east-west lines are due "West". The plat states that it was "surveyed".
- 4) Plat of "WAGGONER'S ADDITION TO SOUTH BEACH" recorded in January 1890.  
Waggoner, et.al., owned Government Lot 3 of Section 17 (except 4 1/2 acres in the northeast corner). The southeast corner of this plat is 1320 feet north of the south one-quarter corner of Section 17. Therefore, the southeast plat corner is the southeast corner of Government Lot 3. This plat indicates that the lots are laid out on a due "North" bearing and the east-west lines are due "West". The plat states that it was "surveyed".
- 5) Mean High Tide Survey Line Survey of 1912.  
The field notes and plat depict a survey that shows the mean high tide line.
- 6) Plat of "HARBORTON" recorded in July 1914.  
This plat is bounded on the west by the north-south center section line of Section 17. The original GLO Meander Line of 1867 is the northerly and easterly plat boundary.
- 7) Various Surveys performed by the Oregon State Parks Department were conducted between 1963 and 1972.  
These surveys are recorded as CS 2073-B (May 1963); CS 3633 (February 1968); CS 3916 (December 1968) and CS 5407 (December 1972). These surveys located the southwest corner of Section 17 according to different procedures and interpretations of the 1947 BLM Manual of Survey Instructions.

Date: April 1, 1982

C.S. # 9893  
FILED 4-19-82  
LINCOLN COUNTY SURVEYOR

- 8) The 1912 High Tide Line Retracement Conducted by J.W. Hanna in January 1964.
- 9) The Survey of South Jetty Road (County Road No. 568) Conducted by J.W. Hanna in September 1975.
- 10) The Johnnie Summer's Survey (CS 6663) Conducted in February 1976.

This survey re-establishes the location of "SOUTH BEACH" and "WAGGONER'S ADDITION TO SOUTH BEACH". It also surveys land to the west and shows his interpretation of the High Tide Line of 1912. It also depicts his interpretation of the location of the South Jetty Road.

#### VI. IMPORTANT BOUNDARY CONCERNS

The numerous surveys and sometimes conflicting methods used have produced the following concerns:

- 1) The location of the southwest corner of Section 17 is in doubt based upon the Shirley re-establishment (CS 2073-13) and the Burdett re-establishment (see County Survey No. 5407).
- 2) The location of the southline of Government Lot 3 in Section 17. Two different interpretations of survey instructions are creating boundary confusion.
- 3) The location of lots in WAGGONER'S ADDITION TO SOUTH BEACH do not correspond with the location as surveyed in later years.
- 4) The 1912 High Tide Line is being retraced using different positions of the west line of Section 17 as the basis.

#### VII. BOUNDARY DETERMINATION

- 1) Southwest Corner of Section 17
  - A. The Southwest Corner of Section 17 as restored by Burdett is unlikely to be in the correct position. This re-establishment is based upon double proportionment and cites a principle given in Section 371 of the 1947 Manual of Surveying Instructions.

VII. BOUNDARY DETERMINATION

1) Southwest Corner of Section 17

A. (Continued)

I believe that this procedure is incorrect for the following reasons:

- a-1) It incorrectly applies the stated rule as given in Section 371. This rule applies when intersecting Section lines have been established in only two directions. A careful reading of Mercer's original GLO notes shows that he measured in three directions when first setting this corner.
- a-2) Burdett's corner does not render a harmonious relationship to the work done by the original surveyor. This method introduces a sizable angle point (at the southwest corner of Section 17). The original field notes of Mercer show that the southwest corner of Section 17 was set on a line between the northwest corner of Section 17 and the southwest corner of Section 20.
- a-3) The application of the rule used by Burdett should only be made after retracement has been made of many miles of original lines. There must be developed a definite surplus or deficiency in measurement, or definite angle from cardinal that characterizes the original survey. My research shows a wide variation between Mercer's measurements when compared to retracements of those original lines. These variations were not identified or incorporated by Burdett's method.

B. The Southwest Corner of Section 17 is best re-established by holding Shirley's restoration as depicted by CS 2073-B.

The Shirley Survey was the first of four Oregon State Park Department surveys that all established different locations for the corner in question. In 1963, Shirley single proportioned the position of this corner using the northwest corner of Section 17 and the southwest corner of Section 20. I believe that this position is correct for the following reasons:

VII. BOUNDARY DETERMINATION

1) Southwest Corner of Section 17

B. (Continued)

- b-1) The existing measurement between the northwest corner of Section 17 and the southwest corner of Section 20 is N 0°16'46"E 10443.38 feet. This compares to the original GLO measurement of North 10560 feet. This shows good relationship to original measurements that are consistent with other comparisons of Mercer's work when retraced.
- b-2) This Shirley method puts the southwest corner of Section 17 on a straight line between the northwest corner of Section 17 and the southwest corner of Section 20. The original GLO Surveyor located the northwest corner of Section 17 by sighting across the bay while setting at the southwest corner of Section 17. This field procedure produced the northerly extension of the west lines running to the north and to the south. Shirley's method best reflects what the original surveyor probably did.
- b-3) Retracing the 1912 High Tide Survey Line shows that the west line of Section 17 was on a straight line between the northwest corner of Section 17 and the southwest corner of Section 20. This agrees with the Shirley method.

C) My survey depicts the Shirley Corner as the more likely position of the southwest corner of Section 17.

It must be pointed out that the Burdett Corner is recognized by the Oregon State Park Department to be the southwest corner. Until this area of confusion is cleared up, any affected property owner should use due care before occupying to one line or the other.

2) Boundary Determination of the South Line of Government Lot 3 in Section 17.

I established this line on a due "west" bearing from the found south one-quarter corner of Section 17. My reasons for this determination are as follows:

- A) This method is prescribed by the 1881 Manual of Survey Instructions. The plat of "SOUTH NEWPORT" was recorded in 1887; "SOUTH BEACH" was recorded in 1887; "WAGGONER'S ADDITION TO SOUTH BEACH" was recorded in 1890. Because of this time frame in platting, I believe that the 1881 Instructions are appropriate and must be applied in this situation. The particular instructions that I refer to state:  
*"The subdivisional lines of fractional quarter sections should be run from points on the section lines intermediate between the section and quarter section corners due north, south, east or west to the ...watercourse...which renders such tracts fractional."*  
(See page 40 of the 1881 instructions).
- B) The South line fo WAGGONER'S ADDITION TO SOUTH BEACH" was laid out on a due "west" bearing in compliance to the 1881 Instructions.
- C) The 1972 MANUAL OF INSTRUCTIONS indicates that this line would be established parallel to the south line of Section 17. This procedure would be incongruent with the southline of the subdivision. It reverses the 1881 procedures that were used to originally establish this Government Lot Line. In effect, the 1972 method would cause the location of every lot in "SOUTH BEACH" and "WAGGONER'S ADDITION TO SOUTH BEACH: to change from their original location.
- 3) Boundary Determination of "WAGGONER'S ADDITION TO SOUTH BEACH".  
The found monument at the northeast corner of said plat (Point "A" on my map) and the south one-quarter corner of Section 17 (Point "B" on my map) establish a line that is the east boundary of this plat. This line was held to be "NORTH" and is the basis of bearings of this survey. All corners within this plat were established on cardinal directions and at record distances as per the recorded plat.  
It must be pointed out that various surveys have been performed to locate lots within this this subdivision. Much of this work has been performed without adequately checking the authenticity of monuments used to control each particular survey. This has resulted in incorrectly located lots and a potential for disputes among aubtting lot owners. The condition of found monuments not agreeing with acutal lot corners is evidenced in Block 8 of "WAGGONER"S ADDITION TO SOUTH BEACH."

4. Boundary Determination of the High Tide Line of 1912.

The survey of 1912 establishes the High Tide Line. The field notes and plat show that the northwest and southeast corners of Section 17 existed and were used to survey and describe this tide line. In order to retrace this line, it is necessary to follow in the foot steps of the 1912 Surveyor. Because the original section corners the the 1912 surveyor used still exist, it is possible to retrace the field notes of this high tide line. When retracing this high tide line, it is found that the west line of Section 17 is on a straight line between the northwest corner of Section 17 and the southwest corner of Section 20. The basis of the high tide line is this west section line. This fact is confirmed by the J.W. Hanna retracement of the 1912 High Tide Line dated January 1964. I, too, have followed this same method to re-establish the High Tide Line.

The Summer's Survey (CS6663) does not correctly establish the High Tide Line. This survey uses the southwest corner of Section 17 (as established by Burdett in 1971) as the basis of his retracement. This basis, when checked through, renders a very inadequate agreement to the original survey of 1912.

5. Boundary Determination of the South Jetty Road.

This road was established by Resolution No. 76-2-3. It was originally surveyed by J.W. Hanna in September of 1975. The description for the resolution was based upon this survey. I therefore retraced Hanna's Survey and this is the basis of my location of the South Jetty Road.

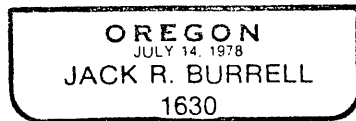
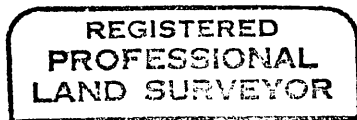
6. Boundary Determination of Lots in the Plat of "HARBORTON"

Points "A:" and "B" on this survey establish the north-south center line of Section 17. This line is the west line of "HARBORTON". Using record information from the Plat, I determined the location of Lots 11, 12 and 13 of Block 9 as shown.

C.S. # 9893  
FILED 4-19-82  
LINCOLN COUNTY SURVEYOR

Narrative for Harborton Keys Record of Survey  
Date: April 1, 1982

7. Parcels W, X, Y and Z are shown on the map and refer to a donation of these parcels recorded in Book 120, Page 1209 of the Lincoln County Deed Records. To retain a concentric 60.00 foot wide access between Parcels Y and Z, it was necessary to make minor changes which as resulted in revised descriptions for Parcels W, Y, and Z.
  
8. The parcels subject to the U.S. vs Brasfield condemnation suit are depicted hereon to indicate their relationship to the South Jetty Road and the plat of South Beach.



*Jack R. Burrell*  
\_\_\_\_\_  
JACK R. BURRELL  
PAUL GREEN & ASSOCIATES, INC.  
1879 N. W. Ninth  
Corvallis, OR 97330



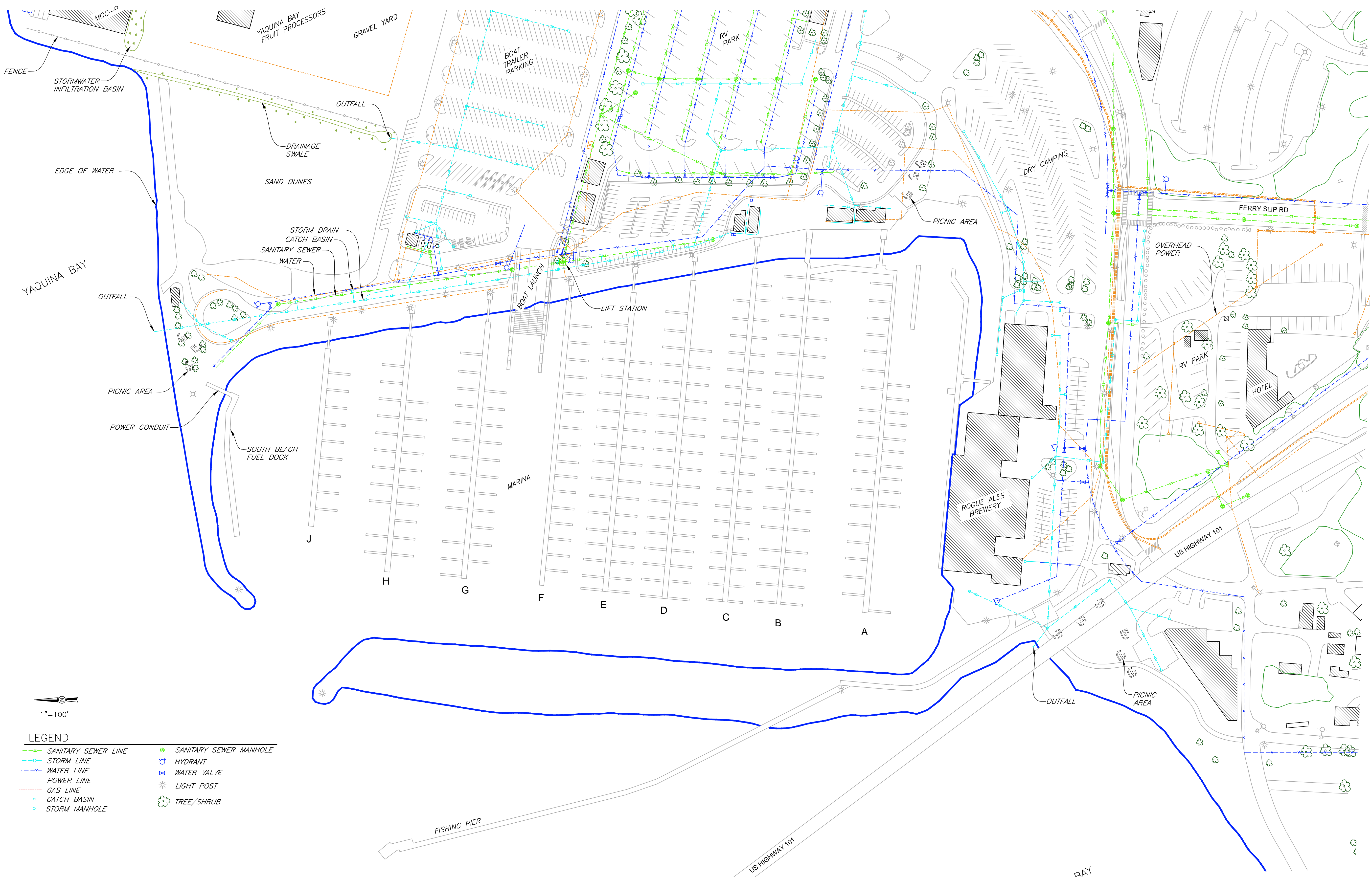
CS 9893 INCLUDES A 33 PAGE BOUND BOOKLET  
“HARBORTON KEYS—PROPOSAL FOR RESOLUTION OF  
BOUNDARY DISPUTE”, WHICH HAS NOT BEEN SCANNED.

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**Appendix B**  
**Property Map**

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MATCH LINE - SEE SHEET 4



- LEGEND**
- SANITARY SEWER LINE
  - STORM LINE
  - WATER LINE
  - POWER LINE
  - GAS LINE
  - CATCH BASIN
  - STORM MANHOLE
  - SANITARY SEWER MANHOLE
  - ⊕ HYDRANT
  - ⊗ WATER VALVE
  - \* LIGHT POST
  - 🌳 TREE/SHRUB

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VERIFY SCALES  
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 541-266-9890

NO.	DATE	REVISION	BY

DSGN	RFS	DR	FMK	CHK	RFS	APVD

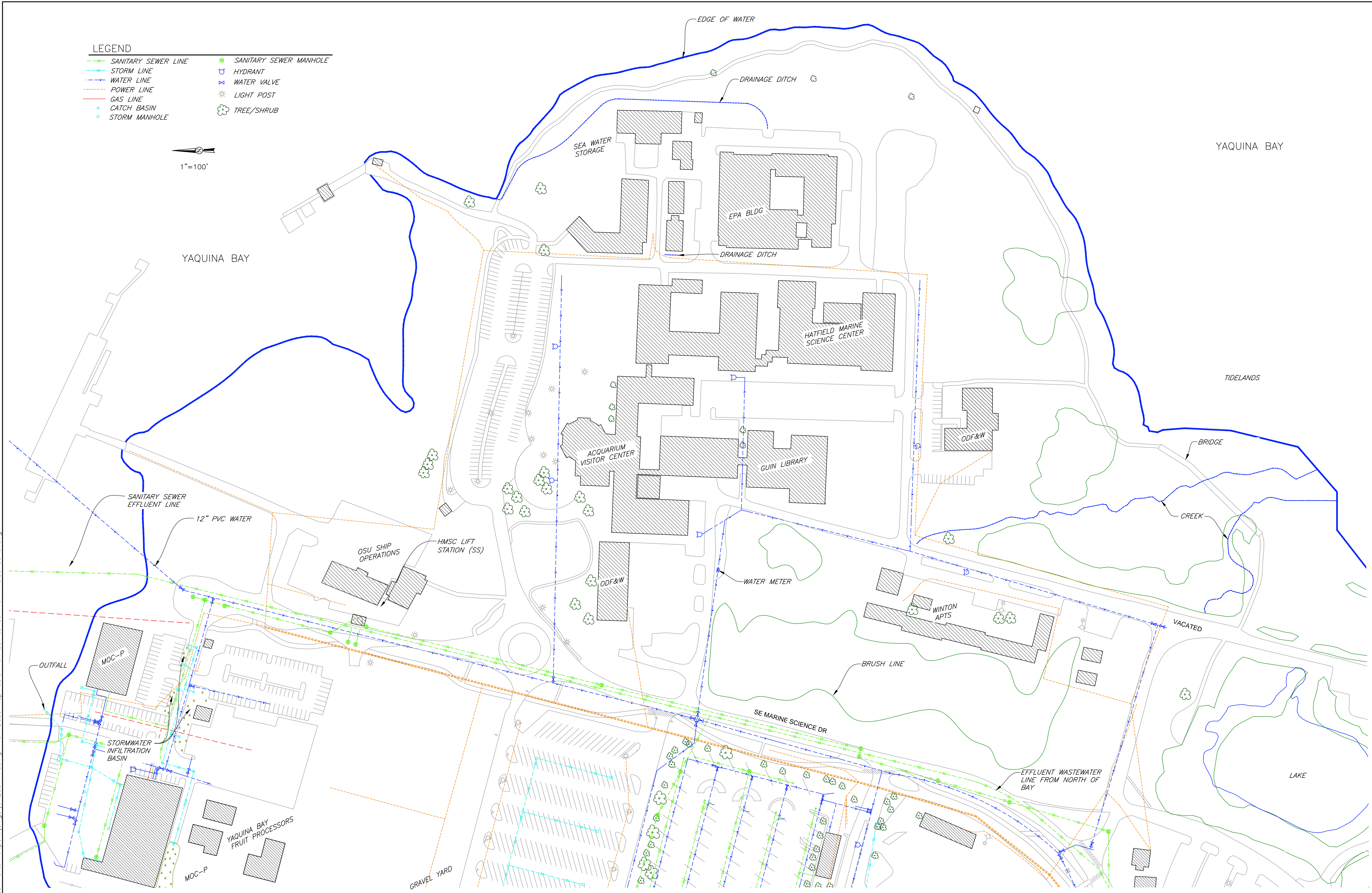
PORT OF NEWPORT FACILITY PLANNING NEWPORT, OREGON		SOUTH PORT UTILITIES - SHEET 1	
SHEET	1	SEQ	1
DATE	10/2012	PROJ. NO.	612031

**LEGEND**

- SANITARY SEWER LINE
- STORM LINE
- WATER LINE
- POWER LINE
- GAS LINE
- CATCH BASIN
- STORM MANHOLE
- SANITARY SEWER MANHOLE
- HYDRANT
- WATER VALVE
- \* LIGHT POST
- TREE/SHRUB



1"=100'

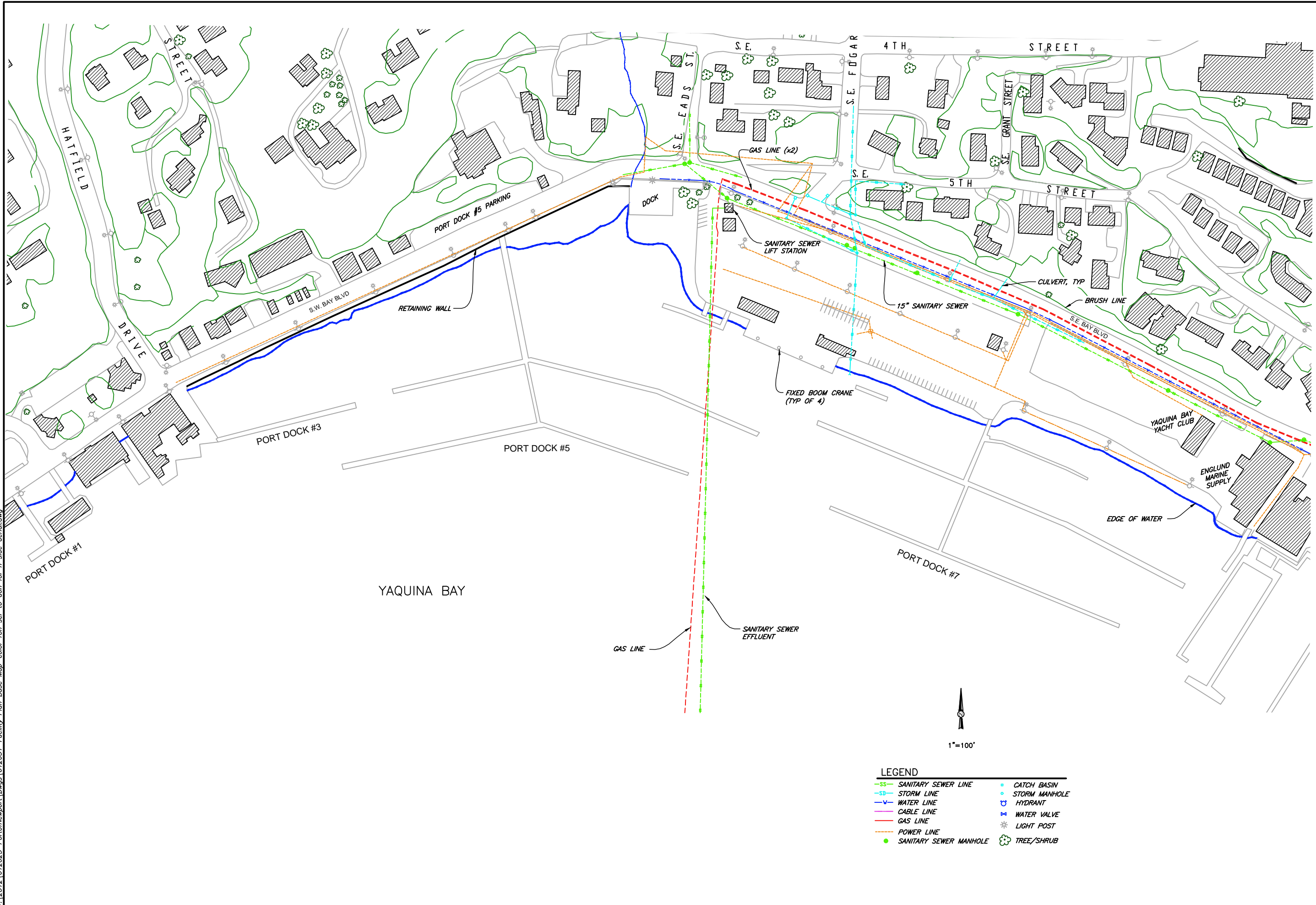


MATCH LINE - SEE SHEET 3

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		<b>CONSULTING ENGINEERS &amp; GEOLOGISTS, INC.</b>		WWW.SHN-ENGR.COM 275 MARKET AVENUE COOS BAY, OR. 97420 541-266-9890	
SOUTH PORT UTILITIES-SHEET 2		SHEET <b>2</b>		SEQ 2	
DATE 10/2012		PROJ. NO. 612031		NO.	
DATE		REVISION		BY	
NO.		REVISION		BY	
DR		FMK		RFS	
DSGN		RFS		APVD	
CHK		RFS		APVD	

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**LEGEND**

—SS—	SANITARY SEWER LINE	□	CATCH BASIN
—SD—	STORM LINE	○	STORM MANHOLE
—W—	WATER LINE	⊕	HYDRANT
—C—	CABLE LINE	⊕	WATER VALVE
—G—	GAS LINE	*	LIGHT POST
—P—	POWER LINE	●	SANITARY SEWER MANHOLE
●	SANITARY SEWER MANHOLE	⊕	TREE/SHRUB

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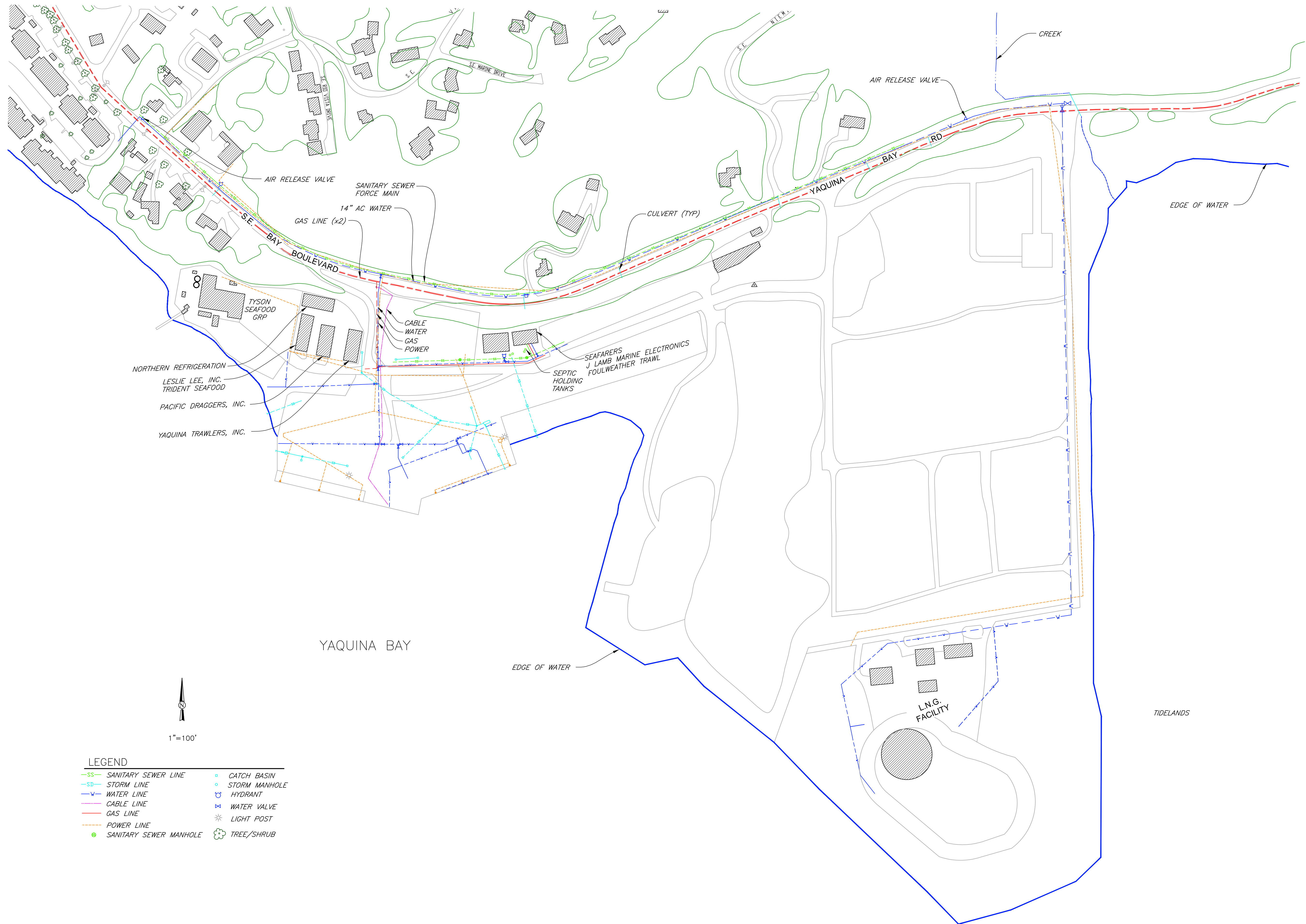
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 541-266-9880

**SHN**  
**CONSULTING ENGINEERS & GEOLOGISTS, INC.**

DESIGN	RFS	BY
DR	FMK	
CHK	RFS	REVISION
APVD	APVD	NO.
		DATE

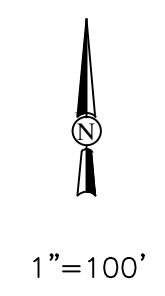
PORT OF NEWPORT  
 FACILITY PLANNING  
 NEWPORT, OREGON  
**NORTH PORT UTILITIES--SHEET 1**  
 SHEET **3**  
 SEQ 3  
 DATE 10/2012  
 PROJ. NO. 612031

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**LEGEND**

SANITARY SEWER LINE	CATCH BASIN
STORM LINE	STORM MANHOLE
WATER LINE	HYDRANT
CABLE LINE	WATER VALVE
GAS LINE	LIGHT POST
POWER LINE	TREE/SHRUB
SANITARY SEWER MANHOLE	



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NO.	DATE	REVISION	BY

DR	RFS	DR	RFS
CHK	FMK	CHK	RFS
APVD	APVD		

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 FACILITY PLANNING  
 NEWPORT, OREGON

**NORTH PORT UTILITIES - SHEET 2**

SHEET 4  
 SEQ 4  
 DATE 10/2012  
 PROJ. NO. 612031





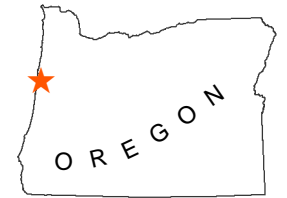
Yaquina Bay



# South Beach Day Use Area

Lincon County, OR  
 Range 11 W, Township 11 S, Section 17

Yaquina Bay and Harbor (Tract A)



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# **Appendix C**

## **EDR Records Reports**

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Port of Newport South Beach Park

Southwest Jetty Way

Newport, OR 97365

Inquiry Number: 4741778.4

September 30, 2016

# EDR Historical Topo Map Report

with QuadMatch™



# EDR Historical Topo Map Report

09/30/16

**Site Name:**

Port of Newport South Beach F  
Southwest Jetty Way  
Newport, OR 97365  
EDR Inquiry # 4741778.4

**Client Name:**

Portage Environmental  
1075 S. Utah Avenue  
Idaho Falls, ID 83402  
Contact: James Jackson



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**Search Results:**

**Coordinates:**

<b>P.O.#</b>	NA	<b>Latitude:</b>	44.619436 44° 37' 10" North
<b>Project:</b>	USCOE Phase 1	<b>Longitude:</b>	-124.053394 -124° 3' 12" West
		<b>UTM Zone:</b>	Zone 10 North
		<b>UTM X Meters:</b>	416428.62
		<b>UTM Y Meters:</b>	4941215.62
		<b>Elevation:</b>	5.94' above sea level

**Maps Provided:**

2014  
1984  
1957  
1942

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## Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

### 2014 Source Sheets



Newport North  
2014  
7.5-minute, 24000



Newport South  
2014  
7.5-minute, 24000

### 1984 Source Sheets



Newport North  
1984  
7.5-minute, 24000  
Aerial Photo Revised 1976  
Edited 1984



Newport South  
1984  
7.5-minute, 24000  
Aerial Photo Revised 1978  
Edited 1984

### 1957 Source Sheets



Yaquina NE  
1957  
15-minute, 62500  
Aerial Photo Revised 1952



Yaquina  
1957  
15-minute, 62500  
Aerial Photo Revised 1952

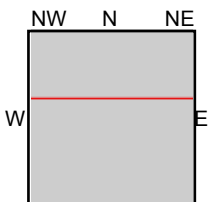
### 1942 Source Sheets



Yaquina  
1942  
15-minute, 62500



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N, Newport North, 2014, 7.5-minute

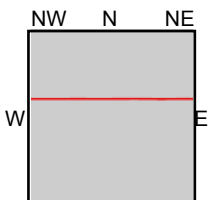
**SITE NAME:** Port of Newport South Beach Park  
**ADDRESS:** Southwest Jetty Way  
Newport, OR 97365  
**CLIENT:** Portage Environmental







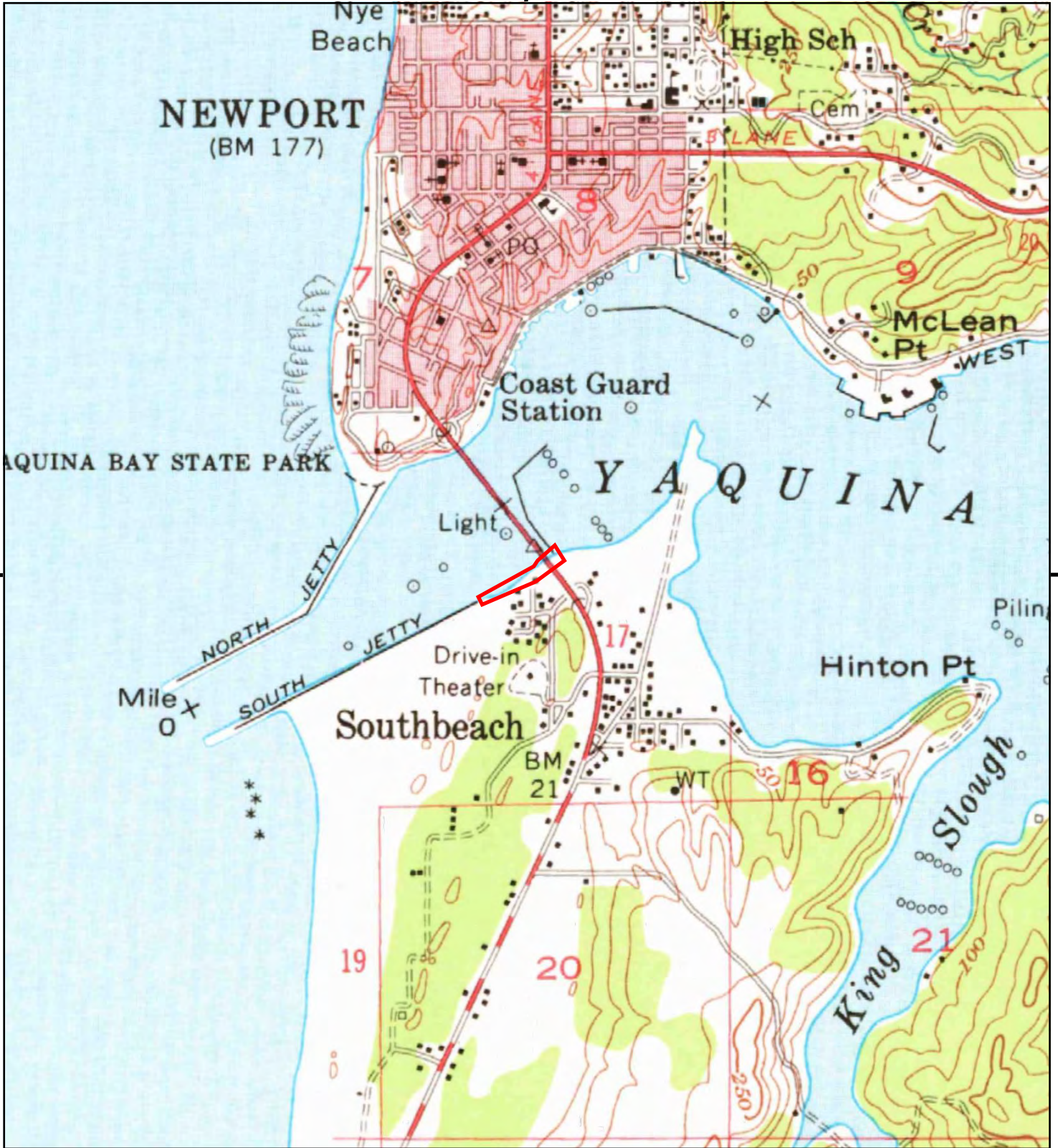
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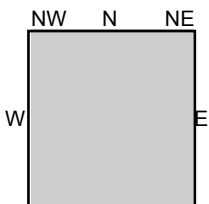
TP, Newport South, 1984, 7.5-minute  
N, Newport North, 1984, 7.5-minute

**SITE NAME:** Port of Newport South Beach Park  
**ADDRESS:** Southwest Jetty Way  
Newport, OR 97365  
**CLIENT:** Portage Environmental





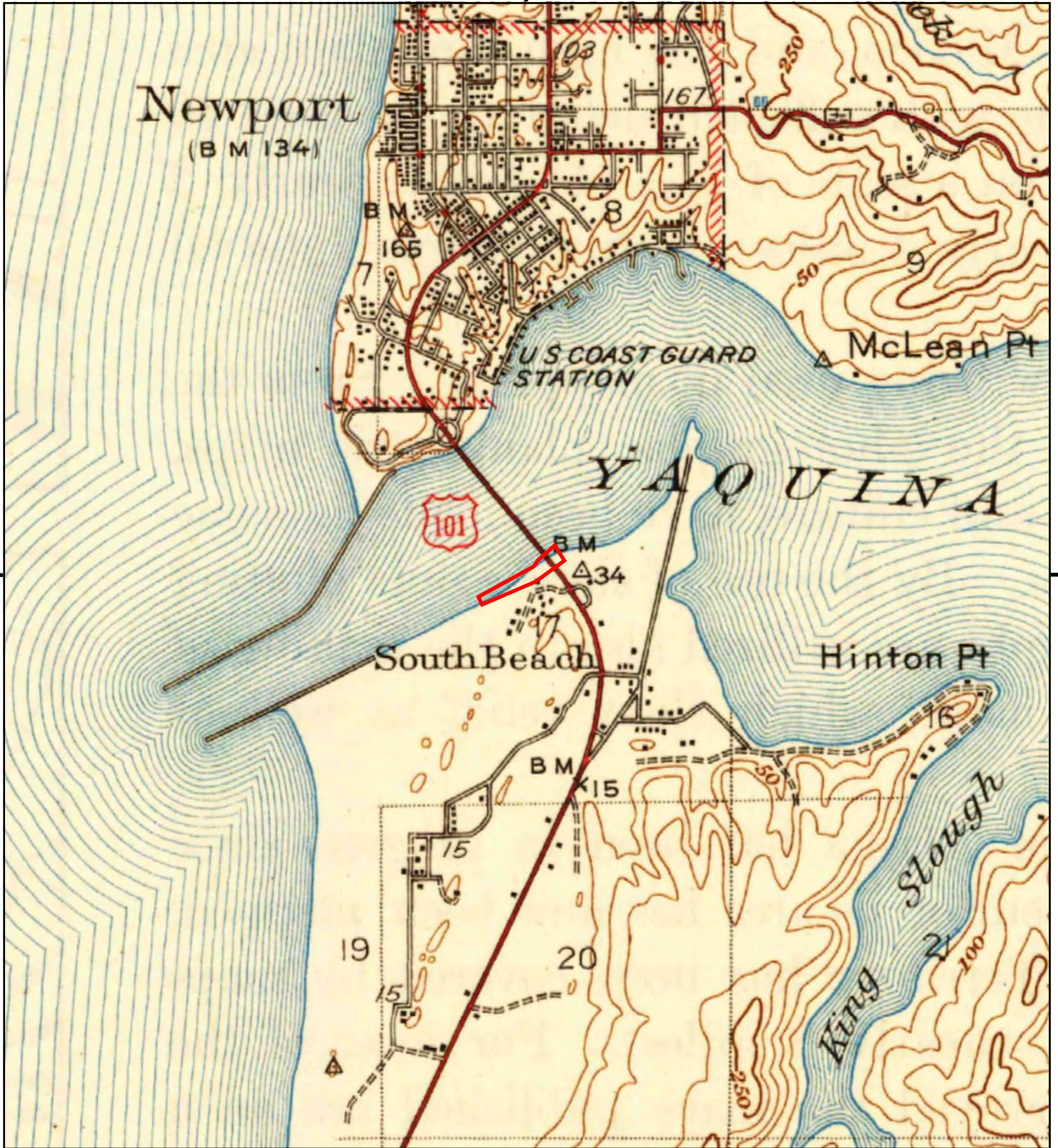
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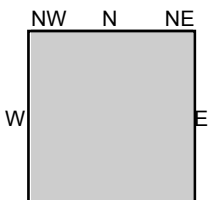
TP, Yaquina NE, 1957, 15-minute  
 TP, Yaquina, 1957, 15-minute

**SITE NAME:** Port of Newport South Beach Park  
**ADDRESS:** Southwest Jetty Way  
 Newport, OR 97365  
**CLIENT:** Portage Environmental





This report includes information from the following map sheet(s).



TP, Yaquina, 1942, 15-minute

SITE NAME: Port of Newport South Beach Park  
 ADDRESS: Southwest Jetty Way  
 Newport, OR 97365  
 CLIENT: Portage Environmental



Port of Newport South Beach Park

Southwest Jetty Way

Newport, OR 97365

Inquiry Number: 4741778.3

September 30, 2016

## Certified Sanborn® Map Report



# Certified Sanborn® Map Report

09/30/16

**Site Name:**

Port of Newport South Beach F  
Southwest Jetty Way  
Newport, OR 97365  
EDR Inquiry # 4741778.3

**Client Name:**

Portage Environmental  
1075 S. Utah Avenue  
Idaho Falls, ID 83402  
Contact: James Jackson



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## Certified Sanborn Results:

**Certification #** 2949-49BE-80D6  
**PO #** NA  
**Project** USCOE Phase 1

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Sanborn® Library search results

Certification #: 2949-49BE-80D6

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**Port of Newport South Beach Park**

Southwest Jetty Way

Newport, OR 97365

Inquiry Number: 4741778.2s

September 30, 2016

# The EDR Radius Map™ Report with GeoCheck®



# TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
Executive Summary .....	ES1
Overview Map .....	2
Detail Map .....	3
Map Findings Summary .....	4
Map Findings .....	8
Orphan Summary .....	43
Government Records Searched/Data Currency Tracking .....	GR-1
 <b><u>GEOCHECK ADDENDUM</u></b>	
Physical Setting Source Addendum .....	A-1
Physical Setting Source Summary .....	A-2
Physical Setting SSURGO Soil Map .....	A-5
Physical Setting Source Map .....	A-10
Physical Setting Source Map Findings .....	A-12
Physical Setting Source Records Searched .....	PSGR-1

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## EXECUTIVE SUMMARY

A search of available environmental records was conducted by Environmental Data Resources, Inc (EDR). The report was designed to assist parties seeking to meet the search requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-13) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

### TARGET PROPERTY INFORMATION

#### ADDRESS

SOUTHWEST JETTY WAY  
NEWPORT, OR 97365

#### COORDINATES

Latitude (North): 44.6194360 - 44° 37' 9.96"  
Longitude (West): 124.0533940 - 124° 3' 12.21"  
Universal Transverse Mercator: Zone 10  
UTM X (Meters): 416426.2  
UTM Y (Meters): 4940999.0  
Elevation: 6 ft. above sea level

### USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map: 6066150 NEWPORT SOUTH, OR  
Version Date: 2014  
  
North Map: 6066148 NEWPORT NORTH, OR  
Version Date: 2014

### AERIAL PHOTOGRAPHY IN THIS REPORT

Portions of Photo from: 20140701, 20140611  
Source: USDA



MAPPED SITES SUMMARY

Target Property Address:  
SOUTHWEST JETTY WAY  
NEWPORT, OR 97365

Click on Map ID to see full detail.

MAP ID	SITE NAME	ADDRESS	DATABASE ACRONYMS	RELATIVE ELEVATION	DIST (ft. & mi.) DIRECTION
<a href="#">A1</a>	HEATING OIL TANK	2000 OSU DR	LUST, NPDES	Higher	48, 0.009, ESE
<a href="#">A2</a>	NOAA NWFSC NAL RSF	2115 SE OSU DR	AST, HSIS	Higher	192, 0.036, East
<a href="#">3</a>	ROGUE ALES	2320 SE MARINE SCIEN	AST, HSIS	Higher	517, 0.098, East
<a href="#">4</a>	MOTEL 6 NEWPORT	2633 SE PACIFIC WAY	AST, HSIS	Higher	525, 0.099, SE
<a href="#">B5</a>	NEWPORT MARINA AT SO	2301 S.E. MARINE SCI	UST	Higher	1106, 0.209, East
<a href="#">B6</a>	NEWPORT MARINA AT SO	2301 S.E. MARINE SCI	LUST, SPILLS	Higher	1106, 0.209, East
<a href="#">7</a>	COAST GUARD YAQUINA	925 SW NATERLIN DR (	LUST	Higher	2214, 0.419, NNW
<a href="#">8</a>	FERRY SLIP ROAD DRUM	CORNER SE FERRY SLIP	ECSI	Higher	2261, 0.428, SE
<a href="#">C9</a>	OREGON COAST AQUARIU	2820 SE FERRY SLIP R	LUST, UST	Higher	2517, 0.477, SSE
<a href="#">C10</a>	PIONEER TELEPHONE S.	FERRY SLIP ROAD	LUST	Higher	2566, 0.486, SSE
<a href="#">11</a>	SPY, L.L.C. TRUCKING	4535 S. COAST HIGHWA	CRL, ECSI, FINDS, ECHO	Higher	4478, 0.848, South
<a href="#">D12</a>	PORT OF NEWPORT INTE	600 SE BAY BOULEVARD	ECSI, VCP, BROWNFIELDS, FINDS, ECHO	Higher	4834, 0.916, NNE
<a href="#">D13</a>	MORSE BROTHERS TRUCK	625 SE BAY BLVD.	ECSI	Higher	4904, 0.929, NNE

# EXECUTIVE SUMMARY

## TARGET PROPERTY SEARCH RESULTS

The target property was not listed in any of the databases searched by EDR.

## DATABASES WITH NO MAPPED SITES

No mapped sites were found in EDR's search of available ("reasonably ascertainable ") government records either on the target property or within the search radius around the target property for the following databases:

## STANDARD ENVIRONMENTAL RECORDS

### ***Federal NPL site list***

NPL..... National Priority List  
Proposed NPL..... Proposed National Priority List Sites  
NPL LIENS..... Federal Superfund Liens

### ***Federal Delisted NPL site list***

Delisted NPL..... National Priority List Deletions

### ***Federal CERCLIS list***

FEDERAL FACILITY..... Federal Facility Site Information listing  
SEMS..... Superfund Enterprise Management System

### ***Federal CERCLIS NFRAP site list***

SEMS-ARCHIVE..... Superfund Enterprise Management System Archive

### ***Federal RCRA CORRACTS facilities list***

CORRACTS..... Corrective Action Report

### ***Federal RCRA non-CORRACTS TSD facilities list***

RCRA-TSDF..... RCRA - Treatment, Storage and Disposal

### ***Federal RCRA generators list***

RCRA-LQG..... RCRA - Large Quantity Generators  
RCRA-SQG..... RCRA - Small Quantity Generators  
RCRA-CESQG..... RCRA - Conditionally Exempt Small Quantity Generator

### ***Federal institutional controls / engineering controls registries***

LUCIS..... Land Use Control Information System  
US ENG CONTROLS..... Engineering Controls Sites List

## EXECUTIVE SUMMARY

US INST CONTROL..... Sites with Institutional Controls

### **Federal ERNS list**

ERNS..... Emergency Response Notification System

### **State and tribal landfill and/or solid waste disposal site lists**

SWF/LF..... Solid Waste Facilities List

### **State and tribal leaking storage tank lists**

INDIAN LUST..... Leaking Underground Storage Tanks on Indian Land

### **State and tribal registered storage tank lists**

FEMA UST..... Underground Storage Tank Listing

INDIAN UST..... Underground Storage Tanks on Indian Land

### **State and tribal institutional control / engineering control registries**

ENG CONTROLS..... Engineering Controls Recorded at ESCI Sites

INST CONTROL..... Institutional Controls Recorded at ESCI Sites

### **State and tribal voluntary cleanup sites**

VCP..... Voluntary Cleanup Program Sites

INDIAN VCP..... Voluntary Cleanup Priority Listing

### **State and tribal Brownfields sites**

BROWNFIELDS..... Brownfields Projects

## **ADDITIONAL ENVIRONMENTAL RECORDS**

### **Local Brownfield lists**

US BROWNFIELDS..... A Listing of Brownfields Sites

### **Local Lists of Landfill / Solid Waste Disposal Sites**

SWRCY..... Recycling Facility Location Listing

HIST LF..... Old Closed SW Disposal Sites

INDIAN ODI..... Report on the Status of Open Dumps on Indian Lands

DEBRIS REGION 9..... Torres Martinez Reservation Illegal Dump Site Locations

ODI..... Open Dump Inventory

### **Local Lists of Hazardous waste / Contaminated Sites**

US HIST CDL..... Delisted National Clandestine Laboratory Register

AOCONCERN..... Columbia Slough

CDL..... Uninhabitable Drug Lab Properties

US CDL..... National Clandestine Laboratory Register

### **Local Land Records**

LIENS 2..... CERCLA Lien Information

## EXECUTIVE SUMMARY

### **Records of Emergency Release Reports**

HMIRS..... Hazardous Materials Information Reporting System  
SPILLS..... Spill Database  
OR HAZMAT..... Hazmat/Incidents  
SPILLS 90..... SPILLS 90 data from FirstSearch

### **Other Ascertainable Records**

RCRA NonGen / NLR..... RCRA - Non Generators / No Longer Regulated  
FUDS..... Formerly Used Defense Sites  
DOD..... Department of Defense Sites  
SCRD DRYCLEANERS..... State Coalition for Remediation of Drycleaners Listing  
US FIN ASSUR..... Financial Assurance Information  
EPA WATCH LIST..... EPA WATCH LIST  
2020 COR ACTION..... 2020 Corrective Action Program List  
TSCA..... Toxic Substances Control Act  
TRIS..... Toxic Chemical Release Inventory System  
SSTS..... Section 7 Tracking Systems  
ROD..... Records Of Decision  
RMP..... Risk Management Plans  
RAATS..... RCRA Administrative Action Tracking System  
PRP..... Potentially Responsible Parties  
PADS..... PCB Activity Database System  
ICIS..... Integrated Compliance Information System  
FTTS..... FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)  
MLTS..... Material Licensing Tracking System  
COAL ASH DOE..... Steam-Electric Plant Operation Data  
COAL ASH EPA..... Coal Combustion Residues Surface Impoundments List  
PCB TRANSFORMER..... PCB Transformer Registration Database  
RADINFO..... Radiation Information Database  
HIST FTTS..... FIFRA/TSCA Tracking System Administrative Case Listing  
DOT OPS..... Incident and Accident Data  
CONSENT..... Superfund (CERCLA) Consent Decrees  
INDIAN RESERV..... Indian Reservations  
FUSRAP..... Formerly Utilized Sites Remedial Action Program  
UMTRA..... Uranium Mill Tailings Sites  
LEAD SMELTERS..... Lead Smelter Sites  
US AIRS..... Aerometric Information Retrieval System Facility Subsystem  
US MINES..... Mines Master Index File  
FINDS..... Facility Index System/Facility Registry System  
DOCKET HWC..... Hazardous Waste Compliance Docket Listing  
UXO..... Unexploded Ordnance Sites  
AIRS..... Oregon Title V Facility Listing  
COAL ASH..... Coal Ash Disposal Sites Listing  
DRYCLEANERS..... Drycleaning Facilities  
Financial Assurance..... Financial Assurance Information Listing  
HSIS..... Hazardous Substance Information Survey  
MANIFEST..... Manifest Information  
NPDES..... Wastewater Permits Database  
UIC..... Underground Injection Control Program Database  
FUELS PROGRAM..... EPA Fuels Program Registered Listing  
ECHO..... Enforcement & Compliance History Information

# EXECUTIVE SUMMARY

## EDR HIGH RISK HISTORICAL RECORDS

### ***EDR Exclusive Records***

EDR MGP..... EDR Proprietary Manufactured Gas Plants  
 EDR Hist Auto..... EDR Exclusive Historic Gas Stations  
 EDR Hist Cleaner..... EDR Exclusive Historic Dry Cleaners

## EDR RECOVERED GOVERNMENT ARCHIVES

### ***Exclusive Recovered Govt. Archives***

RGA HWS..... Recovered Government Archive State Hazardous Waste Facilities List  
 RGA LF..... Recovered Government Archive Solid Waste Facilities List  
 RGA LUST..... Recovered Government Archive Leaking Underground Storage Tank

## SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were identified in the following databases.

Elevations have been determined from the USGS Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property.

Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in ***bold italics*** are in multiple databases.

Unmappable (orphan) sites are not considered in the foregoing analysis.

## STANDARD ENVIRONMENTAL RECORDS

### ***State- and tribal - equivalent CERCLIS***

ECSI: The Environmental Cleanup Site Information System records information about sites in Oregon that may be of environmental interest. The data come from the Department of Environmental Quality.

A review of the ECSI list, as provided by EDR, and dated 07/01/2016 has revealed that there are 4 ECSI sites within approximately 1 mile of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
FERRY SLIP ROAD DRUM Investigation: Suspect State ID Number: 2430	CORNER SE FERRY SLIP	SE 1/4 - 1/2 (0.428 mi.)	8	22
<b><i>SPY, L.L.C. TRUCKING</i></b> Investigation: Listed on the CRL/Inventory State ID Number: 2730	<b><i>4535 S. COAST HIGHWA</i></b>	<b><i>S 1/2 - 1 (0.848 mi.)</i></b>	<b><i>11</i></b>	<b><i>27</i></b>
<b><i>PORT OF NEWPORT INTE</i></b> Investigation: No Further Action	<b><i>600 SE BAY BOULEVARD</i></b>	<b><i>NNE 1/2 - 1 (0.916 mi.)</i></b>	<b><i>D12</i></b>	<b><i>32</i></b>

## EXECUTIVE SUMMARY

State ID Number: 1827  
 MORSE BROTHERS TRUCK                      625 SE BAY BLVD.                      NNE 1/2 - 1 (0.929 mi.)                      D13                      40  
 Investigation: Suspect  
 State ID Number: 854

CRL: Sites that are or may be contaminated and may require cleanup.

A review of the CRL list, as provided by EDR, and dated 05/01/2016 has revealed that there is 1 CRL site within approximately 1 mile of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
<b>SPY, L.L.C. TRUCKING</b> Facility Status: State Expanded Preliminary Assessment recommended (XPA) Facility Id: 2730	<b>4535 S. COAST HIGHWA</b>	<b>S 1/2 - 1 (0.848 mi.)</b>	<b>11</b>	<b>27</b>

### **State and tribal leaking storage tank lists**

LUST: The Leaking Underground Storage Tank Incident Reports contain an inventory of reported leaking underground storage tank incidents. The data come from the Department of Environmental Quality's LUST Database List.

A review of the LUST list, as provided by EDR, and dated 04/05/2016 has revealed that there are 5 LUST sites within approximately 0.5 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
<b>HEATING OIL TANK</b> Facility ID: 21-10-0219 Cleanup Complete: 06/02/2010	<b>2000 OSU DR</b>	<b>ESE 0 - 1/8 (0.009 mi.)</b>	<b>A1</b>	<b>8</b>
<b>NEWPORT MARINA AT SO</b> Facility ID: 21-14-0869	<b>2301 S.E. MARINE SCI</b>	<b>E 1/8 - 1/4 (0.209 mi.)</b>	<b>B6</b>	<b>21</b>
<b>COAST GUARD YAQUINA</b> Facility ID: 21-94-4025 Cleanup Complete: 05/28/2004	<b>925 SW WATERLIN DR (</b>	<b>NNW 1/4 - 1/2 (0.419 mi.)</b>	<b>7</b>	<b>22</b>
<b>OREGON COAST AQUARIU</b> Facility ID: 21-93-4162	<b>2820 SE FERRY SLIP R</b>	<b>SSE 1/4 - 1/2 (0.477 mi.)</b>	<b>C9</b>	<b>26</b>
<b>PIONEER TELEPHONE S.</b> Facility ID: 21-92-4086 Cleanup Complete: 04/19/1994	<b>FERRY SLIP ROAD</b>	<b>SSE 1/4 - 1/2 (0.486 mi.)</b>	<b>C10</b>	<b>27</b>

### **State and tribal registered storage tank lists**

UST: The Underground Storage Tank database contains registered USTs. USTs are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA). The data come from the Department of Environmental Quality's UST List on Disk.

A review of the UST list, as provided by EDR, and dated 04/05/2016 has revealed that there is 1 UST

## EXECUTIVE SUMMARY

site within approximately 0.25 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
NEWPORT MARINA AT SO Facility ID: 9180	2301 S.E. MARINE SCI	E 1/8 - 1/4 (0.209 mi.)	B5	21

AST: The Aboveground Storage Tank database contains registered ASTs. The data comes from the list of ASTs reported to the Office of State Fire Marshal.

A review of the AST list, as provided by EDR, and dated 04/28/2016 has revealed that there are 3 AST sites within approximately 0.25 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
<b>NOAA NWFSC NAL RSF</b> Facility Id: 067067	<b>2115 SE OSU DR</b>	<b>E 0 - 1/8 (0.036 mi.)</b>	<b>A2</b>	<b>8</b>
<b>ROGUE ALES</b> Facility Id: 057819	<b>2320 SE MARINE SCIEN</b>	<b>E 0 - 1/8 (0.098 mi.)</b>	<b>3</b>	<b>12</b>
<b>MOTEL 6 NEWPORT</b> Facility Id: 121289	<b>2633 SE PACIFIC WAY</b>	<b>SE 0 - 1/8 (0.099 mi.)</b>	<b>4</b>	<b>19</b>

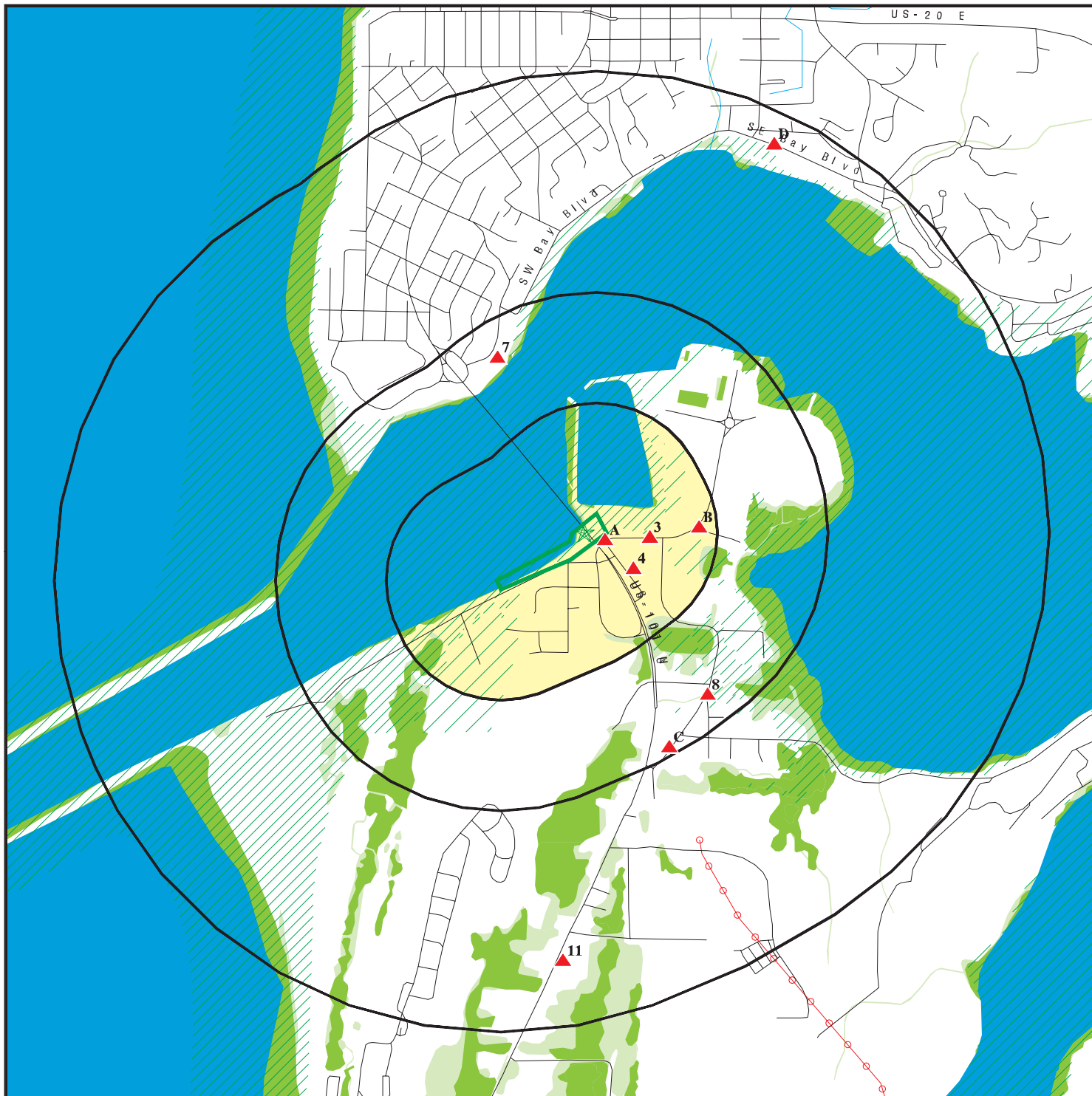
## EXECUTIVE SUMMARY

Due to poor or inadequate address information, the following sites were not mapped. Count: 2 records.

<u>Site Name</u>	<u>Database(s)</u>
PORT OF NEWPORT	SWF/LF
4 J'S PLAZA PROPERTY	LUST



# OVERVIEW MAP - 4741778.2S



Target Property

Sites at elevations higher than or equal to the target property

Sites at elevations lower than the target property

Manufactured Gas Plants

National Priority List Sites

Dept. Defense Sites

Indian Reservations BIA

Power transmission lines

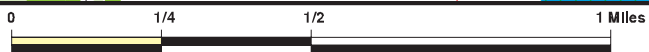
100-year flood zone

500-year flood zone

National Wetland Inventory

State Wetlands

Areas of Concern



This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: Port of Newport South Beach Park

ADDRESS: Southwest Jetty Way  
Newport OR 97365

LAT/LONG: 46.194064, -124.053394

CLIENT: Portage Environmental

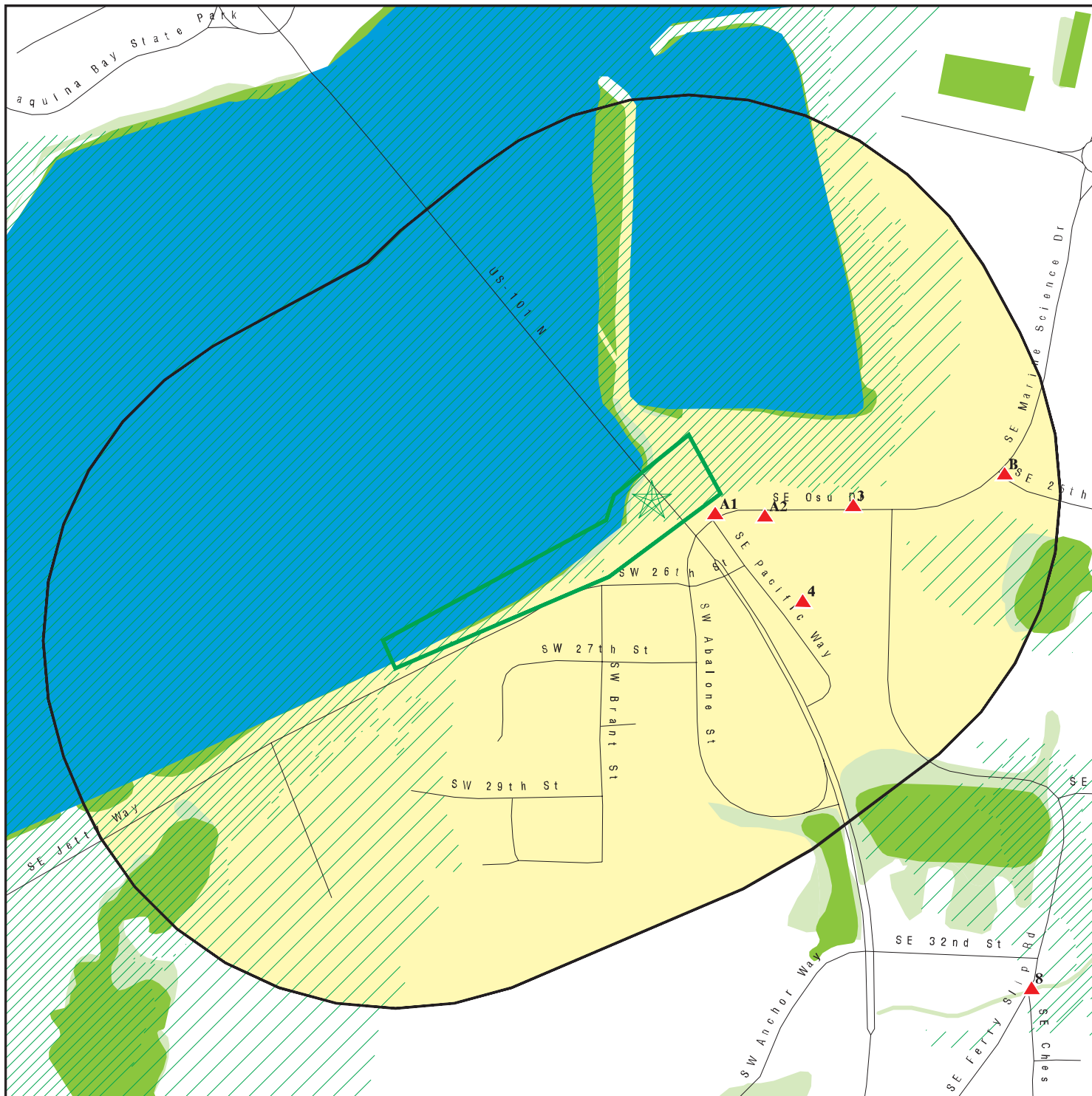
CONTACT: James Jackson  
INQUIRY #: 4741778.2s








DATE: September 30, 2016 3:04 pm


January 2017

Page 209 of 356

# DETAIL MAP - 4741778.2S



-  Target Property
-  Sites at elevations higher than or equal to the target property
-  Sites at elevations lower than the target property
-  Manufactured Gas Plants
-  Sensitive Receptors
-  National Priority List Sites
-  Dept. Defense Sites

-  Indian Reservations BIA
-  100-year flood zone
-  500-year flood zone
-  National Wetland Inventory
-  State Wetlands
-  Areas of Concern

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: Port of Newport South Beach Park  
 ADDRESS: Southwest Jetty Way  
 Newport OR 97365

CLIENT: Portage Environmental  
 CONTACT: James Jackson  
 INQUIRY #: 4741778.2s

LATLONG: 46.194664124, -124.053394  
 Commission Regular Meeting

January 2017

DATE: September 30, 2016 3:05 pm

Page 210 of 355

## MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
<b>STANDARD ENVIRONMENTAL RECORDS</b>								
<b><i>Federal NPL site list</i></b>								
NPL	1.000		0	0	0	0	NR	0
Proposed NPL	1.000		0	0	0	0	NR	0
NPL LIENS	0.001		0	NR	NR	NR	NR	0
<b><i>Federal Delisted NPL site list</i></b>								
Delisted NPL	1.000		0	0	0	0	NR	0
<b><i>Federal CERCLIS list</i></b>								
FEDERAL FACILITY	0.500		0	0	0	NR	NR	0
SEMS	0.500		0	0	0	NR	NR	0
<b><i>Federal CERCLIS NFRAP site list</i></b>								
SEMS-ARCHIVE	0.500		0	0	0	NR	NR	0
<b><i>Federal RCRA CORRACTS facilities list</i></b>								
CORRACTS	1.000		0	0	0	0	NR	0
<b><i>Federal RCRA non-CORRACTS TSD facilities list</i></b>								
RCRA-TSDF	0.500		0	0	0	NR	NR	0
<b><i>Federal RCRA generators list</i></b>								
RCRA-LQG	0.250		0	0	NR	NR	NR	0
RCRA-SQG	0.250		0	0	NR	NR	NR	0
RCRA-CESQG	0.250		0	0	NR	NR	NR	0
<b><i>Federal institutional controls / engineering controls registries</i></b>								
LUCIS	0.500		0	0	0	NR	NR	0
US ENG CONTROLS	0.500		0	0	0	NR	NR	0
US INST CONTROL	0.500		0	0	0	NR	NR	0
<b><i>Federal ERNS list</i></b>								
ERNS	0.001		0	NR	NR	NR	NR	0
<b><i>State- and tribal - equivalent CERCLIS</i></b>								
ECSI	1.000		0	0	1	3	NR	4
CRL	1.000		0	0	0	1	NR	1
<b><i>State and tribal landfill and/or solid waste disposal site lists</i></b>								
SWF/LF	0.500		0	0	0	NR	NR	0
<b><i>State and tribal leaking storage tank lists</i></b>								
LUST	0.500		1	1	3	NR	NR	5
INDIAN LUST	0.500		0	0	0	NR	NR	0
<b><i>State and tribal registered storage tank lists</i></b>								
FEMA UST	0.250		0	0	NR	NR	NR	0

## MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
UST	0.250		0	1	NR	NR	NR	1
AST	0.250		3	0	NR	NR	NR	3
INDIAN UST	0.250		0	0	NR	NR	NR	0
<b>State and tribal institutional control / engineering control registries</b>								
ENG CONTROLS	0.500		0	0	0	NR	NR	0
INST CONTROL	0.500		0	0	0	NR	NR	0
<b>State and tribal voluntary cleanup sites</b>								
VCP	0.500		0	0	0	NR	NR	0
INDIAN VCP	0.500		0	0	0	NR	NR	0
<b>State and tribal Brownfields sites</b>								
BROWNFIELDS	0.500		0	0	0	NR	NR	0
<b>ADDITIONAL ENVIRONMENTAL RECORDS</b>								
<b>Local Brownfield lists</b>								
US BROWNFIELDS	0.500		0	0	0	NR	NR	0
<b>Local Lists of Landfill / Solid Waste Disposal Sites</b>								
SWRCY	0.500		0	0	0	NR	NR	0
HIST LF	0.500		0	0	0	NR	NR	0
INDIAN ODI	0.500		0	0	0	NR	NR	0
DEBRIS REGION 9	0.500		0	0	0	NR	NR	0
ODI	0.500		0	0	0	NR	NR	0
<b>Local Lists of Hazardous waste / Contaminated Sites</b>								
US HIST CDL	0.001		0	NR	NR	NR	NR	0
AOCONCERN	1.000		0	0	0	0	NR	0
CDL	0.001		0	NR	NR	NR	NR	0
US CDL	0.001		0	NR	NR	NR	NR	0
<b>Local Land Records</b>								
LIENS 2	0.001		0	NR	NR	NR	NR	0
<b>Records of Emergency Release Reports</b>								
HMIRS	0.001		0	NR	NR	NR	NR	0
SPILLS	0.001		0	NR	NR	NR	NR	0
OR HAZMAT	0.001		0	NR	NR	NR	NR	0
SPILLS 90	0.001		0	NR	NR	NR	NR	0
<b>Other Ascertainable Records</b>								
RCRA NonGen / NLR	0.250		0	0	NR	NR	NR	0
FUDS	1.000		0	0	0	0	NR	0
DOD	1.000		0	0	0	0	NR	0
SCRD DRYCLEANERS	0.500		0	0	0	NR	NR	0

## MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
US FIN ASSUR	0.001		0	NR	NR	NR	NR	0
EPA WATCH LIST	0.001		0	NR	NR	NR	NR	0
2020 COR ACTION	0.250		0	0	NR	NR	NR	0
TSCA	0.001		0	NR	NR	NR	NR	0
TRIS	0.001		0	NR	NR	NR	NR	0
SSTS	0.001		0	NR	NR	NR	NR	0
ROD	1.000		0	0	0	0	NR	0
RMP	0.001		0	NR	NR	NR	NR	0
RAATS	0.001		0	NR	NR	NR	NR	0
PRP	0.001		0	NR	NR	NR	NR	0
PADS	0.001		0	NR	NR	NR	NR	0
ICIS	0.001		0	NR	NR	NR	NR	0
FTTS	0.001		0	NR	NR	NR	NR	0
MLTS	0.001		0	NR	NR	NR	NR	0
COAL ASH DOE	0.001		0	NR	NR	NR	NR	0
COAL ASH EPA	0.500		0	0	0	NR	NR	0
PCB TRANSFORMER	0.001		0	NR	NR	NR	NR	0
RADINFO	0.001		0	NR	NR	NR	NR	0
HIST FTTS	0.001		0	NR	NR	NR	NR	0
DOT OPS	0.001		0	NR	NR	NR	NR	0
CONSENT	1.000		0	0	0	0	NR	0
INDIAN RESERV	0.001		0	NR	NR	NR	NR	0
FUSRAP	1.000		0	0	0	0	NR	0
UMTRA	0.500		0	0	0	NR	NR	0
LEAD SMELTERS	0.001		0	NR	NR	NR	NR	0
US AIRS	0.001		0	NR	NR	NR	NR	0
US MINES	0.250		0	0	NR	NR	NR	0
FINDS	0.001		0	NR	NR	NR	NR	0
DOCKET HWC	0.001		0	NR	NR	NR	NR	0
UXO	1.000		0	0	0	0	NR	0
AIRS	0.001		0	NR	NR	NR	NR	0
COAL ASH	0.500		0	0	0	NR	NR	0
DRYCLEANERS	0.250		0	0	NR	NR	NR	0
Financial Assurance	0.001		0	NR	NR	NR	NR	0
HSIS	0.001		0	NR	NR	NR	NR	0
MANIFEST	0.250		0	0	NR	NR	NR	0
NPDES	0.001		0	NR	NR	NR	NR	0
UIC	0.001		0	NR	NR	NR	NR	0
FUELS PROGRAM	0.250		0	0	NR	NR	NR	0
ECHO	0.001		0	NR	NR	NR	NR	0

### EDR HIGH RISK HISTORICAL RECORDS

#### ***EDR Exclusive Records***

EDR MGP	1.000		0	0	0	0	NR	0
EDR Hist Auto	0.125		0	NR	NR	NR	NR	0
EDR Hist Cleaner	0.125		0	NR	NR	NR	NR	0

### EDR RECOVERED GOVERNMENT ARCHIVES

#### ***Exclusive Recovered Govt. Archives***

RGA HWS	0.001		0	NR	NR	NR	NR	0
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## MAP FINDINGS SUMMARY

<u>Database</u>	<u>Search Distance (Miles)</u>	<u>Target Property</u>	<u>&lt; 1/8</u>	<u>1/8 - 1/4</u>	<u>1/4 - 1/2</u>	<u>1/2 - 1</u>	<u>&gt; 1</u>	<u>Total Plotted</u>
RGA LF	0.001		0	NR	NR	NR	NR	0
RGA LUST	0.001		0	NR	NR	NR	NR	0
- Totals --		0	4	2	4	4	0	14

NOTES:

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**A1**  
**ESE**  
**< 1/8**  
**0.009 mi.**  
**48 ft.**

**HEATING OIL TANK**  
**2000 OSU DR**  
**NEWPORT, OR 97365**  
**Site 1 of 2 in cluster A**

**LUST** **S110292531**  
**NPDES** **N/A**

**Relative:**  
**Higher**

**LUST:**  
Region: Western Region  
Facility ID: 21-10-0219  
Cleanup Received Date: 03/18/2010  
Cleanup Start Date: Not reported  
**Cleanup Complete Date: 06/02/2010**  
**Decode for Region: West Region**

**Actual:**  
**12 ft.**

**NPDES:**  
WQ File Nbr: 119494  
Legal Name: PORT OF NEWPORT, OREGON  
Region: Not reported  
Pri SIC: 1541  
Facility Type: Not reported  
Latitude: Not reported  
Longitude: Not reported  
Category: Not reported  
Permit Type: GEN12C  
Permit Active: Not reported  
Is Active?: FALSE  
Permit Description: Not reported  
Expiration Date: Not reported  
EPA Number: Not reported  
UIC Facility: Not reported  
Admin Agent: Not reported  
Last Action Date: Not reported  
Permit Writer: Not reported  
Compliance Inspector: Not reported  
DMR Reviewer: Not reported  
Application Number: Not reported  
Class: Not reported  
Start Date: Not reported  
Region Decode: Not reported

**A2**  
**East**  
**< 1/8**  
**0.036 mi.**  
**192 ft.**

**NOAA NWFSC NAL RSF**  
**2115 SE OSU DR**  
**NEWPORT, OR 97365**  
**Site 2 of 2 in cluster A**

**AST** **S104059677**  
**HSIS** **N/A**

**Relative:**  
**Higher**

**AST:**  
Facility Id: 067067  
Hazardous Substance: DIESEL  
Reporting Quantities: 500-999  
Quantity Units: GALLONS  
Physical State: LIQUID  
Storage 1: ABOVEGROUND TANK

**Actual:**  
**14 ft.**

Facility Id: 067067  
Hazardous Substance: PROPYLENE GLYCOL  
Reporting Quantities: 5,000-9,999  
Quantity Units: GALLONS  
Physical State: LIQUID

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

NOAA NWFSC NAL RSF (Continued)

S104059677

Storage 1: ABOVEGROUND TANK

HSIS:

Facility Id: 067067  
Chemical Is Extremely Hazardous Substance (EHS): No  
Department Or Division Of Company: NOAA NWFSC AFSC PMEL OSU  
Facility Has Written Emergency Plan: Yes  
Contains 112R: No  
NAICS Code 1: 924120  
NAICS Desc 1: ADMIN OF CONSERVATION PROGRAMS  
NAICS Code 2: 000000  
NAICS Desc 2: Not reported  
Manager Name: JOHN STEIN  
Business Phone: 5418670522  
Mailing Address: 2032 SE OSU DR  
Mailing City,St,Zip: NEWPORT, OR 97365  
No. of Employees: 70  
Day Phone: 5418670522  
Placard: Yes  
Fire Dept Code: 0259  
Sprinkler System: Yes  
Emergency Contact: RICK BROWN  
Emergency Procedure: RM 102 BARRY FISHER BLDG  
Business Type: OCEANOGRAPHIC RESEARCH-MARINE FISHERIES RESEARCH

Facility:

Facility Id: 067067  
Physical State Of The Substance: 2  
Physical State: LIQUID  
Average Amount Possessed During The Year Code: 11  
Maximum Amount Possessed During The Year Code: 20  
Applicable Unit Of Measure Code: 2  
Description Of The Unit Of Measure: GALLONS  
Type Code: M  
Description: GLASS BOTTLE, JUG, BUCKET  
Type Code: N  
Temperature Description: PLASTIC BOTTLE, JUG, BUCKET  
Pressure of Code: 1  
Pressure Description: NORMAL PRESSURE  
Pressure of Code: 1  
Pressure Description: NORMAL PRESSURE  
Temperature Description: NORMAL TEMPERATURE  
Temperature of The Hazardous Substance Code: 4  
Temperature Description: NORMAL TEMPERATURE  
Temperature of The Hazardous Substance Code: 4  
Days Hazardous Substance On Site During Year: 365  
Is The Substance Protected A Trade Secret: False  
Description Of The Max Qty Code: 1,000-4,999  
Description Of The Avg Qty Code: 500-999  
Most Hazardous Ingridient: FORMALDEHYDE  
United Nations/north America 4 Digit Class Number: 2209  
Hazard Rank: 2  
EHS Ingredient: FORMALDEHYDE  
Substance Pure: False  
Substance Mix: True  
First Hazardous Class Code For Chemical: Acute Health Hazard  
Second Hazardous Class Code For Chemical: Chronic Health Hazard



Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

NOAA NWFSC NAL RSF (Continued)

S104059677

Third Hazardous Class Code For Chemical: Not reported  
Hazard Class 1 Of The Chemical: 6.3  
Hazard Class 2 Of The Chemical: 6.4  
Hazard Class 3 Of The Chemical: Not reported

Chemical:

United Nations/north America 4 Digit Class Number: 2209  
Chemical Abstract Service Identifier Number: 50000  
Chemical Is Extremely Hazardous Substance (EHS): Yes  
First Hazardous Class Code For Chemical: Acute Health Hazard  
Second Hazardous Class Code For Chemical: Chronic Health Hazard  
Third Hazardous Class Code For Chemical: Not reported  
Hazard Class 1 Of The Chemical: 6.3  
Hazard Class 2 Of The Chemical: 6.4  
Hazard Class 3 Of The Chemical: Not reported  
Chemical Is A Toxic 313 Chemical: Yes  
EPA Pesticide Registration Number: Not reported  
Contains 112R: No  
Contains EHS: No  
Fertilizer: No  
Pesticide: No  
Contains 313: No

Facility Id: 067067  
Physical State Of The Substance: 2  
Physical State: LIQUID  
Average Amount Possessed During The Year Code: 10  
Maximum Amount Possessed During The Year Code: 11  
Applicable Unit Of Measure Code: 2  
Description Of The Unit Of Measure: GALLONS  
Type Code: A  
Description: ABOVEGROUND TANK  
Type Code: Not reported  
Temperature Description: Not reported  
Pressure of Code: 1  
Pressure Description: NORMAL PRESSURE  
Pressure of Code: Not reported  
Pressure Description: Not reported  
Temperature Description: NORMAL TEMPERATURE  
Temperature of The Hazardous Substance Code: 4  
Temperature Description: Not reported  
Temperature of The Hazardous Substance Code: Not reported  
Days Hazardous Substance On Site During Year: 365  
Is The Substance Protected A Trade Secret: False  
Description Of The Max Qty Code: 500-999  
Description Of The Avg Qty Code: 200-499  
Most Hazardous Ingredient: PETROLEUM DISTILLATES  
United Nations/north America 4 Digit Class Number: 1202  
Hazard Rank: 2  
EHS Ingredient: NONE LISTED ON MSDS  
Substance Pure: False  
Substance Mix: True  
First Hazardous Class Code For Chemical: Flammable and Combustible Liquid  
Second Hazardous Class Code For Chemical: Acute Health Hazard  
Third Hazardous Class Code For Chemical: Chronic Health Hazard  
Hazard Class 1 Of The Chemical: 3.0  
Hazard Class 2 Of The Chemical: 6.3

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

NOAA NWFSC NAL RSF (Continued)

S104059677

Hazard Class 3 Of The Chemical: 6.4

Chemical:

United Nations/north America 4 Digit Class Number: 1202

Chemical Abstract Service Identifier Number: 68476346

Chemical Is Extremely Hazardous Substance (EHS): No

First Hazardous Class Code For Chemical: Flammable and Combustible Liquid

Second Hazardous Class Code For Chemical: Acute Health Hazard

Third Hazardous Class Code For Chemical: Chronic Health Hazard

Hazard Class 1 Of The Chemical: 3.0

Hazard Class 2 Of The Chemical: 6.3

Hazard Class 3 Of The Chemical: 6.4

Chemical Is A Toxic 313 Chemical: No

EPA Pesticide Registration Number: Not reported

Contains 112R: No

Contains EHS: No

Fertilizer: No

Pesticide: No

Contains 313: Yes

Facility Id: 067067

Physical State Of The Substance: 2

Physical State: LIQUID

Average Amount Possessed During The Year Code: 21

Maximum Amount Possessed During The Year Code: 21

Applicable Unit Of Measure Code: 2

Description Of The Unit Of Measure: GALLONS

Type Code: A

Description: ABOVEGROUND TANK

Type Code: Not reported

Temperature Description: Not reported

Pressure of Code: 1

Pressure Description: NORMAL PRESSURE

Pressure of Code: Not reported

Pressure Description: Not reported

Temperature Description: NORMAL TEMPERATURE

Temperature of The Hazardous Substance Code: 4

Temperature Description: Not reported

Temperature of The Hazardous Substance Code: Not reported

Days Hazardous Substance On Site During Year: 365

Is The Substance Protected A Trade Secret: False

Description Of The Max Qty Code: 5,000-9,999

Description Of The Avg Qty Code: 5,000-9,999

Most Hazardous Ingredient: PROPYLENE GLYCOL

United Nations/north America 4 Digit Class Number: 0000

Hazard Rank: 1

EHS Ingredient: Not reported

Substance Pure: False

Substance Mix: True

First Hazardous Class Code For Chemical: Combustible Material

Second Hazardous Class Code For Chemical: Not reported

Third Hazardous Class Code For Chemical: Not reported

Hazard Class 1 Of The Chemical: 4.5

Hazard Class 2 Of The Chemical: Not reported

Hazard Class 3 Of The Chemical: Not reported

Chemical:

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

NOAA NWFSC NAL RSF (Continued)

S104059677

United Nations/north America 4 Digit Class Number: 0000  
Chemical Abstract Service Identifier Number: 57556  
Chemical Is Extremely Hazardous Substance (EHS): No  
First Hazardous Class Code For Chemical: Combustible Material  
Second Hazardous Class Code For Chemical: Not reported  
Third Hazardous Class Code For Chemical: Not reported  
Hazard Class 1 Of The Chemical: 4.5  
Hazard Class 2 Of The Chemical: Not reported  
Hazard Class 3 Of The Chemical: Not reported  
Chemical Is A Toxic 313 Chemical: No  
EPA Pesticide Registration Number: Not reported  
Contains 112R: No  
Contains EHS: No  
Fertilizer: No  
Pesticide: No  
Contains 313: No

3  
East  
< 1/8  
0.098 mi.  
517 ft.

ROGUE ALES  
2320 SE MARINE SCIENCE DR  
NEWPORT, OR 97365

AST S104064906  
HSIS N/A

Relative:  
Higher

AST:

Facility Id: 057819  
Hazardous Substance: HEAT TRANSFER FLUID  
Reporting Quantities: 1,000-4,999  
Quantity Units: GALLONS  
Physical State: LIQUID  
Storage 1: ABOVEGROUND TANK

Actual:  
13 ft.

Facility Id: 057819  
Hazardous Substance: CARBON DIOXIDE  
Reporting Quantities: 500-999  
Quantity Units: GALLONS  
Physical State: GAS  
Storage 1: ABOVEGROUND TANK

Facility Id: 057819  
Hazardous Substance: WASTE YEAST  
Reporting Quantities: 1,000-4,999  
Quantity Units: GALLONS  
Physical State: LIQUID  
Storage 1: ABOVEGROUND TANK

HSIS:

Facility Id: 057819  
Chemical Is Extremely Hazardous Substance (EHS): Yes  
Department Or Division Of Company: BREWERY  
Facility Has Written Emergency Plan: Yes  
Contains 112R: No  
NAICS Code 1: 312120  
NAICS Desc 1: BREWERIES  
NAICS Code 2: 722110  
NAICS Desc 2: FULL-SCV RESTAURANTS

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**ROGUE ALES (Continued)**

**S104064906**

Manager Name: BRETT JOYCE  
Business Phone: 5418673660  
Mailing Address: 2320 SE MARINE SCIENCE DR  
Mailing City,St,Zip: NEWPORT, OR 97365  
No. of Employees: 35  
Day Phone: 5418673663  
Placard: Yes  
Fire Dept Code: 0259  
Sprinkler System: Yes  
Emergency Contact: JOHN MAIER  
Emergency Procedure: IN SAFETY MANUAL  
Business Type: BREWERY DRY STORAGE RESTAURANT

Facility:

Facility Id: 057819  
Physical State Of The Substance: 3  
Physical State: GAS  
Average Amount Possessed During The Year Code: 11  
Maximum Amount Possessed During The Year Code: 11  
Applicable Unit Of Measure Code: 2  
Description Of The Unit Of Measure: GALLONS  
Type Code: A  
Description: ABOVEGROUND TANK  
Type Code: Not reported  
Temperature Description: Not reported  
Pressure of Code: 2  
Pressure Description: GREATER THAN NORMAL PRESSURE  
Pressure of Code: Not reported  
Pressure Description: Not reported  
Temperature Description: NORMAL TEMPERATURE  
Temperature of The Hazardous Substance Code: 4  
Temperature Description: Not reported  
Temperature of The Hazardous Substance Code: Not reported  
Days Hazardous Substance On Site During Year: 365  
Is The Substance Protected A Trade Secret: False  
Description Of The Max Qty Code: 500-999  
Description Of The Avg Qty Code: 500-999  
Most Hazardous Ingridient: CARBON DIOXIDE  
United Nations/north America 4 Digit Class Number: 1013  
Hazard Rank: 2  
EHS Ingredient: NONE LISTED ON MSDS  
Substance Pure: False  
Substance Mix: True  
First Hazardous Class Code For Chemical: Acute Health Hazard  
Second Hazardous Class Code For Chemical: Non-flammable Gas  
Third Hazardous Class Code For Chemical: Not reported  
Hazard Class 1 Of The Chemical: 6.3  
Hazard Class 2 Of The Chemical: 2.2  
Hazard Class 3 Of The Chemical: Not reported

Chemical:

United Nations/north America 4 Digit Class Number: 1013  
Chemical Abstract Service Identifier Number: 124389  
Chemical Is Extremely Hazardous Substance (EHS): No  
First Hazardous Class Code For Chemical: Acute Health Hazard  
Second Hazardous Class Code For Chemical: Non-flammable Gas  
Third Hazardous Class Code For Chemical: Not reported  
Hazard Class 1 Of The Chemical: 6.3

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**ROGUE ALES (Continued)**

**S104064906**

Hazard Class 2 Of The Chemical:	2.2
Hazard Class 3 Of The Chemical:	Not reported
Chemical Is A Toxic 313 Chemical:	No
EPA Pesticide Registration Number:	Not reported
Contains 112R:	No
Contains EHS:	No
Fertilizer:	No
Pesticide:	No
Contains 313:	No
Facility Id:	057819
Physical State Of The Substance:	2
Physical State:	LIQUID
Average Amount Possessed During The Year Code:	04
Maximum Amount Possessed During The Year Code:	04
Applicable Unit Of Measure Code:	2
Description Of The Unit Of Measure:	GALLONS
Type Code:	E
Description:	PLASTIC OR NON-METALLIC DRUM
Type Code:	Not reported
Temperature Description:	Not reported
Pressure of Code:	1
Pressure Description:	NORMAL PRESSURE
Pressure of Code:	Not reported
Pressure Description:	Not reported
Temperature Description:	NORMAL TEMPERATURE
Temperature of The Hazardous Substance Code:	4
Temperature Description:	Not reported
Temperature of The Hazardous Substance Code:	Not reported
Days Hazardous Substance On Site During Year:	365
Is The Substance Protected A Trade Secret:	False
Description Of The Max Qnty Code:	50-199
Description Of The Avg Qnty Code:	50-199
Most Hazardous Ingridient:	HYDROGEN PEROXIDE
United Nations/north America 4 Digit Class Number:	3149
Hazard Rank:	2
EHS Ingredient:	PERACETIC ACID
Substance Pure:	False
Substance Mix:	True
First Hazardous Class Code For Chemical:	Oxidizers
Second Hazardous Class Code For Chemical:	Corrosive Material
Third Hazardous Class Code For Chemical:	Not reported
Hazard Class 1 Of The Chemical:	5.1
Hazard Class 2 Of The Chemical:	8.0
Hazard Class 3 Of The Chemical:	Not reported
Chemical:	
United Nations/north America 4 Digit Class Number:	3149
Chemical Abstract Service Identifier Number:	7722841
Chemical Is Extremely Hazardous Substance (EHS):	No
First Hazardous Class Code For Chemical:	Oxidizers
Second Hazardous Class Code For Chemical:	Corrosive Material
Third Hazardous Class Code For Chemical:	Not reported
Hazard Class 1 Of The Chemical:	5.1
Hazard Class 2 Of The Chemical:	8.0
Hazard Class 3 Of The Chemical:	Not reported
Chemical Is A Toxic 313 Chemical:	No

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**ROGUE ALES (Continued)**

**S104064906**

EPA Pesticide Registration Number:	Not reported
Contains 112R:	Yes
Contains EHS:	Yes
Fertilizer:	No
Pesticide:	No
Contains 313:	Yes
Facility Id:	057819
Physical State Of The Substance:	2
Physical State:	LIQUID
Average Amount Possessed During The Year Code:	20
Maximum Amount Possessed During The Year Code:	20
Applicable Unit Of Measure Code:	2
Description Of The Unit Of Measure:	GALLONS
Type Code:	A
Description:	ABOVEGROUND TANK
Type Code:	Not reported
Temperature Description:	Not reported
Pressure of Code:	1
Pressure Description:	NORMAL PRESSURE
Pressure of Code:	Not reported
Pressure Description:	Not reported
Temperature Description:	NORMAL TEMPERATURE
Temperature of The Hazardous Substance Code:	4
Temperature Description:	Not reported
Temperature of The Hazardous Substance Code:	Not reported
Days Hazardous Substance On Site During Year:	365
Is The Substance Protected A Trade Secret:	False
Description Of The Max Qty Code:	1,000-4,999
Description Of The Avg Qty Code:	1,000-4,999
Most Hazardous Ingredient:	YEAST
United Nations/north America 4 Digit Class Number:	Not reported
Hazard Rank:	2
EHS Ingredient:	Not reported
Substance Pure:	False
Substance Mix:	True
First Hazardous Class Code For Chemical:	Miscellaneous Hazardous Material
Second Hazardous Class Code For Chemical:	Not reported
Third Hazardous Class Code For Chemical:	Not reported
Hazard Class 1 Of The Chemical:	9.0
Hazard Class 2 Of The Chemical:	Not reported
Hazard Class 3 Of The Chemical:	Not reported
Chemical:	
United Nations/north America 4 Digit Class Number:	Not reported
Chemical Abstract Service Identifier Number:	Not reported
Chemical Is Extremely Hazardous Substance (EHS):	Not reported
First Hazardous Class Code For Chemical:	Miscellaneous Hazardous Material
Second Hazardous Class Code For Chemical:	Not reported
Third Hazardous Class Code For Chemical:	Not reported
Hazard Class 1 Of The Chemical:	9.0
Hazard Class 2 Of The Chemical:	Not reported
Hazard Class 3 Of The Chemical:	Not reported
Chemical Is A Toxic 313 Chemical:	Not reported
EPA Pesticide Registration Number:	Not reported
Contains 112R:	Not reported
Contains EHS:	Not reported

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**ROGUE ALES (Continued)**

**S104064906**

Fertilizer: Not reported  
Pesticide: Not reported  
Contains 313: Not reported

Facility Id: 057819  
Physical State Of The Substance: 1  
Physical State: SOLID  
Average Amount Possessed During The Year Code: 30  
Maximum Amount Possessed During The Year Code: 31  
Applicable Unit Of Measure Code: 1  
Description Of The Unit Of Measure: POUNDS  
Type Code: J  
Description: BAG  
Type Code: Not reported  
Temperature Description: Not reported  
Pressure of Code: 1  
Pressure Description: NORMAL PRESSURE  
Pressure of Code: Not reported  
Pressure Description: Not reported  
Temperature Description: NORMAL TEMPERATURE  
Temperature of The Hazardous Substance Code: 4  
Temperature Description: Not reported  
Temperature of The Hazardous Substance Code: Not reported  
Days Hazardous Substance On Site During Year: 365  
Is The Substance Protected A Trade Secret: False  
Description Of The Max Qty Code: 50,000-99,999  
Description Of The Avg Qty Code: 10,000-49,999  
Most Hazardous Ingredient: NONE LISTED  
United Nations/north America 4 Digit Class Number: Not reported  
Hazard Rank: 1  
EHS Ingredient: Not reported  
Substance Pure: False  
Substance Mix: True  
First Hazardous Class Code For Chemical: Miscellaneous Hazardous Material  
Second Hazardous Class Code For Chemical: Not reported  
Third Hazardous Class Code For Chemical: Not reported  
Hazard Class 1 Of The Chemical: 9.0  
Hazard Class 2 Of The Chemical: Not reported  
Hazard Class 3 Of The Chemical: Not reported

Chemical:  
United Nations/north America 4 Digit Class Number: Not reported  
Chemical Abstract Service Identifier Number: Not reported  
Chemical Is Extremely Hazardous Substance (EHS): No  
First Hazardous Class Code For Chemical: Miscellaneous Hazardous Material  
Second Hazardous Class Code For Chemical: Not reported  
Third Hazardous Class Code For Chemical: Not reported  
Hazard Class 1 Of The Chemical: 9.0  
Hazard Class 2 Of The Chemical: Not reported  
Hazard Class 3 Of The Chemical: Not reported  
Chemical Is A Toxic 313 Chemical: No  
EPA Pesticide Registration Number: Not reported  
Contains 112R: No  
Contains EHS: No  
Fertilizer: No  
Pesticide: No  
Contains 313: No

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**ROGUE ALES (Continued)**

**S104064906**

Facility Id: 057819  
Physical State Of The Substance: 2  
Physical State: LIQUID  
Average Amount Possessed During The Year Code: 04  
Maximum Amount Possessed During The Year Code: 04  
Applicable Unit Of Measure Code: 2  
Description Of The Unit Of Measure: GALLONS  
Type Code: E  
Description: PLASTIC OR NON-METALLIC DRUM  
Type Code: Not reported  
Temperature Description: Not reported  
Pressure of Code: 1  
Pressure Description: NORMAL PRESSURE  
Pressure of Code: Not reported  
Pressure Description: Not reported  
Temperature Description: NORMAL TEMPERATURE  
Temperature of The Hazardous Substance Code: 4  
Temperature Description: Not reported  
Temperature of The Hazardous Substance Code: Not reported  
Days Hazardous Substance On Site During Year: 365  
Is The Substance Protected A Trade Secret: False  
Description Of The Max Qty Code: 50-199  
Description Of The Avg Qty Code: 50-199  
Most Hazardous Ingredient: HYDROGEN PEROXIDE  
United Nations/north America 4 Digit Class Number: 3109  
Hazard Rank: 3  
EHS Ingredient: PERACETIC ACID  
Substance Pure: False  
Substance Mix: True  
First Hazardous Class Code For Chemical: Oxidizers  
Second Hazardous Class Code For Chemical: Organic Peroxides  
Third Hazardous Class Code For Chemical: Corrosive Material  
Hazard Class 1 Of The Chemical: 5.1  
Hazard Class 2 Of The Chemical: 5.2  
Hazard Class 3 Of The Chemical: 8.0  
Chemical:  
United Nations/north America 4 Digit Class Number: 3109  
Chemical Abstract Service Identifier Number: 7722841  
Chemical Is Extremely Hazardous Substance (EHS): No  
First Hazardous Class Code For Chemical: Oxidizers  
Second Hazardous Class Code For Chemical: Organic Peroxides  
Third Hazardous Class Code For Chemical: Corrosive Material  
Hazard Class 1 Of The Chemical: 5.1  
Hazard Class 2 Of The Chemical: 5.2  
Hazard Class 3 Of The Chemical: 8.0  
Chemical Is A Toxic 313 Chemical: No  
EPA Pesticide Registration Number: Not reported  
Contains 112R: Yes  
Contains EHS: Yes  
Fertilizer: No  
Pesticide: No  
Contains 313: Yes  
  
Facility Id: 121400  
Chemical Is Extremely Hazardous Substance (EHS): No



Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**ROGUE ALES (Continued)**

**S104064906**

Department Or Division Of Company: DISTILLERY  
Facility Has Written Emergency Plan: Yes  
Contains 112R: No  
NAICS Code 1: 312120  
NAICS Desc 1: BREWERIES  
NAICS Code 2: 000000  
NAICS Desc 2: Not reported  
Manager Name: BRETT JOYCE  
Business Phone: 5418673660  
Mailing Address: 2320 SE MARINE SCIENCE DR  
Mailing City,St,Zip: NEWPORT, OR 97365  
No. of Employees: 4  
Day Phone: 5418673663  
Placard: Yes  
Fire Dept Code: 0259  
Sprinkler System: Yes  
Emergency Contact: JOHN MAIER  
Emergency Procedure: SAFETY MANUEL  
Business Type: BREWERY

Facility:  
Facility Id: 121400  
Physical State Of The Substance: 2  
Physical State: LIQUID  
Average Amount Possessed During The Year Code: 10  
Maximum Amount Possessed During The Year Code: 11  
Applicable Unit Of Measure Code: 2  
Description Of The Unit Of Measure: GALLONS  
Type Code: O  
Description: TOTE BIN  
Type Code: Not reported  
Temperature Description: Not reported  
Pressure of Code: 1  
Pressure Description: NORMAL PRESSURE  
Pressure of Code: Not reported  
Pressure Description: Not reported  
Temperature Description: NORMAL TEMPERATURE  
Temperature of The Hazardous Substance Code: 4  
Temperature Description: Not reported  
Temperature of The Hazardous Substance Code: Not reported  
Days Hazardous Substance On Site During Year: 365  
Is The Substance Protected A Trade Secret: False  
Description Of The Max Qty Code: 500-999  
Description Of The Avg Qty Code: 200-499  
Most Hazardous Ingredient: ETHANOL  
United Nations/north America 4 Digit Class Number: 1170  
Hazard Rank: 2  
EHS Ingredient: NONE LISTED ON SDS  
Substance Pure: True  
Substance Mix: False  
First Hazardous Class Code For Chemical: Flammable and Combustible Liquid  
Second Hazardous Class Code For Chemical: Acute Health Hazard  
Third Hazardous Class Code For Chemical: Chronic Health Hazard  
Hazard Class 1 Of The Chemical: 3.0  
Hazard Class 2 Of The Chemical: 6.3  
Hazard Class 3 Of The Chemical: 6.4

Chemical:

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**ROGUE ALES (Continued)**

**S104064906**

United Nations/north America 4 Digit Class Number: 1170  
Chemical Abstract Service Identifier Number: 64175  
Chemical Is Extremely Hazardous Substance (EHS): No  
First Hazardous Class Code For Chemical: Flammable and Combustible Liquid  
Second Hazardous Class Code For Chemical: Acute Health Hazard  
Third Hazardous Class Code For Chemical: Chronic Health Hazard  
Hazard Class 1 Of The Chemical: 3.0  
Hazard Class 2 Of The Chemical: 6.3  
Hazard Class 3 Of The Chemical: 6.4  
Chemical Is A Toxic 313 Chemical: No  
EPA Pesticide Registration Number: Not reported  
Contains 112R: No  
Contains EHS: No  
Fertilizer: No  
Pesticide: No  
Contains 313: No

**4**  
**SE**  
**< 1/8**  
**0.099 mi.**  
**525 ft.**

**MOTEL 6 NEWPORT**  
**2633 SE PACIFIC WAY**  
**NEWPORT, OR 97365**

**AST S118181177**  
**HSIS N/A**

**Relative:**  
**Higher**

AST:  
Facility Id: 121289  
Hazardous Substance: PROPANE  
Reporting Quantities: 5,000-9,999  
Quantity Units: GALLONS  
Physical State: GAS  
Storage 1: ABOVEGROUND TANK

**Actual:**  
**33 ft.**

HSIS:  
Facility Id: 121289  
Chemical Is Extremely Hazardous Substance (EHS): No  
Department Or Division Of Company: Not reported  
Facility Has Written Emergency Plan: Yes  
Contains 112R: No  
NAICS Code 1: 721110  
NAICS Desc 1: HOTELS (EXC CASINO HOTELS) & MOTELS  
NAICS Code 2: 000000  
NAICS Desc 2: Not reported  
Manager Name: JAYANTI PATEL  
Business Phone: 5418677055  
Mailing Address: PO BOX 1900  
Mailing City,St,Zip: CLACKAMAS, OR 97015  
No. of Employees: 150  
Day Phone: 5418677055  
Placard: Yes  
Fire Dept Code: 0259  
Sprinkler System: No  
Emergency Contact: JAY PATEL  
Emergency Procedure: OFFICE  
Business Type: HOTEL

Facility:  
Facility Id: 121289

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**MOTEL 6 NEWPORT (Continued)**

**S118181177**

Physical State Of The Substance: 3  
Physical State: GAS  
Average Amount Possessed During The Year Code: 11  
Maximum Amount Possessed During The Year Code: 21  
Applicable Unit Of Measure Code: 2  
Description Of The Unit Of Measure: GALLONS  
Type Code: A  
Description: ABOVEGROUND TANK  
Type Code: Not reported  
Temperature Description: Not reported  
Pressure of Code: 2  
Pressure Description: GREATER THAN NORMAL PRESSURE  
Pressure of Code: Not reported  
Pressure Description: Not reported  
Temperature Description: NORMAL TEMPERATURE  
Temperature of The Hazardous Substance Code: 4  
Temperature Description: Not reported  
Temperature of The Hazardous Substance Code: Not reported  
Days Hazardous Substance On Site During Year: 365  
Is The Substance Protected A Trade Secret: False  
Description Of The Max Qty Code: 5,000-9,999  
Description Of The Avg Qty Code: 500-999  
Most Hazardous Ingridient: PROPANE  
United Nations/north America 4 Digit Class Number: 1075  
Hazard Rank: 2  
EHS Ingredient: NONE LISTED ON SDS  
Substance Pure: True  
Substance Mix: False  
First Hazardous Class Code For Chemical: Flammable Gas  
Second Hazardous Class Code For Chemical: Acute Health Hazard  
Third Hazardous Class Code For Chemical: Not reported  
Hazard Class 1 Of The Chemical: 2.1  
Hazard Class 2 Of The Chemical: 6.3  
Hazard Class 3 Of The Chemical: Not reported

Chemical:  
United Nations/north America 4 Digit Class Number: 1075  
Chemical Abstract Service Identifier Number: 74986  
Chemical Is Extremely Hazardous Substance (EHS): No  
First Hazardous Class Code For Chemical: Flammable Gas  
Second Hazardous Class Code For Chemical: Acute Health Hazard  
Third Hazardous Class Code For Chemical: Not reported  
Hazard Class 1 Of The Chemical: 2.1  
Hazard Class 2 Of The Chemical: 6.3  
Hazard Class 3 Of The Chemical: Not reported  
Chemical Is A Toxic 313 Chemical: No  
EPA Pesticide Registration Number: Not reported  
Contains 112R: No  
Contains EHS: No  
Fertilizer: No  
Pesticide: No  
Contains 313: No

MAP FINDINGS

Map ID  
 Direction  
 Distance  
 Elevation

Site

Database(s)

EDR ID Number  
 EPA ID Number

**B5**  
**East**  
**1/8-1/4**  
**0.209 mi.**  
**1106 ft.**

**NEWPORT MARINA AT SOUTH BEACH**  
**2301 S.E. MARINE SCIENCE DR**  
**NEWPORT, OR 97365**  
**Site 1 of 2 in cluster B**

**UST** **U004015595**  
**N/A**

**Relative:**  
**Higher**

**UST:**  
 Facility ID: 9180  
 Facility Telephone: (541) 867-6657  
 Permittee Name: CHRIS URBACH, MARINA MANAGER  
 Number of Permitted Tanks: 2  
 Active Tanks: 2  
 Decommissioned Tanks: Not reported  
 Number of Tanks: 2

**Actual:**  
**27 ft.**

**B6**  
**East**  
**1/8-1/4**  
**0.209 mi.**  
**1106 ft.**

**NEWPORT MARINA AT SOUTH BEACH**  
**2301 S.E. MARINE SCIENCE DR**  
**NEWPORT, OR 97365**  
**Site 2 of 2 in cluster B**

**LUST** **S110363967**  
**SPILLS** **N/A**

**Relative:**  
**Higher**

**LUST:**  
 Region: Western Region  
 Facility ID: 21-14-0869  
 Cleanup Received Date: 06/30/2014  
 Cleanup Start Date: Not reported  
**Cleanup Complete Date: Not reported**  
**Decode for Region: West Region**

**Actual:**  
**27 ft.**

**OR SPILLS:**

Facility ID: 2010-1348  
 Incident Status: Archive  
 Material: Not reported  
 Quantity: 1  
 Unit of Measure: Gallons  
 Release Date: 06/15/2010  
 Description: sheen at Pier D at the Newport Marina in Yaquina Bay, smelled like diesel and was ~ 15' x 1,500'  
 Lat/Long: 44.6244 / -124.051  
 Source: Unknown  
 Media: Coding for the PS/BC Oil Spill Database  
 Responsible Company: Not reported  
 Responsible Address: Not reported  
 Responsible City,St,Zip: Not reported

Facility ID: 2010-1348  
 Incident Status: Archive  
 Material: Not reported  
 Quantity: 1  
 Unit of Measure: Gallons  
 Release Date: 06/15/2010  
 Description: sheen at Pier D at the Newport Marina in Yaquina Bay, smelled like diesel and was ~ 15' x 1,500'  
 Lat/Long: 44.6244 / -124.051  
 Source: Unknown  
 Media: Not reported  
 Responsible Company: Not reported  
 Responsible Address: Not reported  
 Responsible City,St,Zip: Not reported

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**NEWPORT MARINA AT SOUTH BEACH (Continued)**

**S110363967**

Facility ID: 2011-1609  
Incident Status: Archive  
Material: Diesel fuel  
Quantity: 1  
Unit of Measure: Gallons  
Release Date: 07/06/2011  
Description: USCG (Officer Dash 541-756-9210) reported a 30 by 10 foot sheen at the marina in Newport. Sheen was suspected from the boat Red Barron owned by Kevin Bryant (541-270-5557). The Coast Guard investigated the site and found no existing release and that the sheen was not recoverable. Entered into ERIS.  
Lat/Long: 44.6244 / -124.051  
Source: Vessel - Fishing  
Media: Not reported  
Responsible Company: Not reported  
Responsible Address: Not reported  
Responsible City,St,Zip: Not reported

**7**  
**NNW**  
**1/4-1/2**  
**0.419 mi.**  
**2214 ft.**

**COAST GUARD YAQUINA BAY**  
**925 SW WATERLIN DR (SW BAY/FUELING APRON**  
**NEWPORT, OR 97365**

**LUST S100921451**  
**N/A**

**Relative:**  
**Higher**

**LUST:**  
Region: Western Region  
Facility ID: 21-94-4025  
Cleanup Received Date: 03/28/1994  
Cleanup Start Date: 03/07/1994  
**Cleanup Complete Date: 05/28/2004**  
**Decode for Region: West Region**

**Actual:**  
**45 ft.**

**8**  
**SE**  
**1/4-1/2**  
**0.428 mi.**  
**2261 ft.**

**FERRY SLIP ROAD DRUM SITE**  
**CORNER SE FERRY SLIP RD. AND SE CHESTNUT ST.**  
**SOUTH BEACH, OR 97366**

**ECSI S106497165**  
**N/A**

**Relative:**  
**Higher**

**ECSI:**  
State ID Number: 2430  
Brown ID: 0  
Study Area: False  
Region ID: 3  
Legislative ID: 0  
Investigation: Suspect  
FACA ID: 40819  
Further Action: 258  
Lat/Long (dms): 44 36 49.00 / -124 2 54.00  
County Code: 21.00  
Score Value: Not reported  
Cerclis ID: Not reported  
Township Coord.: 11.00  
Township Zone: S  
Range Coord: 11.00  
Range Zone: W  
Section Coord: 17

**Actual:**  
**25 ft.**

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**FERRY SLIP ROAD DRUM SITE (Continued)**

**S106497165**

Qtr Section: Not reported  
Tax Lots: Not reported  
Size: Not reported  
NPL: False  
Orphan: False  
Updated By: GWISTAR  
Update Date: 06/09/2011  
Created Date: 10/27/1999  
Decode For RegionID: Western Region  
Decode For BrownID: Not reported  
Decode For Furtheract: Medium  
Decode For Investstat: Suspect  
Decode For Legislative: Not reported

**Hazardous Release:**

Substance ID.: 122027  
Haz Release ID: 378783  
Qty Released: ~150 gallons  
Date Released: 1980  
Update Date: 12/14/1999  
Update By: Not reported  
Substance Code: ECD308  
Substance Name: TAR WASTE  
Substance Abbrev.: Not reported

Substance ID.: 121994  
Haz Release ID: 382313  
Qty Released: Not reported  
Date Released: 1980  
Update Date: 12/14/1999  
Update By: Not reported  
Substance Code: ECD222  
Substance Name: PETROLEUM  
Substance Abbrev.: Not reported  
Substance Category ID: 8533  
Substance Category: Petroleum Related Releases for OSPIRG Report  
Category Level: Not reported  
Created By: Not reported  
Created Date: 12/17/2002  
Substance Category ID: 8533  
Substance Category: Petroleum Related Releases for OSPIRG Report  
Category Level: Not reported  
Created By: Not reported  
Created Date: 12/17/2002

**Narrative:**

NARR ID: 5738766  
NARR Code: Contamination  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: Not reported  
Updated Date: 12/17/2002  
Decode for NarcID: Contamination  
NARR Comments: (12/14/99 BTM/SAS) Based on a 9/29/99 DEQ site visit, soils have been impacted with what appeared to be tar and a creosote-like heavy petroleum liquid.

NARR ID: 5738767

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**FERRY SLIP ROAD DRUM SITE (Continued)**

**S106497165**

NARR Code: Hazardous Substance/Waste Types  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: Not reported  
Updated Date: 12/17/2002  
Decode for NardID: Hazardous Substance/Waste Types  
NARR Comments: Waste appears to be tar and a heavy creosote-like petroleum liquid.

NARR ID: 5738768  
NARR Code: Manner of Release  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: Not reported  
Updated Date: 12/17/2002  
Decode for NardID: Manner of Release  
NARR Comments: Approximately 5 drums of apparent roofing tar were placed on-site in ~1980. Currently, only rusted parts of the drums are visible, and tar and a thick creosote-like liquid have been released to the soil.

NARR ID: 5738769  
NARR Code: Media Contamination  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: Not reported  
Updated Date: 12/17/2002  
Decode for NardID: Media Contamination  
NARR Comments: Soils are impacted. Potential impacts to groundwater and surface water.

NARR ID: 5738770  
NARR Code: Pathways Other Hazards  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: Not reported  
Updated Date: 12/17/2002  
Decode for NardID: Pathways & Other Hazards  
NARR Comments: The primary pathway of concern is direct contact with waste and contaminated soils at this unfenced site. There is potential for groundwater-to-surface water discharge to a ditch located upstream of Yaquina Bay (~1,200 feet). City water is supplied to the site vicinity, reducing potential for impacts to groundwater users. The December 1999 removal action, although not documented, may reduce or eliminate these concerns.

NARR ID: 5738771  
NARR Code: Remedial Action  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: Not reported  
Updated Date: 12/17/2002  
Decode for NardID: Remedial Action  
NARR Comments: (BTM 6/14/01) Removal of the pieces of drum, released contents, and some soil reportedly occurred 12/13/99. Documentation (disposal manifests, etc.) are not currently available. During a follow-up DEQ site visit 4/4/00, there was no visual evidence of the contamination observed in September 1999. Therefore, DEQ no longer has a basis for adding the site to the Confirmed Release List, but further action is

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**FERRY SLIP ROAD DRUM SITE (Continued)**

**S106497165**

needed to demonstrate that the 12/99 removal was adequate, and to document the disposal location of materials removed from the site.

NARR ID: 5738772  
NARR Code: Substances of Concern  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: Not reported  
Updated Date: 12/17/2002  
Decode for NarcdID: Substances of Concern  
NARR Comments: Contaminants of concern are TPHs, PAHs, and VOCs. No samples have been collected.

Administrative Action:

Action ID: 9449  
Region: Western Region  
Complete Date: 06/14/2001  
Rank Value: 0  
Cleanup Flag: False  
Created Date: 12/17/2002  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Western Region  
Category: Listing Action  
Action Code Flag: False  
Action: Insufficient information to list  
Further Action: Not reported  
Comments: Based on 12/99 removal.

Action ID: 9510  
Region: Western Region  
Complete Date: 12/27/1999  
Rank Value: 0  
Cleanup Flag: False  
Created Date: 12/17/2002  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Western Region  
Category: Remedial Action  
Action Code Flag: False  
Action: State Expanded Preliminary Assessment recommended (XPA)  
Further Action: Medium  
Comments: Not reported

Action ID: 9498  
Region: Western Region  
Complete Date: 06/14/2001  
Rank Value: 0  
Cleanup Flag: False  
Created Date: 12/17/2002  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Western Region  
Category: Listing Action  
Action Code Flag: False  
Action: Proposal for Confirmed Release List recommended  
Further Action: Not reported  
Comments: Not reported

Action ID: 9424  
Region: Western Region



Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**FERRY SLIP ROAD DRUM SITE (Continued)**

**S106497165**

Complete Date: Not reported  
Rank Value: 0  
Cleanup Flag: False  
Created Date: 12/17/2002  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Western Region  
Category: Administrative Action  
Action Code Flag: False  
Action: Site added to database  
Further Action: Not reported  
Comments: Not reported

Action ID: 9425  
Region: Western Region  
Complete Date: 12/27/1999  
Rank Value: 0  
Cleanup Flag: False  
Created Date: 12/17/2002  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Western Region  
Category: Remedial Action  
Action Code Flag: False  
Action: SITE EVALUATION  
Further Action: Not reported  
Comments: state screening

**C9**  
**SSE**  
**1/4-1/2**  
**0.477 mi.**  
**2517 ft.**

**OREGON COAST AQUARIUM INC**  
**2820 SE FERRY SLIP RD**  
**NEWPORT, OR 97365**  
**Site 1 of 2 in cluster C**

**LUST U003999397**  
**UST N/A**

**Relative:**  
**Higher**

**LUST:**  
Region: Western Region  
Facility ID: 21-93-4162  
Cleanup Received Date: 09/24/1993  
Cleanup Start Date: 01/01/1991  
**Cleanup Complete Date: Not reported**  
**Decode for Region: West Region**

**Actual:**  
**31 ft.**

**UST:**  
Facility ID: 10677  
Facility Telephone: (503)867-3474  
Permittee Name: PHYLLIS BELL  
Number of Permitted Tanks: Not reported  
Active Tanks: Not reported  
Decommissioned Tanks: 2  
Number of Tanks: 2

MAP FINDINGS

Map ID  
Direction  
Distance  
Elevation

Site

Database(s)

EDR ID Number  
EPA ID Number

**C10**      **PIONEER TELEPHONE S.BEACH**  
**SSE**      **FERRY SLIP ROAD**  
**1/4-1/2**    **NEWPORT, OR 97365**  
**0.486 mi.**  
**2566 ft.**    **Site 2 of 2 in cluster C**

**LUST**    **S100498754**  
**N/A**

**Relative:**      **LUST:**  
**Higher**          Region:                  Western Region  
                          Facility ID:              21-92-4086  
**Actual:**          Cleanup Received Date: 05/20/1992  
**31 ft.**              Cleanup Start Date:    05/20/1992  
                          **Cleanup Complete Date: 04/19/1994**  
                          **Decode for Region:    West Region**

**11**            **SPY, L.L.C. TRUCKING YARD**  
**South**      **4535 S. COAST HIGHWAY**  
**1/2-1**        **SOUTH BEACH, OR 97366**  
**0.848 mi.**  
**4478 ft.**

**CRL**      **1006852907**  
**ECSI**      **N/A**  
**FINDS**  
**ECHO**

**Relative:**      **CRL:**  
**Higher**          Facility ID:            2730  
                          Location ID:           41021  
**Actual:**          Status Code:           LIS  
**33 ft.**              Facility Status:        State Expanded Preliminary Assessment recommended (XPA)  
                          Lat/Long:              44.6047 / -124.0555

**ECSI:**  
 State ID Number:            2730  
 Brown ID:                    0  
 Study Area:                  False  
 Region ID:                    3  
 Legislative ID:                0  
 Investigation:                Listed on the CRL/Inventory  
 FACA ID:                      41021  
 Further Action:              258  
 Lat/Long (dms):            44 36 17.00 / -124 3 20.00  
 County Code:                21.00  
 Score Value:                 Not reported  
 Cerclis ID:                  Not reported  
 Township Coord.:            11.00  
 Township Zone:              S  
 Range Coord:                11.00  
 Range Zone:                 W  
 Section Coord:              20  
 Qtr Section:                Not reported  
 Tax Lots:                    Not reported  
 Size:                         Not reported  
 NPL:                         False  
 Orphan:                      False  
 Updated By:                 GWISTAR  
 Update Date:                12/24/2013  
 Created Date:                10/20/2000  
 Decode For RegionID:        Western Region  
 Decode For BrownID:        Not reported  
 Decode For Furtheract:      Medium  
 Decode For Investstat:      Listed on the CRL/Inventory  
 Decode For Legislative:     Not reported  
 Alias Name:                 Mid Coast Trucking

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**SPY, L.L.C. TRUCKING YARD (Continued)**

**1006852907**

Alias Name: Mike Conrotto Trucking

Hazardous Release:

Substance ID.: 122015  
Haz Release ID: 380002  
Qty Released: Not reported  
Date Released: Not reported  
Update Date: 10/23/2001  
Update By: Not reported  
Substance Code: ECD282  
Substance Name: OIL - WASTE  
Substance Abbrev.: Not reported  
Substance Category ID: 8541  
Substance Category: Petroleum Related Releases for OSPIRG Report  
Category Level: Not reported  
Created By: Not reported  
Created Date: 12/17/2002  
Substance Category ID: 8541  
Substance Category: Petroleum Related Releases for OSPIRG Report  
Category Level: Not reported  
Created By: Not reported  
Created Date: 12/17/2002

Narrative:

NARR ID: 5740243  
NARR Code: Contamination  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: GWISTAR  
Updated Date: 06/02/2003  
Decode for NarcdID: Contamination  
NARR Comments: (10/3/01 BTM/SAS) 1993 site visit by HW Section identified drum-storage area with leaking drum, and apparent petroleum discharge to wetland. March 2000 pollution complaint alleged dumping and burying of hazardous waste. October 2000 Site Assessment staff visit identified: drum-storage area with leaking drum; a wooden storage box leaking apparent petroleum; and signs of burning. According to owner, the drums observed 10/00 had already been emptied by a recycler. Other wastes stored on-site included used antifreeze and potentially solvents.

NARR ID: 5740244  
NARR Code: Data Sources  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: Not reported  
Updated Date: 12/17/2002  
Decode for NarcdID: Data Sources  
NARR Comments: DEQ Hazardous Waste Program file, Mid Coast Trucking. ECSI file 2730.

NARR ID: 5740245  
NARR Code: Hazardous Substance/Waste Types  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: Not reported  
Updated Date: 12/17/2002  
Decode for NarcdID: Hazardous Substance/Waste Types  
NARR Comments: Waste oil, waste antifreeze, solvents.

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**SPY, L.L.C. TRUCKING YARD (Continued)**

**1006852907**

NARR ID: 5740246  
NARR Code: Manner of Release  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: Not reported  
Updated Date: 12/17/2002  
Decode for NarcdID: Manner of Release  
NARR Comments: Poor use of drums for storing waste oil and other automotive wastes.

NARR ID: 5740247  
NARR Code: Media Contamination  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: Not reported  
Updated Date: 12/17/2002  
Decode for NarcdID: Media Contamination  
NARR Comments: Soil, surface water, and potentially groundwater.

NARR ID: 5740248  
NARR Code: Pathways Other Hazards  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: Not reported  
Updated Date: 12/17/2002  
Decode for NarcdID: Pathways & Other Hazards  
NARR Comments: Groundwater: Area well logs describe subsurface materials as varying layers of sand, sand/clay mixtures, sandstone, shell, and siltstone to approximately 60 feet below ground surface (bgs). Static groundwater levels 5 to 50 bgs. The site is in a generally flat area. Groundwater flow direction at the site has not been determined. Groundwater is generally not used for domestic purposes in the site area, based on a review of well logs on file with the OR Dept. of Water Resources. One domestic well is registered in Section 20 of Township 11 South, Range 11W. There is reportedly no on-site well. Surface Water: Site topography is generally flat. The west side of the referenced property likely drains to the highway ditch at the front of the facility, along Highway 101. The east side of the property likely drains partially to the east, toward the wetland, based on file information regarding runoff and impacts. Direct Contact: The site is unfenced. There is a potential for direct contact at release areas. Air: There is the potential for impacts associated with any volatile petroleum-related constituents.

NARR ID: 5740249  
NARR Code: Remedial Action  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: Not reported  
Updated Date: 12/17/2002  
Decode for NarcdID: Remedial Action  
NARR Comments: (10/23/01 BTM/SAS) Drum and soil removal are reported to have occurred; however, adequate documentation is not available. DEQ has assigned the site a medium priority for an Expanded Preliminary Assessment.

NARR ID: 5749888  
NARR Code: 1922

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**SPY, L.L.C. TRUCKING YARD (Continued)**

**1006852907**

Created By: GWISTAR  
Created Date: 11/21/2007  
Updated By: GWISTAR  
Updated Date: 11/21/2007  
Decode for NarcdID: Current Site Summary Statement  
NARR Comments: (Nov. 2001) The site was brought to DEQs attention initially in 1993 by a pollution complaint describing releases of oil from drums and on-site refuse burning. A follow-up inspection identified oil-stained soil and an impacted adjacent wetland. DEQ received another pollution complaint in March 2000, describing the burning of chemicals. A follow-up inspection by Site Assessment staff in October 2000 identified minor waste oil leakage from drums, and a burn pile. Further investigation and possibly remediation are needed.

Administrative Action:

Action ID: 9438  
Region: Western Region  
Complete Date: 04/17/2002  
Rank Value: 0  
Cleanup Flag: False  
Created Date: 12/17/2002  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Western Region  
Category: Listing Action  
Action Code Flag: False  
Action: Facility placed on Confirmed Release List  
Further Action: Not reported  
Comments: Not reported

Action ID: 9425  
Region: Western Region  
Complete Date: 11/28/2001  
Rank Value: 0  
Cleanup Flag: False  
Created Date: 12/17/2002  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Western Region  
Category: Remedial Action  
Action Code Flag: False  
Action: SITE EVALUATION  
Further Action: Not reported  
Comments: Federal screening/strategy recommendation

Action ID: 9510  
Region: Western Region  
Complete Date: 11/28/2001  
Rank Value: 0  
Cleanup Flag: False  
Created Date: 12/17/2002  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Western Region  
Category: Remedial Action  
Action Code Flag: False  
Action: State Expanded Preliminary Assessment recommended (XPA)  
Further Action: Medium  
Comments: Not reported

Action ID: 9498

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**SPY, L.L.C. TRUCKING YARD (Continued)**

**1006852907**

Region: Western Region  
Complete Date: 11/28/2001  
Rank Value: 0  
Cleanup Flag: False  
Created Date: 12/17/2002  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Western Region  
Category: Listing Action  
Action Code Flag: False  
Action: Proposal for Confirmed Release List recommended  
Further Action: Not reported  
Comments: Based on DEQ file information describing waste petroleum impacts to soil and adjacent wetland. Letter by DEQ inspector. Letter in HW file; Mid Coast Trucking.

Action ID: 9465  
Region: Western Region  
Complete Date: 12/18/2001  
Rank Value: 0  
Cleanup Flag: False  
Created Date: 12/17/2002  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Western Region  
Category: Listing Action  
Action Code Flag: False  
Action: Facility proposed for Confirmed Release List  
Further Action: Not reported  
Comments: Not reported

Action ID: 9424  
Region: Western Region  
Complete Date: Not reported  
Rank Value: 0  
Cleanup Flag: False  
Created Date: 12/17/2002  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Western Region  
Category: Administrative Action  
Action Code Flag: False  
Action: Site added to database  
Further Action: Not reported  
Comments: Not reported

**FINDS:**

Registry ID: 110014149572

**Environmental Interest/Information System**

OR-DEQ (Oregon - Department Of Environmental Quality) is a regulatory agency whose job is to protect the quality of Oregon's Environment. DEQ uses a combination of technical assistance, inspections and permitting to help public and private facilities and citizens understand and comply with state and federal environmental regulations.

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**SPY, L.L.C. TRUCKING YARD (Continued)**

**1006852907**

**ECHO:**

Envid: 1006852907  
Registry ID: 110014149572  
DFR URL: [http://echo.epa.gov/detailed\\_facility\\_report?fid=110014149572](http://echo.epa.gov/detailed_facility_report?fid=110014149572)

**D12**  
**NNE**  
**1/2-1**  
**0.916 mi.**  
**4834 ft.**

**PORT OF NEWPORT INTERNATIONAL TERMINALUSS PASLEY**  
**600 SE BAY BOULEVARD**  
**NEWPORT, OR 97365**  
**Site 1 of 2 in cluster D**

**ECSI 1006854187**  
**VCP N/A**  
**BROWNFIELDS**  
**FINDS**  
**ECHO**

**Relative:**  
**Higher**

**ECSI:**

State ID Number: 1827  
Brown ID: Brownfield Site - Assistance From Other Public Agencies  
Study Area: False  
Region ID: 3  
Legislative ID: 0  
Investigation: No Further Action  
FACA ID: 40372  
Further Action: 0  
Lat/Long (dms): 44 37 54.50 / -124 2 45.20  
County Code: 21.00  
Score Value: Not reported  
Cercdis ID: Not reported  
Township Coord.: 11.00  
Township Zone: S  
Range Coord: 11.00  
Range Zone: W  
Section Coord: 9  
Qtr Section: Not reported  
Tax Lots: Not reported  
Size: 3.2 acres  
NPL: False  
Orphan: False  
Updated By: GWISTAR  
Update Date: 12/27/2013  
Created Date: 02/26/1996  
Decode For RegionID: Western Region  
Decode For BrownID: Brownfield Site - Assistance from Other Public Agencies  
Decode For Furtheract: Not reported  
Decode For Investstat: No Further Action  
Decode For Legislative: Not reported  
Alias Name: USS Pasley  
Alias Name: USS Hennebique

**Actual:**  
**30 ft.**

**Hazardous Release:**

Substance ID.: 121989  
Haz Release ID: 380375  
Qty Released: 500-1000 gallons  
Date Released: January 22, 1996  
Update Date: 05/30/1996  
Update By: Not reported  
Substance Code: ECD200  
Substance Name: OIL OR FUEL RELATED COMPOUNDS  
Substance Abbrev.: Not reported  
Substance Category ID: 8532  
Substance Category: Petroleum Related Releases for OSPIRG Report  
Category Level: Not reported

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**PORT OF NEWPORT INTERNATIONAL TERMINALUSS PASLEY (Continued)**

**1006854187**

Created By: Not reported  
Created Date: 12/17/2002  
Substance Category ID: 8532  
Substance Category: Petroleum Related Releases for OSPIRG Report  
Category Level: Not reported  
Created By: Not reported  
Created Date: 12/17/2002  
Comment ID: 303264  
Release Code: Media Contamination Footnote  
Release Comments: Bunker C oil (TPH 418.1)  
Decode for Relcomcd: Media Contamination Footnote  
Sampling Result ID: 342035  
Feature Id: Not reported  
Hazard Release Id: 380375  
Medium: 701  
Substance Abbrev.: Not reported  
Unit Code: Not reported  
Observation: False  
Owner Operator: False  
Lab Data: True  
Sample Depth: Not reported  
Start Date: Not reported  
End Date: Not reported  
Min Concentration: Not reported  
Max Concentration: Not reported  
Sample Comment: 35 mg/L  
Last Update By: kpd  
Update Date: 05/30/1996  
Decode for MediumID: Sediment

**Narrative:**

NARR ID: 5735723  
NARR Code: Site Contacts  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: Not reported  
Updated Date: 12/17/2002  
Decode for NarcdID: Site Contacts  
NARR Comments: David A Hesse, Port of Newport Engineer Technician, 600 SE Bay BLVD,  
Newport, 97365. Phone: (541) 265-7758. Fax: (541) 265-4235.

NARR ID: 5735724  
NARR Code: Contamination  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: MCAMARA  
Updated Date: 01/02/2009  
Decode for NarcdID: Contamination  
NARR Comments: (2/27/96 PJT/SAS) On January 22, 1996, the Port of Newport reported a release of oil into Yaquina Bay. The spill was reported as 50-100 gallons of heavy oil. (The oil was later analyzed and identified as Bunker C oil). The spill impacted one to one-and-a-half miles of shoreline and some private vessels in a nearby marina. The oil originated from an old concrete vessel that was sunk and used as a pier. (The oil was fuel that remained onboard.) The amount of oil originally onboard is unknown. The vessel also contains contaminated rock and debris in holds #3 & #4. Other portions of the ship may contain oil and/or contaminated debris. Only holds #3, #4, and the



Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**PORT OF NEWPORT INTERNATIONAL TERMINALUSS PASLEY (Continued)**

**1006854187**

starboard wing ballast tank were investigated at the time of the spill. The rest of the ship is suspect at this time. The spill was federalized by the United States Coast Guard (USCG).(1/2/09 M2C/ICP) 2007 and 2008 Site Investigation conducted by Landau Associates found petroleum, metal, and asbestos contamination.

NARR ID: 5751064  
NARR Code: Data Sources  
Created By: MCAMARA  
Created Date: 01/02/2009  
Updated By: MCAMARA  
Updated Date: 07/15/2009  
Decode for NarcdID: Data Sources  
NARR Comments: Agency Review Draft Report Site Investigation of the S.S. C.W. Pasley, Port of Newport International Terminal Newport, Oregon prepared by Landau Associates, dated March 2007. Former S.S. Hennebique Phase II Environmental Site Assessment, Port of Newport International Terminal Newport, Oregon prepared by Landau Associates, dated June 19, 2008. This report was revised based on DEQ comments in February 2009. The revised report is dated April 23, 2009. Phase 1 Remedial Action Work Plan, S.S. C.W. Pasley and S.S. Hennebique, Port of Newport International Terminal, Newport, Oregon prepared by Kennedy/Jenks Consultants, dated April 3, 2009. Analysis of Brownfields Cleanup Alternatives (ABCA) - Phase I Remedial Action Activities, prepared by Kennedy/Jenks Consultants, dated April 3, 2009.

NARR ID: 5735725  
NARR Code: Site Location  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: MENGLIS  
Updated Date: 10/23/2006  
Decode for NarcdID: Site Location  
NARR Comments: Port of Newport Terminal Facility

NARR ID: 5735726  
NARR Code: Manner of Release  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: GWISTAR  
Updated Date: 09/21/2006  
Decode for NarcdID: Manner of Release  
NARR Comments: Release was caused by a breach in the integrity of the starboard wing ballast tank. Oil was released from the ballast tank into hold #3, which drains into the bay. The drain pipe was installed to allow the water level inside and outside of the vessel to equalize during tide cycles.

NARR ID: 5735727  
NARR Code: Media Contamination  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: Not reported  
Updated Date: 12/17/2002  
Decode for NarcdID: Media Contamination  
NARR Comments: Contaminated soil and rock present inside vessel. Also contaminated

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**PORT OF NEWPORT INTERNATIONAL TERMINALUSS PASLEY (Continued)**

**1006854187**

water inside vessel may have pathway to outside water (bay).

NARR ID: 5735728  
NARR Code: Remedial Action  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: MCAMARA  
Updated Date: 07/15/2013  
Decode for NarcdID: Remedial Action  
NARR Comments: (2/27/96 PJT/SAS) Upon further investigation, it was determined that additional Bunker C oil was onboard the vessel and should be removed. Shoreline cleanup was immediately initiated. Cleanup activities continued until February 11, 1996, at which time the US Coast Guard closed the fund (OPA). Most of the onboard oil had been removed and the shoreline cleanup was completed. A total of approximately 11,000 gallons of bunker oil had been removed from the vessel and recycled off-site. Leaking ares of the vessel were sealed. No additional leakage was noted. Additional investigation/cleanup is warranted at the facility.(7/22/08 M2C/ICP) In November 2006, the Port of Newport had received a bond to stabilize the Pasley and Hennebique ships and build a new dock. The Port has begin evaluating the extent of contaminants of both ships. Current contaminates include Bunker C oil and asbestos. From July 2007 through October 2007 approximately 8000 gallons of Bunker C was removed from the Pasley and disposed of off-site. (1/2/09 M2C/ICP) Port of Newport's consultants are preparing a remedial action plan (RAP) and Analysis of Brownsfield Cleanup Alternatives (ABCA) to remove hazardous chemicals from the ships. (6/2/09 M2C/ICP) Public comment period was held from April 1 through May 15, 2009. A public hearing was held May 7, 2009 in Newport. No comments were received on the Phase I RAP or ABCA.(12/12/12) No Further Action decision finalized.

NARR ID: 5750682  
NARR Code: Site History  
Created By: MCAMARA  
Created Date: 07/22/2008  
Updated By: GWISTAR  
Updated Date: 12/27/2013  
Decode for NarcdID: Site History  
NARR Comments: The International Terminal is comprised of a 400-foot High dock at Elevation 22, and a similar length Low dock at Elevation 16. Together, these docks, along with shoreside warehousing and administrative offices, comprise the Ports International Terminal. In addition to serving as the single facility capable of serving ocean-going cargo, the Terminal also serves Newports historic fishing community, as well. Time has taken its toll on both docks. The foundations for both docks are World War II Liberty Ships with concrete hulls (the USS Pasley and the USS Hennebique), perforated and sunk to form an artificial wharf structure. The High dock in particular is in a severe failing mode, rendering it useless for supporting the Ports commerce. The Low dock is also threatened by a failing timber structure connecting the dock to shore. In addition, the warehouse adjacent to the low dock is dilapidated and in need of replacement.

NARR ID: 5751065  
NARR Code: 1922

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**PORT OF NEWPORT INTERNATIONAL TERMINALUSS PASLEY (Continued)**

**1006854187**

Created By: MCAMARA  
Created Date: 01/02/2009  
Updated By: GWISTAR  
Updated Date: 12/27/2013  
Decode for NarcdID: Current Site Summary Statement  
NARR Comments: [Dec. 2012] Contaminants in the two port vessels (the Pasley and Hennebique) and contaminated materials associated with them, were removed, and confirmation samples showed either complete removal of contaminants or residual contaminants to be below screening levels. Therefore, there are no unacceptable risks to either human or ecological receptors remaining at the site. Therefore, DEQ has made a No Further Action decision regarding contamination associated with the Pasley and Hennebique at the Ports International Terminal.<br><br>Remediation and redevelopment of the docks was phased such that the Terminal continued to be accessible to Newports distant and local commercial fishing fleet as well as to those tenants that serviced the fishing fleet. The terminal was also built to be consistent with federal initiatives for marine navigation included in the Maritime Administration (MARAD) Marine Highway System Plan and the Safe Port Act. Over \$19 million from federal, state, and local funds went into the terminal's redevelopment, including a \$15 million general obligation bond from the Port and \$1.5 million from EPA through brownfields grants and loans.<br><br>The \$19 million + investment helped protect Yaquina Bay estuary, open the Port to international trade, and catalyze a new wave of subsequent economic investment in the area. In 2009, NOAA selected the Port as the new home for its Marine Operation Center Pacific Fleet. NOAA cited the Ports Terminal Redevelopment project and its design elements as one of the key factors influencing its decision.

Administrative Action:

Action ID: 9435  
Region: Western Region  
Complete Date: 12/12/2012  
Rank Value: Not reported  
Cleanup Flag: False  
Created Date: 01/02/2009  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Western Region  
Category: Remedial Action  
Action Code Flag: False  
Action: Independent Cleanup Program  
Further Action: 0  
Comments: Technical Consultation to review reports funded by OECD Brownfield program.

Action ID: 9503  
Region: Western Region  
Complete Date: 01/22/2008  
Rank Value: Not reported  
Cleanup Flag: False  
Created Date: 01/02/2009  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Western Region  
Category: Remedial Action  
Action Code Flag: False  
Action: Remedial Investigation/Feasibility Study recommended  
Further Action: Medium-Low

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**PORT OF NEWPORT INTERNATIONAL TERMINALUSS PASLEY (Continued)**

**1006854187**

Comments: Port of Newport has requested DEQ oversight to remove hazardous chemicals on two sunken WWII ships used as the foundation for the Port's dock.

Action ID: 9440  
Region: Western Region  
Complete Date: 12/12/2012  
Rank Value: Not reported  
Cleanup Flag: False  
Created Date: 06/02/2009  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Western Region  
Category: Remedial Action  
Action Code Flag: False  
Action: Letter Agreement  
Further Action: 0  
Comments: DEQ enter entered in Site-Specific technical agreement with OECD in Sept 2006 and enter in agreement with the Port for additional work

Action ID: 9469  
Region: Western Region  
Complete Date: 11/01/2012  
Rank Value: Not reported  
Cleanup Flag: False  
Created Date: 01/12/2011  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Western Region  
Category: Remedial Action  
Action Code Flag: False  
Action: REMEDIAL ACTION  
Further Action: High  
Comments: Not reported

Action ID: 9443  
Region: Western Region  
Complete Date: 12/12/2012  
Rank Value: Not reported  
Cleanup Flag: False  
Created Date: 12/12/2012  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Western Region  
Category: Remedial Action  
Action Code Flag: False  
Action: NO FURTHER STATE ACTION REQUIRED  
Further Action: 0  
Comments: Not reported

Action ID: 9417  
Region: Western Region  
Complete Date: 11/01/2012  
Rank Value: Not reported  
Cleanup Flag: False  
Created Date: 12/14/2012  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Western Region  
Category: Listing Action  
Action Code Flag: False

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

PORT OF NEWPORT INTERNATIONAL TERMINALUSS PASLEY (Continued)

1006854187

Action: Facility delisted from Confirmed Release List

Further Action: 0

Comments: Not reported

Action ID: 9425

Region: Western Region

Complete Date: 02/27/1996

Rank Value: 0

Cleanup Flag: True

Created Date: 12/17/2002

Decode for AgencyID: Department of Environmental Quality

Decode for RegionID: Western Region

Category: Remedial Action

Action Code Flag: False

Action: SITE EVALUATION

Further Action: Not reported

Comments: Not reported

Action ID: 9437

Region: Western Region

Complete Date: 02/26/1996

Rank Value: 0

Cleanup Flag: False

Created Date: 12/17/2002

Decode for AgencyID: Department of Environmental Quality

Decode for RegionID: Western Region

Category: Listing Action

Action Code Flag: False

Action: Listing Review completed

Further Action: Not reported

Comments: Not reported

Action ID: 9496

Region: Western Region

Complete Date: 02/27/1996

Rank Value: 0

Cleanup Flag: False

Created Date: 12/17/2002

Decode for AgencyID: Department of Environmental Quality

Decode for RegionID: Western Region

Category: Remedial Action

Action Code Flag: False

Action: State Basic Preliminary Assessment recommended (PA)

Further Action: Not reported

Comments: Not reported

Action ID: 9465

Region: Western Region

Complete Date: 05/21/1996

Rank Value: 0

Cleanup Flag: False

Created Date: 12/17/2002

Decode for AgencyID: Department of Environmental Quality

Decode for RegionID: Western Region

Category: Listing Action

Action Code Flag: False

Action: Facility proposed for Confirmed Release List

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**PORT OF NEWPORT INTERNATIONAL TERMINALUSS PASLEY (Continued)**

**1006854187**

Further Action: Not reported  
Comments: Not reported

Action ID: 9438  
Region: Headquarters  
Complete Date: 08/12/1996  
Rank Value: 0  
Cleanup Flag: False  
Created Date: 12/17/2002  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Headquarters  
Category: Listing Action  
Action Code Flag: False  
Action: Facility placed on Confirmed Release List  
Further Action: Not reported  
Comments: Not reported

Action ID: 9424  
Region: Western Region  
Complete Date: Not reported  
Rank Value: 0  
Cleanup Flag: False  
Created Date: 12/17/2002  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Western Region  
Category: Administrative Action  
Action Code Flag: False  
Action: Site added to database  
Further Action: Not reported  
Comments: Not reported

Action ID: 9498  
Region: Western Region  
Complete Date: 02/27/1996  
Rank Value: 0  
Cleanup Flag: False  
Created Date: 12/17/2002  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Western Region  
Category: Listing Action  
Action Code Flag: False  
Action: Proposal for Confirmed Release List recommended  
Further Action: Not reported  
Comments: Not reported

VCS:  
ECS Site ID: 1827  
Facility Size: 3.2 acres  
Action: No Further Action Required  
Start Date: 12/12/2012  
End Date: 12/12/2012  
Facility Status: Completed  
Program: VCP  
Latitude: 44.6318  
Longitude: -124.0459

Map ID  
 Direction  
 Distance  
 Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
 EPA ID Number

**PORT OF NEWPORT INTERNATIONAL TERMINALUSS PASLEY (Continued)**

**1006854187**

**OR BROWNFIELDS:**

Geolocation Id: 40372  
 Status: NO FURTHER STATE ACTION REQUIRED  
 Lat/Long: 44.6318 / -124.045

**FINDS:**

Registry ID: 110014163984

**Environmental Interest/Information System**

OR-DEQ (Oregon - Department Of Environmental Quality) is a regulatory agency whose job is to protect the quality of Oregon's Environment. DEQ uses a combination of technical assistance, inspections and permitting to help public and private facilities and citizens understand and comply with state and federal environmental regulations.

US EPA Assessment, Cleanup and Redevelopment Exchange System (ACRES) is an federal online database for Brownfields Grantees to electronically submit data directly to EPA.

RCRAInfo is a national information system that supports the Resource Conservation and Recovery Act (RCRA) program through the tracking of events and activities related to facilities that generate, transport, and treat, store, or dispose of hazardous waste. RCRAInfo allows RCRA program staff to track the notification, permit, compliance, and corrective action activities required under RCRA.

**ECHO:**

Envid: 1006854187  
 Registry ID: 110014163984  
 DFR URL: [http://echo.epa.gov/detailed\\_facility\\_report?fid=110014163984](http://echo.epa.gov/detailed_facility_report?fid=110014163984)

**D13 MORSE BROTHERS TRUCK SHOP**  
**NNE 625 SE BAY BLVD.**  
**1/2-1 NEWPORT, OR 97365**  
**0.929 mi.**  
**4904 ft. Site 2 of 2 in cluster D**

**ECSI S104798165**  
**N/A**

**Relative:**  
**Higher**

**ECSI:**

State ID Number: 854  
 Brown ID: 0  
 Study Area: False  
 Region ID: 3  
 Legislative ID: 0  
 Investigation: Suspect  
 FACA ID: 9082  
 Further Action: 258  
 Lat/Long (dms): 44 37 56.30 / -124 2 42.40  
 County Code: 21.00  
 Score Value: Not reported  
 Cerclis ID: Not reported  
 Township Coord.: 11.00  
 Township Zone: S  
 Range Coord: 11.00

**Actual:**  
**40 ft.**

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**MORSE BROTHERS TRUCK SHOP (Continued)**

**S104798165**

Range Zone: W  
Section Coord: 9  
Qtr Section: Not reported  
Tax Lots: Not reported  
Size: Not reported  
NPL: False  
Orphan: False  
Updated By: GWISTAR  
Update Date: 03/25/2015  
Created Date: 05/20/1988  
Decode For RegionID: Western Region  
Decode For BrownID: Not reported  
Decode For Furtheract: Medium  
Decode For Investstat: Suspect  
Decode For Legislative: Not reported

**Narrative:**

NARR ID: 5725962  
NARR Code: Contamination  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: Not reported  
Updated Date: 12/17/2002  
Decode for NarcdID: Contamination  
NARR Comments: Diesel going into Depot Slough; leaking packing on tank likely source. ODF&W field investigator Will Beidler confirmed that above-ground diesel tank had valve with slow drip. Packing was tightened and leak stopped. Fritz Skirvin, DEQ Willamette Valley Region, says the site should be visited again.

NARR ID: 5725963  
NARR Code: Data Sources  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: Not reported  
Updated Date: 12/17/2002  
Decode for NarcdID: Data Sources  
NARR Comments: Active Complaint File #2694.

NARR ID: 5725964  
NARR Code: Hazardous Substance/Waste Types  
Created By: Not reported  
Created Date: 12/17/2002  
Updated By: Not reported  
Updated Date: 12/17/2002  
Decode for NarcdID: Hazardous Substance/Waste Types  
NARR Comments: diesel

**Administrative Action:**

Action ID: 9508  
Region: Headquarters  
Complete Date: 02/11/1994  
Rank Value: 0  
Cleanup Flag: False  
Created Date: 12/17/2002  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Headquarters  
Category: Remedial Action



Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**MORSE BROTHERS TRUCK SHOP (Continued)**

**S104798165**

Action Code Flag: False  
Action: Site Screening recommended (EV)  
Further Action: Medium  
Comments: Not reported  
  
Action ID: 9424  
Region: Headquarters  
Complete Date: Not reported  
Rank Value: 0  
Cleanup Flag: False  
Created Date: 12/17/2002  
Decode for AgencyID: Department of Environmental Quality  
Decode for RegionID: Headquarters  
Category: Administrative Action  
Action Code Flag: False  
Action: Site added to database  
Further Action: Not reported  
Comments: Not reported

Operations:  
Operation Id: 132156  
Operation Status: Active  
Common Name: Morse Brothers Truck Shop  
Yrs of Operation: Not reported  
Comments: Not reported  
Updated Date: 03/20/1995  
Updated By: jxh  
Decode for OpstatID: Active

Count: 2 records.

ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
NEWPORT	S113906906	4 J'S PLAZA PROPERTY	644 SW COAST HWY 101	97365	LUST
NEWPORT	S107134731	PORT OF NEWPORT	YAQUINA BAY ROAD	97365	SWF/LF

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

To maintain currency of the following federal and state databases, EDR contacts the appropriate governmental agency on a monthly or quarterly basis, as required.

**Number of Days to Update:** Provides confirmation that EDR is reporting records that have been updated within 90 days from the date the government agency made the information available to the public.

## STANDARD ENVIRONMENTAL RECORDS

### ***Federal NPL site list***

#### **NPL: National Priority List**

National Priorities List (Superfund). The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. NPL sites may encompass relatively large areas. As such, EDR provides polygon coverage for over 1,000 NPL site boundaries produced by EPA's Environmental Photographic Interpretation Center (EPIC) and regional EPA offices.

Date of Government Version: 03/07/2016	Source: EPA
Date Data Arrived at EDR: 04/05/2016	Telephone: N/A
Date Made Active in Reports: 04/15/2016	Last EDR Contact: 07/07/2016
Number of Days to Update: 10	Next Scheduled EDR Contact: 10/17/2016
	Data Release Frequency: Quarterly

#### **NPL Site Boundaries**

##### **Sources:**

EPA's Environmental Photographic Interpretation Center (EPIC)  
Telephone: 202-564-7333

EPA Region 1  
Telephone 617-918-1143

EPA Region 6  
Telephone: 214-655-6659

EPA Region 3  
Telephone 215-814-5418

EPA Region 7  
Telephone: 913-551-7247

EPA Region 4  
Telephone 404-562-8033

EPA Region 8  
Telephone: 303-312-6774

EPA Region 5  
Telephone 312-886-6686

EPA Region 9  
Telephone: 415-947-4246

EPA Region 10  
Telephone 206-553-8665

#### **Proposed NPL: Proposed National Priority List Sites**

A site that has been proposed for listing on the National Priorities List through the issuance of a proposed rule in the Federal Register. EPA then accepts public comments on the site, responds to the comments, and places on the NPL those sites that continue to meet the requirements for listing.

Date of Government Version: 03/07/2016	Source: EPA
Date Data Arrived at EDR: 04/05/2016	Telephone: N/A
Date Made Active in Reports: 04/15/2016	Last EDR Contact: 07/07/2016
Number of Days to Update: 10	Next Scheduled EDR Contact: 10/17/2016
	Data Release Frequency: Quarterly

#### **NPL LIENS: Federal Superfund Liens**

Federal Superfund Liens. Under the authority granted the USEPA by CERCLA of 1980, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner received notification of potential liability. USEPA compiles a listing of filed notices of Superfund Liens.

Date of Government Version: 10/15/1991	Source: EPA
Date Data Arrived at EDR: 02/02/1994	Telephone: 202-564-4267
Date Made Active in Reports: 03/30/1994	Last EDR Contact: 08/15/2011
Number of Days to Update: 56	Next Scheduled EDR Contact: 11/28/2011
	Data Release Frequency: No Update Planned

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## ***Federal Delisted NPL site list***

Delisted NPL: National Priority List Deletions

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

Date of Government Version: 03/07/2016	Source: EPA
Date Data Arrived at EDR: 04/05/2016	Telephone: N/A
Date Made Active in Reports: 04/15/2016	Last EDR Contact: 07/07/2016
Number of Days to Update: 10	Next Scheduled EDR Contact: 10/17/2016
	Data Release Frequency: Quarterly

## ***Federal CERCLIS list***

FEDERAL FACILITY: Federal Facility Site Information listing

A listing of National Priority List (NPL) and Base Realignment and Closure (BRAC) sites found in the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) Database where EPA Federal Facilities Restoration and Reuse Office is involved in cleanup activities.

Date of Government Version: 11/13/2015	Source: Environmental Protection Agency
Date Data Arrived at EDR: 01/06/2016	Telephone: 703-603-8704
Date Made Active in Reports: 05/20/2016	Last EDR Contact: 07/06/2016
Number of Days to Update: 135	Next Scheduled EDR Contact: 10/17/2016
	Data Release Frequency: Varies

SEMS: Superfund Enterprise Management System

SEMS (Superfund Enterprise Management System) tracks hazardous waste sites, potentially hazardous waste sites, and remedial activities performed in support of EPA's Superfund Program across the United States. The list was formerly know as CERCLIS, renamed to SEMS by the EPA in 2015. The list contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This dataset also contains sites which are either proposed to or on the National Priorities List (NPL) and the sites which are in the screening and assessment phase for possible inclusion on the NPL.

Date of Government Version: 03/07/2016	Source: EPA
Date Data Arrived at EDR: 04/05/2016	Telephone: 800-424-9346
Date Made Active in Reports: 04/15/2016	Last EDR Contact: 07/22/2016
Number of Days to Update: 10	Next Scheduled EDR Contact: 10/31/2016
	Data Release Frequency: Quarterly

## ***Federal CERCLIS NFRAP site list***

SEMS-ARCHIVE: Superfund Enterprise Management System Archive

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

SEMS-ARCHIVE (Superfund Enterprise Management System Archive) tracks sites that have no further interest under the Federal Superfund Program based on available information. The list was formerly known as the CERCLIS-NFRAP, renamed to SEMS ARCHIVE by the EPA in 2015. EPA may perform a minimal level of assessment work at a site while it is archived if site conditions change and/or new information becomes available. Archived sites have been removed and archived from the inventory of SEMS sites. Archived status indicates that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list the site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. The decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be potential NPL site.

Date of Government Version: 03/07/2016	Source: EPA
Date Data Arrived at EDR: 04/05/2016	Telephone: 800-424-9346
Date Made Active in Reports: 04/15/2016	Last EDR Contact: 07/22/2016
Number of Days to Update: 10	Next Scheduled EDR Contact: 10/31/2016
	Data Release Frequency: Quarterly

## ***Federal RCRA CORRACTS facilities list***

CORRACTS: Corrective Action Report

CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

Date of Government Version: 06/27/2016	Source: EPA
Date Data Arrived at EDR: 06/30/2016	Telephone: 800-424-9346
Date Made Active in Reports: 09/02/2016	Last EDR Contact: 09/28/2016
Number of Days to Update: 64	Next Scheduled EDR Contact: 01/09/2017
	Data Release Frequency: Quarterly

## ***Federal RCRA non-CORRACTS TSD facilities list***

RCRA-TSDF: RCRA - Treatment, Storage and Disposal

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Transporters are individuals or entities that move hazardous waste from the generator offsite to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

Date of Government Version: 06/21/2016	Source: Environmental Protection Agency
Date Data Arrived at EDR: 06/30/2016	Telephone: (206) 553-1200
Date Made Active in Reports: 09/02/2016	Last EDR Contact: 09/28/2016
Number of Days to Update: 64	Next Scheduled EDR Contact: 01/09/2017
	Data Release Frequency: Quarterly

## ***Federal RCRA generators list***

RCRA-LQG: RCRA - Large Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Large quantity generators (LQGs) generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month.

Date of Government Version: 06/21/2016	Source: Environmental Protection Agency
Date Data Arrived at EDR: 06/30/2016	Telephone: (206) 553-1200
Date Made Active in Reports: 09/02/2016	Last EDR Contact: 09/28/2016
Number of Days to Update: 64	Next Scheduled EDR Contact: 01/09/2017
	Data Release Frequency: Quarterly

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## RCRA-SQG: RCRA - Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month.

Date of Government Version: 06/21/2016	Source: Environmental Protection Agency
Date Data Arrived at EDR: 06/30/2016	Telephone: (206) 553-1200
Date Made Active in Reports: 09/02/2016	Last EDR Contact: 09/28/2016
Number of Days to Update: 64	Next Scheduled EDR Contact: 01/09/2017
	Data Release Frequency: Quarterly

## RCRA-CESQG: RCRA - Conditionally Exempt Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

Date of Government Version: 06/21/2016	Source: Environmental Protection Agency
Date Data Arrived at EDR: 06/30/2016	Telephone: (206) 553-1200
Date Made Active in Reports: 09/02/2016	Last EDR Contact: 09/28/2016
Number of Days to Update: 64	Next Scheduled EDR Contact: 01/09/2017
	Data Release Frequency: Varies

## ***Federal institutional controls / engineering controls registries***

### LUCIS: Land Use Control Information System

LUCIS contains records of land use control information pertaining to the former Navy Base Realignment and Closure properties.

Date of Government Version: 05/28/2015	Source: Department of the Navy
Date Data Arrived at EDR: 05/29/2015	Telephone: 843-820-7326
Date Made Active in Reports: 06/11/2015	Last EDR Contact: 08/12/2016
Number of Days to Update: 13	Next Scheduled EDR Contact: 11/28/2016
	Data Release Frequency: Varies

### US ENG CONTROLS: Engineering Controls Sites List

A listing of sites with engineering controls in place. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health.

Date of Government Version: 05/09/2016	Source: Environmental Protection Agency
Date Data Arrived at EDR: 06/01/2016	Telephone: 703-603-0695
Date Made Active in Reports: 09/02/2016	Last EDR Contact: 08/31/2016
Number of Days to Update: 93	Next Scheduled EDR Contact: 12/12/2016
	Data Release Frequency: Varies

### US INST CONTROL: Sites with Institutional Controls

A listing of sites with institutional controls in place. Institutional controls include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls.

Date of Government Version: 05/09/2016	Source: Environmental Protection Agency
Date Data Arrived at EDR: 06/01/2016	Telephone: 703-603-0695
Date Made Active in Reports: 09/02/2016	Last EDR Contact: 08/31/2016
Number of Days to Update: 93	Next Scheduled EDR Contact: 12/12/2016
	Data Release Frequency: Varies

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## ***Federal ERNS list***

### **ERNS: Emergency Response Notification System**

Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous substances.

Date of Government Version: 03/28/2016  
Date Data Arrived at EDR: 03/30/2016  
Date Made Active in Reports: 05/20/2016  
Number of Days to Update: 51

Source: National Response Center, United States Coast Guard  
Telephone: 202-267-2180  
Last EDR Contact: 09/29/2016  
Next Scheduled EDR Contact: 01/09/2017  
Data Release Frequency: Annually

## ***State- and tribal - equivalent CERCLIS***

### **ECSI: Environmental Cleanup Site Information System**

Sites that are or may be contaminated and may require cleanup.

Date of Government Version: 07/01/2016  
Date Data Arrived at EDR: 07/07/2016  
Date Made Active in Reports: 08/10/2016  
Number of Days to Update: 34

Source: Department of Environmental Quality  
Telephone: 503-229-6629  
Last EDR Contact: 07/07/2016  
Next Scheduled EDR Contact: 10/17/2016  
Data Release Frequency: Quarterly

### **CRL: Confirmed Release List and Inventory**

All facilities with a confirmed release.

Date of Government Version: 05/01/2016  
Date Data Arrived at EDR: 05/19/2016  
Date Made Active in Reports: 08/10/2016  
Number of Days to Update: 83

Source: Department of Environmental Quality  
Telephone: 503-229-6170  
Last EDR Contact: 08/19/2016  
Next Scheduled EDR Contact: 11/28/2016  
Data Release Frequency: Quarterly

## ***State and tribal landfill and/or solid waste disposal site lists***

### **SWF/LF: Solid Waste Facilities List**

Solid Waste Facilities/Landfill Sites. SWF/LF type records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites.

Date of Government Version: 04/18/2016  
Date Data Arrived at EDR: 04/22/2016  
Date Made Active in Reports: 06/13/2016  
Number of Days to Update: 52

Source: Department of Environmental Quality  
Telephone: 503-229-6299  
Last EDR Contact: 07/18/2016  
Next Scheduled EDR Contact: 10/31/2016  
Data Release Frequency: Semi-Annually

## ***State and tribal leaking storage tank lists***

### **LUST: Leaking Underground Storage Tank Database**

Leaking Underground Storage Tank Incident Reports. LUST records contain an inventory of reported leaking underground storage tank incidents. Not all states maintain these records, and the information stored varies by state.

Date of Government Version: 04/05/2016  
Date Data Arrived at EDR: 05/20/2016  
Date Made Active in Reports: 08/10/2016  
Number of Days to Update: 82

Source: Department of Environmental Quality  
Telephone: 503-229-5790  
Last EDR Contact: 08/19/2016  
Next Scheduled EDR Contact: 11/28/2016  
Data Release Frequency: Quarterly

### **INDIAN LUST R8: Leaking Underground Storage Tanks on Indian Land**

LUSTs on Indian land in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 10/13/2015  
Date Data Arrived at EDR: 10/23/2015  
Date Made Active in Reports: 02/18/2016  
Number of Days to Update: 118

Source: EPA Region 8  
Telephone: 303-312-6271  
Last EDR Contact: 07/27/2016  
Next Scheduled EDR Contact: 11/07/2016  
Data Release Frequency: Quarterly

**INDIAN LUST R9: Leaking Underground Storage Tanks on Indian Land**  
LUSTs on Indian land in Arizona, California, New Mexico and Nevada

Date of Government Version: 02/25/2016  
Date Data Arrived at EDR: 04/27/2016  
Date Made Active in Reports: 06/03/2016  
Number of Days to Update: 37

Source: Environmental Protection Agency  
Telephone: 415-972-3372  
Last EDR Contact: 07/27/2016  
Next Scheduled EDR Contact: 11/07/2016  
Data Release Frequency: Quarterly

**INDIAN LUST R7: Leaking Underground Storage Tanks on Indian Land**  
LUSTs on Indian land in Iowa, Kansas, and Nebraska

Date of Government Version: 10/09/2015  
Date Data Arrived at EDR: 02/12/2016  
Date Made Active in Reports: 06/03/2016  
Number of Days to Update: 112

Source: EPA Region 7  
Telephone: 913-551-7003  
Last EDR Contact: 07/27/2016  
Next Scheduled EDR Contact: 11/07/2016  
Data Release Frequency: Varies

**INDIAN LUST R10: Leaking Underground Storage Tanks on Indian Land**  
LUSTs on Indian land in Alaska, Idaho, Oregon and Washington.

Date of Government Version: 01/07/2016  
Date Data Arrived at EDR: 01/08/2016  
Date Made Active in Reports: 02/18/2016  
Number of Days to Update: 41

Source: EPA Region 10  
Telephone: 206-553-2857  
Last EDR Contact: 07/27/2016  
Next Scheduled EDR Contact: 11/07/2016  
Data Release Frequency: Quarterly

**INDIAN LUST R5: Leaking Underground Storage Tanks on Indian Land**  
Leaking underground storage tanks located on Indian Land in Michigan, Minnesota and Wisconsin.

Date of Government Version: 02/17/2016  
Date Data Arrived at EDR: 04/27/2016  
Date Made Active in Reports: 06/03/2016  
Number of Days to Update: 37

Source: EPA, Region 5  
Telephone: 312-886-7439  
Last EDR Contact: 07/27/2016  
Next Scheduled EDR Contact: 11/07/2016  
Data Release Frequency: Varies

**INDIAN LUST R1: Leaking Underground Storage Tanks on Indian Land**  
A listing of leaking underground storage tank locations on Indian Land.

Date of Government Version: 10/27/2015  
Date Data Arrived at EDR: 10/29/2015  
Date Made Active in Reports: 01/04/2016  
Number of Days to Update: 67

Source: EPA Region 1  
Telephone: 617-918-1313  
Last EDR Contact: 07/29/2016  
Next Scheduled EDR Contact: 11/07/2016  
Data Release Frequency: Varies

**INDIAN LUST R4: Leaking Underground Storage Tanks on Indian Land**  
LUSTs on Indian land in Florida, Mississippi and North Carolina.

Date of Government Version: 02/05/2016  
Date Data Arrived at EDR: 04/29/2016  
Date Made Active in Reports: 06/03/2016  
Number of Days to Update: 35

Source: EPA Region 4  
Telephone: 404-562-8677  
Last EDR Contact: 07/26/2016  
Next Scheduled EDR Contact: 11/07/2016  
Data Release Frequency: Semi-Annually



# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

INDIAN LUST R6: Leaking Underground Storage Tanks on Indian Land  
LUSTs on Indian land in New Mexico and Oklahoma.

Date of Government Version: 12/11/2015	Source: EPA Region 6
Date Data Arrived at EDR: 02/19/2016	Telephone: 214-665-6597
Date Made Active in Reports: 06/03/2016	Last EDR Contact: 07/27/2016
Number of Days to Update: 105	Next Scheduled EDR Contact: 11/07/2016
	Data Release Frequency: Varies

## **State and tribal registered storage tank lists**

FEMA UST: Underground Storage Tank Listing  
A listing of all FEMA owned underground storage tanks.

Date of Government Version: 01/01/2010	Source: FEMA
Date Data Arrived at EDR: 02/16/2010	Telephone: 202-646-5797
Date Made Active in Reports: 04/12/2010	Last EDR Contact: 07/07/2016
Number of Days to Update: 55	Next Scheduled EDR Contact: 10/24/2016
	Data Release Frequency: Varies

UST: Underground Storage Tank Database  
Registered Underground Storage Tanks. UST's are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA) and must be registered with the state department responsible for administering the UST program. Available information varies by state program.

Date of Government Version: 04/05/2016	Source: Department of Environmental Quality
Date Data Arrived at EDR: 05/20/2016	Telephone: 503-229-5815
Date Made Active in Reports: 08/10/2016	Last EDR Contact: 08/19/2016
Number of Days to Update: 82	Next Scheduled EDR Contact: 11/28/2016
	Data Release Frequency: Quarterly

AST: Aboveground Storage Tanks

Aboveground storage tank locations reported to the Office of State Fire Marshal.

Date of Government Version: 04/28/2016	Source: Office of State Fire Marshal
Date Data Arrived at EDR: 06/01/2016	Telephone: 503-378-3473
Date Made Active in Reports: 08/10/2016	Last EDR Contact: 09/20/2016
Number of Days to Update: 70	Next Scheduled EDR Contact: 01/02/2017
	Data Release Frequency: Semi-Annually

INDIAN UST R1: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 1 (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont and ten Tribal Nations).

Date of Government Version: 10/20/2015	Source: EPA, Region 1
Date Data Arrived at EDR: 10/29/2015	Telephone: 617-918-1313
Date Made Active in Reports: 01/04/2016	Last EDR Contact: 07/29/2016
Number of Days to Update: 67	Next Scheduled EDR Contact: 11/07/2016
	Data Release Frequency: Varies

INDIAN UST R4: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee and Tribal Nations)

Date of Government Version: 02/05/2016	Source: EPA Region 4
Date Data Arrived at EDR: 04/29/2016	Telephone: 404-562-9424
Date Made Active in Reports: 06/03/2016	Last EDR Contact: 07/26/2016
Number of Days to Update: 35	Next Scheduled EDR Contact: 11/07/2016
	Data Release Frequency: Semi-Annually

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## INDIAN UST R5: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 5 (Michigan, Minnesota and Wisconsin and Tribal Nations).

Date of Government Version: 11/05/2015	Source: EPA Region 5
Date Data Arrived at EDR: 11/13/2015	Telephone: 312-886-6136
Date Made Active in Reports: 01/04/2016	Last EDR Contact: 07/27/2016
Number of Days to Update: 52	Next Scheduled EDR Contact: 11/07/2016
	Data Release Frequency: Varies

## INDIAN UST R6: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 6 (Louisiana, Arkansas, Oklahoma, New Mexico, Texas and 65 Tribes).

Date of Government Version: 12/03/2015	Source: EPA Region 6
Date Data Arrived at EDR: 02/04/2016	Telephone: 214-665-7591
Date Made Active in Reports: 06/03/2016	Last EDR Contact: 07/27/2016
Number of Days to Update: 120	Next Scheduled EDR Contact: 11/07/2016
	Data Release Frequency: Semi-Annually

## INDIAN UST R7: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 7 (Iowa, Kansas, Missouri, Nebraska, and 9 Tribal Nations).

Date of Government Version: 09/23/2014	Source: EPA Region 7
Date Data Arrived at EDR: 11/25/2014	Telephone: 913-551-7003
Date Made Active in Reports: 01/29/2015	Last EDR Contact: 07/27/2016
Number of Days to Update: 65	Next Scheduled EDR Contact: 11/07/2016
	Data Release Frequency: Varies

## INDIAN UST R8: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming and 27 Tribal Nations).

Date of Government Version: 01/26/2016	Source: EPA Region 8
Date Data Arrived at EDR: 02/05/2016	Telephone: 303-312-6137
Date Made Active in Reports: 06/03/2016	Last EDR Contact: 07/27/2016
Number of Days to Update: 119	Next Scheduled EDR Contact: 11/07/2016
	Data Release Frequency: Quarterly

## INDIAN UST R9: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 9 (Arizona, California, Hawaii, Nevada, the Pacific Islands, and Tribal Nations).

Date of Government Version: 02/25/2016	Source: EPA Region 9
Date Data Arrived at EDR: 04/27/2016	Telephone: 415-972-3368
Date Made Active in Reports: 06/03/2016	Last EDR Contact: 07/27/2016
Number of Days to Update: 37	Next Scheduled EDR Contact: 11/07/2016
	Data Release Frequency: Quarterly

## INDIAN UST R10: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 10 (Alaska, Idaho, Oregon, Washington, and Tribal Nations).

Date of Government Version: 01/07/2016	Source: EPA Region 10
Date Data Arrived at EDR: 01/08/2016	Telephone: 206-553-2857
Date Made Active in Reports: 02/18/2016	Last EDR Contact: 07/27/2016
Number of Days to Update: 41	Next Scheduled EDR Contact: 11/07/2016
	Data Release Frequency: Quarterly

### ***State and tribal institutional control / engineering control registries***

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## ENG CONTROLS: Engineering Controls Recorded at ESCI Sites

Engineering controls are physical measures selected or approved by the Director for the purpose of preventing or minimizing exposure to hazardous substances. Engineering controls may include, but are not limited to, fencing, capping, horizontal or vertical barriers, hydraulic controls, and alternative water supplies.

Date of Government Version: 07/01/2016	Source: Department of Environmental Quality
Date Data Arrived at EDR: 07/07/2016	Telephone: 503-229-5193
Date Made Active in Reports: 08/10/2016	Last EDR Contact: 07/07/2016
Number of Days to Update: 34	Next Scheduled EDR Contact: 10/17/2016
	Data Release Frequency: Quarterly

## INST CONTROL: Institutional Controls Recorded at ESCI Sites

An institutional control is a legal or administrative tool or action taken to reduce the potential for exposure to hazardous substances. Institutional controls may include, but are not limited to, use restrictions, environmental monitoring requirements, and site access and security measures.

Date of Government Version: 07/01/2016	Source: Department of Environmental Quality
Date Data Arrived at EDR: 07/07/2016	Telephone: 503-229-5193
Date Made Active in Reports: 08/10/2016	Last EDR Contact: 07/07/2016
Number of Days to Update: 34	Next Scheduled EDR Contact: 10/17/2016
	Data Release Frequency: Quarterly

## **State and tribal voluntary cleanup sites**

### VCS: Voluntary Cleanup Program Sites

Responsible parties have entered into an agreement with DEQ to voluntarily address contamination associated with their property.

Date of Government Version: 07/05/2016	Source: DEQ
Date Data Arrived at EDR: 07/08/2016	Telephone: 503-229-5256
Date Made Active in Reports: 08/10/2016	Last EDR Contact: 07/01/2016
Number of Days to Update: 33	Next Scheduled EDR Contact: 10/17/2016
	Data Release Frequency: Quarterly

### INDIAN VCP R1: Voluntary Cleanup Priority Listing

A listing of voluntary cleanup priority sites located on Indian Land located in Region 1.

Date of Government Version: 07/27/2015	Source: EPA, Region 1
Date Data Arrived at EDR: 09/29/2015	Telephone: 617-918-1102
Date Made Active in Reports: 02/18/2016	Last EDR Contact: 09/26/2016
Number of Days to Update: 142	Next Scheduled EDR Contact: 01/09/2017
	Data Release Frequency: Varies

### INDIAN VCP R7: Voluntary Cleanup Priority Listing

A listing of voluntary cleanup priority sites located on Indian Land located in Region 7.

Date of Government Version: 03/20/2008	Source: EPA, Region 7
Date Data Arrived at EDR: 04/22/2008	Telephone: 913-551-7365
Date Made Active in Reports: 05/19/2008	Last EDR Contact: 04/20/2009
Number of Days to Update: 27	Next Scheduled EDR Contact: 07/20/2009
	Data Release Frequency: Varies

## **State and tribal Brownfields sites**

### BROWNFIELDS: Brownfields Projects

Brownfields investigations and/or cleanups that have been conducted in Oregon.

Date of Government Version: 05/01/2016	Source: Department of Environmental Quality
Date Data Arrived at EDR: 05/19/2016	Telephone: 503-229-6801
Date Made Active in Reports: 08/10/2016	Last EDR Contact: 08/19/2016
Number of Days to Update: 83	Next Scheduled EDR Contact: 11/28/2016
	Data Release Frequency: Semi-Annually

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## ADDITIONAL ENVIRONMENTAL RECORDS

### **Local Brownfield lists**

#### US BROWNFIELDS: A Listing of Brownfields Sites

Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment. Assessment, Cleanup and Redevelopment Exchange System (ACRES) stores information reported by EPA Brownfields grant recipients on brownfields properties assessed or cleaned up with grant funding as well as information on Targeted Brownfields Assessments performed by EPA Regions. A listing of ACRES Brownfield sites is obtained from Cleanups in My Community. Cleanups in My Community provides information on Brownfields properties for which information is reported back to EPA, as well as areas served by Brownfields grant programs.

Date of Government Version: 06/21/2016	Source: Environmental Protection Agency
Date Data Arrived at EDR: 06/22/2016	Telephone: 202-566-2777
Date Made Active in Reports: 09/02/2016	Last EDR Contact: 09/21/2016
Number of Days to Update: 72	Next Scheduled EDR Contact: 01/02/2017
	Data Release Frequency: Semi-Annually

### **Local Lists of Landfill / Solid Waste Disposal Sites**

#### HIST LF: Old Closed SW Disposal Sites

A list of solid waste disposal sites that have been closed for a long while.

Date of Government Version: 04/01/2000	Source: Department of Environmental Quality
Date Data Arrived at EDR: 07/08/2003	Telephone: 503-229-5409
Date Made Active in Reports: 07/18/2003	Last EDR Contact: 07/08/2003
Number of Days to Update: 10	Next Scheduled EDR Contact: N/A
	Data Release Frequency: No Update Planned

#### SWRCY: Recycling Facility Location Listing

A listing of recycling facility locations.

Date of Government Version: 05/01/2016	Source: Department of Environmental Quality
Date Data Arrived at EDR: 06/02/2016	Telephone: 503-229-5353
Date Made Active in Reports: 08/10/2016	Last EDR Contact: 09/01/2016
Number of Days to Update: 69	Next Scheduled EDR Contact: 12/12/2016
	Data Release Frequency: Quarterly

#### INDIAN ODI: Report on the Status of Open Dumps on Indian Lands

Location of open dumps on Indian land.

Date of Government Version: 12/31/1998	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/03/2007	Telephone: 703-308-8245
Date Made Active in Reports: 01/24/2008	Last EDR Contact: 08/05/2016
Number of Days to Update: 52	Next Scheduled EDR Contact: 11/14/2016
	Data Release Frequency: Varies

#### ODI: Open Dump Inventory

An open dump is defined as a disposal facility that does not comply with one or more of the Part 257 or Part 258 Subtitle D Criteria.

Date of Government Version: 06/30/1985	Source: Environmental Protection Agency
Date Data Arrived at EDR: 08/09/2004	Telephone: 800-424-9346
Date Made Active in Reports: 09/17/2004	Last EDR Contact: 06/09/2004
Number of Days to Update: 39	Next Scheduled EDR Contact: N/A
	Data Release Frequency: No Update Planned

#### DEBRIS REGION 9: Torres Martinez Reservation Illegal Dump Site Locations

A listing of illegal dump sites location on the Torres Martinez Indian Reservation located in eastern Riverside County and northern Imperial County, California.

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 01/12/2009  
Date Data Arrived at EDR: 05/07/2009  
Date Made Active in Reports: 09/21/2009  
Number of Days to Update: 137

Source: EPA, Region 9  
Telephone: 415-947-4219  
Last EDR Contact: 07/20/2016  
Next Scheduled EDR Contact: 10/07/2016  
Data Release Frequency: No Update Planned

## **Local Lists of Hazardous waste / Contaminated Sites**

### US HIST CDL: National Clandestine Laboratory Register

A listing of clandestine drug lab locations that have been removed from the DEAs National Clandestine Laboratory Register.

Date of Government Version: 08/31/2016  
Date Data Arrived at EDR: 09/06/2016  
Date Made Active in Reports: 09/23/2016  
Number of Days to Update: 17

Source: Drug Enforcement Administration  
Telephone: 202-307-1000  
Last EDR Contact: 08/31/2016  
Next Scheduled EDR Contact: 10/10/2016  
Data Release Frequency: No Update Planned

### AOC MU: East Multnomah County Area

Approximate extent of TSA VOC plume February , 2002

Date of Government Version: N/A  
Date Data Arrived at EDR: 10/07/2002  
Date Made Active in Reports: 10/22/2002  
Number of Days to Update: 15

Source: City of Portland Environmental Services  
Telephone: 503-823-5310  
Last EDR Contact: 03/13/2007  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: No Update Planned

### AOC COL: Columbia Slough

Columbia Slough waterway boundaries.

Date of Government Version: 08/10/2005  
Date Data Arrived at EDR: 05/17/2006  
Date Made Active in Reports: 06/16/2006  
Number of Days to Update: 30

Source: City of Portland Environmental Services  
Telephone: 503-823-5310  
Last EDR Contact: 03/13/2007  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: No Update Planned

### CDL 2: Clandestine Drug Lab Site Listing

A listing of clandestine drug lab site locations included in the Incident database.

Date of Government Version: 03/23/2016  
Date Data Arrived at EDR: 05/06/2016  
Date Made Active in Reports: 06/13/2016  
Number of Days to Update: 38

Source: Oregon State Police  
Telephone: 503-373-1540  
Last EDR Contact: 08/03/2016  
Next Scheduled EDR Contact: 11/14/2016  
Data Release Frequency: Varies

### CDL: Uninhabitable Drug Lab Properties

The properties listed on these county pages have been declared by a law enforcement agency to be unfit for use due to meth lab and/or storage activities. The properties are considered uninhabitable until cleaned up by a state certified decontamination contractor and a certificate of fitness is issued by the Oregon Health Division.

Date of Government Version: 04/19/2016  
Date Data Arrived at EDR: 05/13/2016  
Date Made Active in Reports: 06/13/2016  
Number of Days to Update: 31

Source: Department of Consumer & Business Services  
Telephone: 503-378-4133  
Last EDR Contact: 08/08/2016  
Next Scheduled EDR Contact: 11/21/2016  
Data Release Frequency: Varies

### US CDL: Clandestine Drug Labs

A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 08/30/2016  
Date Data Arrived at EDR: 09/06/2016  
Date Made Active in Reports: 09/23/2016  
Number of Days to Update: 17

Source: Drug Enforcement Administration  
Telephone: 202-307-1000  
Last EDR Contact: 08/31/2016  
Next Scheduled EDR Contact: 12/12/2016  
Data Release Frequency: Quarterly

## **Local Land Records**

### **LIENS 2: CERCLA Lien Information**

A Federal CERCLA ('Superfund') lien can exist by operation of law at any site or property at which EPA has spent Superfund monies. These monies are spent to investigate and address releases and threatened releases of contamination. CERCLIS provides information as to the identity of these sites and properties.

Date of Government Version: 02/18/2014  
Date Data Arrived at EDR: 03/18/2014  
Date Made Active in Reports: 04/24/2014  
Number of Days to Update: 37

Source: Environmental Protection Agency  
Telephone: 202-564-6023  
Last EDR Contact: 07/29/2016  
Next Scheduled EDR Contact: 11/07/2016  
Data Release Frequency: Varies

## **Records of Emergency Release Reports**

### **HMIRS: Hazardous Materials Information Reporting System**

Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT.

Date of Government Version: 06/27/2016  
Date Data Arrived at EDR: 06/28/2016  
Date Made Active in Reports: 09/23/2016  
Number of Days to Update: 87

Source: U.S. Department of Transportation  
Telephone: 202-366-4555  
Last EDR Contact: 09/27/2016  
Next Scheduled EDR Contact: 01/09/2017  
Data Release Frequency: Annually

### **SPILLS: Spill Data**

Oil and hazardous material spills reported to the Environmental Response Program.

Date of Government Version: 07/01/2016  
Date Data Arrived at EDR: 07/12/2016  
Date Made Active in Reports: 08/10/2016  
Number of Days to Update: 29

Source: Department of Environmental Quality  
Telephone: 503-229-5815  
Last EDR Contact: 07/01/2016  
Next Scheduled EDR Contact: 10/17/2016  
Data Release Frequency: Semi-Annually

### **HAZMAT: Hazmat/Incidents**

Hazardous material incidents reported to the State Fire Marshal by emergency responders. The hazardous material may or may not have been released.

Date of Government Version: 03/23/2016  
Date Data Arrived at EDR: 05/06/2016  
Date Made Active in Reports: 06/13/2016  
Number of Days to Update: 38

Source: State Fire Marshal's Office  
Telephone: 503-373-1540  
Last EDR Contact: 08/03/2016  
Next Scheduled EDR Contact: 11/14/2016  
Data Release Frequency: Semi-Annually

### **SPILLS 90: SPILLS90 data from FirstSearch**

Spills 90 includes those spill and release records available exclusively from FirstSearch databases. Typically, they may include chemical, oil and/or hazardous substance spills recorded after 1990. Duplicate records that are already included in EDR incident and release records are not included in Spills 90.

Date of Government Version: 05/01/2006  
Date Data Arrived at EDR: 01/03/2013  
Date Made Active in Reports: 02/22/2013  
Number of Days to Update: 50

Source: FirstSearch  
Telephone: N/A  
Last EDR Contact: 01/03/2013  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: No Update Planned

## **Other Ascertainable Records**

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## RCRA NonGen / NLR: RCRA - Non Generators / No Longer Regulated

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste.

Date of Government Version: 06/21/2016	Source: Environmental Protection Agency
Date Data Arrived at EDR: 06/30/2016	Telephone: (206) 553-1200
Date Made Active in Reports: 09/02/2016	Last EDR Contact: 09/28/2016
Number of Days to Update: 64	Next Scheduled EDR Contact: 01/09/2017
	Data Release Frequency: Varies

## FUDS: Formerly Used Defense Sites

The listing includes locations of Formerly Used Defense Sites properties where the US Army Corps of Engineers is actively working or will take necessary cleanup actions.

Date of Government Version: 01/31/2015	Source: U.S. Army Corps of Engineers
Date Data Arrived at EDR: 07/08/2015	Telephone: 202-528-4285
Date Made Active in Reports: 10/13/2015	Last EDR Contact: 09/09/2016
Number of Days to Update: 97	Next Scheduled EDR Contact: 12/19/2016
	Data Release Frequency: Varies

## DOD: Department of Defense Sites

This data set consists of federally owned or administered lands, administered by the Department of Defense, that have any area equal to or greater than 640 acres of the United States, Puerto Rico, and the U.S. Virgin Islands.

Date of Government Version: 12/31/2005	Source: USGS
Date Data Arrived at EDR: 11/10/2006	Telephone: 888-275-8747
Date Made Active in Reports: 01/11/2007	Last EDR Contact: 07/15/2016
Number of Days to Update: 62	Next Scheduled EDR Contact: 10/24/2016
	Data Release Frequency: Semi-Annually

## FEDLAND: Federal and Indian Lands

Federally and Indian administrated lands of the United States. Lands included are administrated by: Army Corps of Engineers, Bureau of Reclamation, National Wild and Scenic River, National Wildlife Refuge, Public Domain Land, Wilderness, Wilderness Study Area, Wildlife Management Area, Bureau of Indian Affairs, Bureau of Land Management, Department of Justice, Forest Service, Fish and Wildlife Service, National Park Service.

Date of Government Version: 12/31/2005	Source: U.S. Geological Survey
Date Data Arrived at EDR: 02/06/2006	Telephone: 888-275-8747
Date Made Active in Reports: 01/11/2007	Last EDR Contact: 07/15/2016
Number of Days to Update: 339	Next Scheduled EDR Contact: 10/24/2016
	Data Release Frequency: N/A

## SCRD DRYCLEANERS: State Coalition for Remediation of Drycleaners Listing

The State Coalition for Remediation of Drycleaners was established in 1998, with support from the U.S. EPA Office of Superfund Remediation and Technology Innovation. It is comprised of representatives of states with established drycleaner remediation programs. Currently the member states are Alabama, Connecticut, Florida, Illinois, Kansas, Minnesota, Missouri, North Carolina, Oregon, South Carolina, Tennessee, Texas, and Wisconsin.

Date of Government Version: 03/07/2011	Source: Environmental Protection Agency
Date Data Arrived at EDR: 03/09/2011	Telephone: 615-532-8599
Date Made Active in Reports: 05/02/2011	Last EDR Contact: 08/15/2016
Number of Days to Update: 54	Next Scheduled EDR Contact: 11/28/2016
	Data Release Frequency: Varies

## US FIN ASSUR: Financial Assurance Information

All owners and operators of facilities that treat, store, or dispose of hazardous waste are required to provide proof that they will have sufficient funds to pay for the clean up, closure, and post-closure care of their facilities.

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 05/08/2016  
Date Data Arrived at EDR: 05/18/2016  
Date Made Active in Reports: 09/02/2016  
Number of Days to Update: 107

Source: Environmental Protection Agency  
Telephone: 202-566-1917  
Last EDR Contact: 08/17/2016  
Next Scheduled EDR Contact: 11/28/2016  
Data Release Frequency: Quarterly

## EPA WATCH LIST: EPA WATCH LIST

EPA maintains a "Watch List" to facilitate dialogue between EPA, state and local environmental agencies on enforcement matters relating to facilities with alleged violations identified as either significant or high priority. Being on the Watch List does not mean that the facility has actually violated the law only that an investigation by EPA or a state or local environmental agency has led those organizations to allege that an unproven violation has in fact occurred. Being on the Watch List does not represent a higher level of concern regarding the alleged violations that were detected, but instead indicates cases requiring additional dialogue between EPA, state and local agencies - primarily because of the length of time the alleged violation has gone unaddressed or unresolved.

Date of Government Version: 08/30/2013  
Date Data Arrived at EDR: 03/21/2014  
Date Made Active in Reports: 06/17/2014  
Number of Days to Update: 88

Source: Environmental Protection Agency  
Telephone: 617-520-3000  
Last EDR Contact: 08/08/2016  
Next Scheduled EDR Contact: 11/21/2016  
Data Release Frequency: Quarterly

## 2020 COR ACTION: 2020 Corrective Action Program List

The EPA has set ambitious goals for the RCRA Corrective Action program by creating the 2020 Corrective Action Universe. This RCRA cleanup baseline includes facilities expected to need corrective action. The 2020 universe contains a wide variety of sites. Some properties are heavily contaminated while others were contaminated but have since been cleaned up. Still others have not been fully investigated yet, and may require little or no remediation. Inclusion in the 2020 Universe does not necessarily imply failure on the part of a facility to meet its RCRA obligations.

Date of Government Version: 04/22/2013  
Date Data Arrived at EDR: 03/03/2015  
Date Made Active in Reports: 03/09/2015  
Number of Days to Update: 6

Source: Environmental Protection Agency  
Telephone: 703-308-4044  
Last EDR Contact: 09/06/2016  
Next Scheduled EDR Contact: 11/21/2016  
Data Release Frequency: Varies

## TSCA: Toxic Substances Control Act

Toxic Substances Control Act. TSCA identifies manufacturers and importers of chemical substances included on the TSCA Chemical Substance Inventory list. It includes data on the production volume of these substances by plant site.

Date of Government Version: 12/31/2012  
Date Data Arrived at EDR: 01/15/2015  
Date Made Active in Reports: 01/29/2015  
Number of Days to Update: 14

Source: EPA  
Telephone: 202-260-5521  
Last EDR Contact: 09/23/2016  
Next Scheduled EDR Contact: 01/02/2017  
Data Release Frequency: Every 4 Years

## TRIS: Toxic Chemical Release Inventory System

Toxic Release Inventory System. TRIS identifies facilities which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III Section 313.

Date of Government Version: 12/31/2014  
Date Data Arrived at EDR: 11/24/2015  
Date Made Active in Reports: 04/05/2016  
Number of Days to Update: 133

Source: EPA  
Telephone: 202-566-0250  
Last EDR Contact: 08/26/2016  
Next Scheduled EDR Contact: 12/05/2016  
Data Release Frequency: Annually

## SSTS: Section 7 Tracking Systems

Section 7 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (92 Stat. 829) requires all registered pesticide-producing establishments to submit a report to the Environmental Protection Agency by March 1st each year. Each establishment must report the types and amounts of pesticides, active ingredients and devices being produced, and those having been produced and sold or distributed in the past year.



# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 12/31/2009  
Date Data Arrived at EDR: 12/10/2010  
Date Made Active in Reports: 02/25/2011  
Number of Days to Update: 77

Source: EPA  
Telephone: 202-564-4203  
Last EDR Contact: 07/25/2016  
Next Scheduled EDR Contact: 11/07/2016  
Data Release Frequency: Annually

## ROD: Records Of Decision

Record of Decision. ROD documents mandate a permanent remedy at an NPL (Superfund) site containing technical and health information to aid in the cleanup.

Date of Government Version: 11/25/2013  
Date Data Arrived at EDR: 12/12/2013  
Date Made Active in Reports: 02/24/2014  
Number of Days to Update: 74

Source: EPA  
Telephone: 703-416-0223  
Last EDR Contact: 09/09/2016  
Next Scheduled EDR Contact: 12/19/2016  
Data Release Frequency: Annually

## RMP: Risk Management Plans

When Congress passed the Clean Air Act Amendments of 1990, it required EPA to publish regulations and guidance for chemical accident prevention at facilities using extremely hazardous substances. The Risk Management Program Rule (RMP Rule) was written to implement Section 112(r) of these amendments. The rule, which built upon existing industry codes and standards, requires companies of all sizes that use certain flammable and toxic substances to develop a Risk Management Program, which includes a(n): Hazard assessment that details the potential effects of an accidental release, an accident history of the last five years, and an evaluation of worst-case and alternative accidental releases; Prevention program that includes safety precautions and maintenance, monitoring, and employee training measures; and Emergency response program that spells out emergency health care, employee training measures and procedures for informing the public and response agencies (e.g the fire department) should an accident occur.

Date of Government Version: 05/01/2016  
Date Data Arrived at EDR: 05/26/2016  
Date Made Active in Reports: 09/02/2016  
Number of Days to Update: 99

Source: Environmental Protection Agency  
Telephone: 202-564-8600  
Last EDR Contact: 07/25/2016  
Next Scheduled EDR Contact: 11/07/2016  
Data Release Frequency: Varies

## RAATS: RCRA Administrative Action Tracking System

RCRA Administration Action Tracking System. RAATS contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA. For administration actions after September 30, 1995, data entry in the RAATS database was discontinued. EPA will retain a copy of the database for historical records. It was necessary to terminate RAATS because a decrease in agency resources made it impossible to continue to update the information contained in the database.

Date of Government Version: 04/17/1995  
Date Data Arrived at EDR: 07/03/1995  
Date Made Active in Reports: 08/07/1995  
Number of Days to Update: 35

Source: EPA  
Telephone: 202-564-4104  
Last EDR Contact: 06/02/2008  
Next Scheduled EDR Contact: 09/01/2008  
Data Release Frequency: No Update Planned

## PRP: Potentially Responsible Parties

A listing of verified Potentially Responsible Parties

Date of Government Version: 10/25/2013  
Date Data Arrived at EDR: 10/17/2014  
Date Made Active in Reports: 10/20/2014  
Number of Days to Update: 3

Source: EPA  
Telephone: 202-564-6023  
Last EDR Contact: 08/12/2016  
Next Scheduled EDR Contact: 11/21/2016  
Data Release Frequency: Quarterly

## PADS: PCB Activity Database System

PCB Activity Database. PADS Identifies generators, transporters, commercial storers and/or brokers and disposers of PCB's who are required to notify the EPA of such activities.

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 01/20/2016  
Date Data Arrived at EDR: 04/28/2016  
Date Made Active in Reports: 09/02/2016  
Number of Days to Update: 127

Source: EPA  
Telephone: 202-566-0500  
Last EDR Contact: 07/15/2016  
Next Scheduled EDR Contact: 10/24/2016  
Data Release Frequency: Annually

## ICIS: Integrated Compliance Information System

The Integrated Compliance Information System (ICIS) supports the information needs of the national enforcement and compliance program as well as the unique needs of the National Pollutant Discharge Elimination System (NPDES) program.

Date of Government Version: 01/23/2015  
Date Data Arrived at EDR: 02/06/2015  
Date Made Active in Reports: 03/09/2015  
Number of Days to Update: 31

Source: Environmental Protection Agency  
Telephone: 202-564-5088  
Last EDR Contact: 07/07/2016  
Next Scheduled EDR Contact: 10/24/2016  
Data Release Frequency: Quarterly

FTTS: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)  
FTTS tracks administrative cases and pesticide enforcement actions and compliance activities related to FIFRA, TSCA and EPCRA (Emergency Planning and Community Right-to-Know Act). To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 04/09/2009  
Date Data Arrived at EDR: 04/16/2009  
Date Made Active in Reports: 05/11/2009  
Number of Days to Update: 25

Source: EPA/Office of Prevention, Pesticides and Toxic Substances  
Telephone: 202-566-1667  
Last EDR Contact: 08/17/2016  
Next Scheduled EDR Contact: 12/05/2016  
Data Release Frequency: Quarterly

FTTS INSP: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)  
A listing of FIFRA/TSCA Tracking System (FTTS) inspections and enforcements.

Date of Government Version: 04/09/2009  
Date Data Arrived at EDR: 04/16/2009  
Date Made Active in Reports: 05/11/2009  
Number of Days to Update: 25

Source: EPA  
Telephone: 202-566-1667  
Last EDR Contact: 08/17/2016  
Next Scheduled EDR Contact: 12/05/2016  
Data Release Frequency: Quarterly

## MLTS: Material Licensing Tracking System

MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites which possess or use radioactive materials and which are subject to NRC licensing requirements. To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 03/07/2016  
Date Data Arrived at EDR: 03/18/2016  
Date Made Active in Reports: 04/15/2016  
Number of Days to Update: 28

Source: Nuclear Regulatory Commission  
Telephone: 301-415-7169  
Last EDR Contact: 09/05/2016  
Next Scheduled EDR Contact: 11/21/2016  
Data Release Frequency: Quarterly

## COAL ASH DOE: Steam-Electric Plant Operation Data

A listing of power plants that store ash in surface ponds.

Date of Government Version: 12/31/2005  
Date Data Arrived at EDR: 08/07/2009  
Date Made Active in Reports: 10/22/2009  
Number of Days to Update: 76

Source: Department of Energy  
Telephone: 202-586-8719  
Last EDR Contact: 09/09/2016  
Next Scheduled EDR Contact: 12/19/2016  
Data Release Frequency: Varies

## COAL ASH EPA: Coal Combustion Residues Surface Impoundments List

A listing of coal combustion residues surface impoundments with high hazard potential ratings.

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 07/01/2014	Source: Environmental Protection Agency
Date Data Arrived at EDR: 09/10/2014	Telephone: N/A
Date Made Active in Reports: 10/20/2014	Last EDR Contact: 09/06/2016
Number of Days to Update: 40	Next Scheduled EDR Contact: 12/19/2016
	Data Release Frequency: Varies

## PCB TRANSFORMER: PCB Transformer Registration Database

The database of PCB transformer registrations that includes all PCB registration submittals.

Date of Government Version: 02/01/2011	Source: Environmental Protection Agency
Date Data Arrived at EDR: 10/19/2011	Telephone: 202-566-0517
Date Made Active in Reports: 01/10/2012	Last EDR Contact: 07/29/2016
Number of Days to Update: 83	Next Scheduled EDR Contact: 11/07/2016
	Data Release Frequency: Varies

## RADINFO: Radiation Information Database

The Radiation Information Database (RADINFO) contains information about facilities that are regulated by U.S. Environmental Protection Agency (EPA) regulations for radiation and radioactivity.

Date of Government Version: 07/07/2015	Source: Environmental Protection Agency
Date Data Arrived at EDR: 07/09/2015	Telephone: 202-343-9775
Date Made Active in Reports: 09/16/2015	Last EDR Contact: 07/07/2016
Number of Days to Update: 69	Next Scheduled EDR Contact: 10/17/2016
	Data Release Frequency: Quarterly

## HIST FTTS: FIFRA/TSCA Tracking System Administrative Case Listing

A complete administrative case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006	Source: Environmental Protection Agency
Date Data Arrived at EDR: 03/01/2007	Telephone: 202-564-2501
Date Made Active in Reports: 04/10/2007	Last EDR Contact: 12/17/2007
Number of Days to Update: 40	Next Scheduled EDR Contact: 03/17/2008
	Data Release Frequency: No Update Planned

## HIST FTTS INSP: FIFRA/TSCA Tracking System Inspection & Enforcement Case Listing

A complete inspection and enforcement case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006	Source: Environmental Protection Agency
Date Data Arrived at EDR: 03/01/2007	Telephone: 202-564-2501
Date Made Active in Reports: 04/10/2007	Last EDR Contact: 12/17/2008
Number of Days to Update: 40	Next Scheduled EDR Contact: 03/17/2008
	Data Release Frequency: No Update Planned

## DOT OPS: Incident and Accident Data

Department of Transportation, Office of Pipeline Safety Incident and Accident data.

Date of Government Version: 07/31/2012	Source: Department of Transportation, Office of Pipeline Safety
Date Data Arrived at EDR: 08/07/2012	Telephone: 202-366-4595
Date Made Active in Reports: 09/18/2012	Last EDR Contact: 08/02/2016
Number of Days to Update: 42	Next Scheduled EDR Contact: 11/14/2016
	Data Release Frequency: Varies

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## CONSENT: Superfund (CERCLA) Consent Decrees

Major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites. Released periodically by United States District Courts after settlement by parties to litigation matters.

Date of Government Version: 03/31/2016	Source: Department of Justice, Consent Decree Library
Date Data Arrived at EDR: 08/01/2016	Telephone: Varies
Date Made Active in Reports: 09/23/2016	Last EDR Contact: 09/26/2016
Number of Days to Update: 53	Next Scheduled EDR Contact: 01/09/2017
	Data Release Frequency: Varies

## BRS: Biennial Reporting System

The Biennial Reporting System is a national system administered by the EPA that collects data on the generation and management of hazardous waste. BRS captures detailed data from two groups: Large Quantity Generators (LQG) and Treatment, Storage, and Disposal Facilities.

Date of Government Version: 12/31/2013	Source: EPA/NTIS
Date Data Arrived at EDR: 02/24/2015	Telephone: 800-424-9346
Date Made Active in Reports: 09/30/2015	Last EDR Contact: 08/26/2016
Number of Days to Update: 218	Next Scheduled EDR Contact: 12/05/2016
	Data Release Frequency: Biennially

## INDIAN RESERV: Indian Reservations

This map layer portrays Indian administered lands of the United States that have any area equal to or greater than 640 acres.

Date of Government Version: 12/31/2005	Source: USGS
Date Data Arrived at EDR: 12/08/2006	Telephone: 202-208-3710
Date Made Active in Reports: 01/11/2007	Last EDR Contact: 07/15/2016
Number of Days to Update: 34	Next Scheduled EDR Contact: 10/24/2016
	Data Release Frequency: Semi-Annually

## FUSRAP: Formerly Utilized Sites Remedial Action Program

DOE established the Formerly Utilized Sites Remedial Action Program (FUSRAP) in 1974 to remediate sites where radioactive contamination remained from Manhattan Project and early U.S. Atomic Energy Commission (AEC) operations.

Date of Government Version: 07/21/2016	Source: Department of Energy
Date Data Arrived at EDR: 07/26/2016	Telephone: 202-586-3559
Date Made Active in Reports: 09/23/2016	Last EDR Contact: 07/26/2016
Number of Days to Update: 59	Next Scheduled EDR Contact: 11/21/2016
	Data Release Frequency: Varies

## UMTRA: Uranium Mill Tailings Sites

Uranium ore was mined by private companies for federal government use in national defense programs. When the mills shut down, large piles of the sand-like material (mill tailings) remain after uranium has been extracted from the ore. Levels of human exposure to radioactive materials from the piles are low; however, in some cases tailings were used as construction materials before the potential health hazards of the tailings were recognized.

Date of Government Version: 09/14/2010	Source: Department of Energy
Date Data Arrived at EDR: 10/07/2011	Telephone: 505-845-0011
Date Made Active in Reports: 03/01/2012	Last EDR Contact: 09/09/2016
Number of Days to Update: 146	Next Scheduled EDR Contact: 12/05/2016
	Data Release Frequency: Varies

## LEAD SMELTER 1: Lead Smelter Sites

A listing of former lead smelter site locations.

Date of Government Version: 03/07/2016	Source: Environmental Protection Agency
Date Data Arrived at EDR: 04/07/2016	Telephone: 703-603-8787
Date Made Active in Reports: 09/02/2016	Last EDR Contact: 09/29/2016
Number of Days to Update: 148	Next Scheduled EDR Contact: 01/16/2017
	Data Release Frequency: Varies

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## LEAD SMELTER 2: Lead Smelter Sites

A list of several hundred sites in the U.S. where secondary lead smelting was done from 1931 and 1964. These sites may pose a threat to public health through ingestion or inhalation of contaminated soil or dust

Date of Government Version: 04/05/2001  
Date Data Arrived at EDR: 10/27/2010  
Date Made Active in Reports: 12/02/2010  
Number of Days to Update: 36

Source: American Journal of Public Health  
Telephone: 703-305-6451  
Last EDR Contact: 12/02/2009  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: No Update Planned

## US AIRS (AFS): Aerometric Information Retrieval System Facility Subsystem (AFS)

The database is a sub-system of Aerometric Information Retrieval System (AIRS). AFS contains compliance data on air pollution point sources regulated by the U.S. EPA and/or state and local air regulatory agencies. This information comes from source reports by various stationary sources of air pollution, such as electric power plants, steel mills, factories, and universities, and provides information about the air pollutants they produce. Action, air program, air program pollutant, and general level plant data. It is used to track emissions and compliance data from industrial plants.

Date of Government Version: 10/20/2015  
Date Data Arrived at EDR: 10/27/2015  
Date Made Active in Reports: 01/04/2016  
Number of Days to Update: 69

Source: EPA  
Telephone: 202-564-2496  
Last EDR Contact: 09/26/2016  
Next Scheduled EDR Contact: 01/09/2017  
Data Release Frequency: Annually

## US AIRS MINOR: Air Facility System Data

A listing of minor source facilities.

Date of Government Version: 10/20/2015  
Date Data Arrived at EDR: 10/27/2015  
Date Made Active in Reports: 01/04/2016  
Number of Days to Update: 69

Source: EPA  
Telephone: 202-564-2496  
Last EDR Contact: 09/26/2016  
Next Scheduled EDR Contact: 01/09/2017  
Data Release Frequency: Annually

## US MINES: Mines Master Index File

Contains all mine identification numbers issued for mines active or opened since 1971. The data also includes violation information.

Date of Government Version: 08/05/2016  
Date Data Arrived at EDR: 09/01/2016  
Date Made Active in Reports: 09/23/2016  
Number of Days to Update: 22

Source: Department of Labor, Mine Safety and Health Administration  
Telephone: 303-231-5959  
Last EDR Contact: 09/01/2016  
Next Scheduled EDR Contact: 12/12/2016  
Data Release Frequency: Semi-Annually

## US MINES 2: Ferrous and Nonferrous Metal Mines Database Listing

This map layer includes ferrous (ferrous metal mines are facilities that extract ferrous metals, such as iron ore or molybdenum) and nonferrous (Nonferrous metal mines are facilities that extract nonferrous metals, such as gold, silver, copper, zinc, and lead) metal mines in the United States.

Date of Government Version: 12/05/2005  
Date Data Arrived at EDR: 02/29/2008  
Date Made Active in Reports: 04/18/2008  
Number of Days to Update: 49

Source: USGS  
Telephone: 703-648-7709  
Last EDR Contact: 09/02/2016  
Next Scheduled EDR Contact: 12/12/2016  
Data Release Frequency: Varies

## US MINES 3: Active Mines & Mineral Plants Database Listing

Active Mines and Mineral Processing Plant operations for commodities monitored by the Minerals Information Team of the USGS.

Date of Government Version: 04/14/2011  
Date Data Arrived at EDR: 06/08/2011  
Date Made Active in Reports: 09/13/2011  
Number of Days to Update: 97

Source: USGS  
Telephone: 703-648-7709  
Last EDR Contact: 09/02/2016  
Next Scheduled EDR Contact: 12/12/2016  
Data Release Frequency: Varies

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## FINDS: Facility Index System/Facility Registry System

Facility Index System. FINDS contains both facility information and 'pointers' to other sources that contain more detail. EDR includes the following FINDS databases in this report: PCS (Permit Compliance System), AIRS (Aerometric Information Retrieval System), DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), C-DOCKET (Criminal Docket System used to track criminal enforcement actions for all environmental statutes), FFIS (Federal Facilities Information System), STATE (State Environmental Laws and Statutes), and PADS (PCB Activity Data System).

Date of Government Version: 07/20/2015	Source: EPA
Date Data Arrived at EDR: 09/09/2015	Telephone: (206) 553-1200
Date Made Active in Reports: 11/03/2015	Last EDR Contact: 09/07/2016
Number of Days to Update: 55	Next Scheduled EDR Contact: 12/19/2016
	Data Release Frequency: Quarterly

## DOCKET HWC: Hazardous Waste Compliance Docket Listing

A complete list of the Federal Agency Hazardous Waste Compliance Docket Facilities.

Date of Government Version: 06/02/2016	Source: Environmental Protection Agency
Date Data Arrived at EDR: 06/03/2016	Telephone: 202-564-0527
Date Made Active in Reports: 09/02/2016	Last EDR Contact: 08/24/2016
Number of Days to Update: 91	Next Scheduled EDR Contact: 12/12/2016
	Data Release Frequency: Varies

## UXO: Unexploded Ordnance Sites

A listing of unexploded ordnance site locations

Date of Government Version: 10/25/2015	Source: Department of Defense
Date Data Arrived at EDR: 01/29/2016	Telephone: 571-373-0407
Date Made Active in Reports: 04/05/2016	Last EDR Contact: 09/19/2016
Number of Days to Update: 67	Next Scheduled EDR Contact: 01/02/2017
	Data Release Frequency: Varies

## AIRS: Oregon Title V Facility Listing

A listing of Title V facility source and emissions information.

Date of Government Version: 12/31/2014	Source: Department of Environmental Quality
Date Data Arrived at EDR: 02/19/2016	Telephone: 503-229-6459
Date Made Active in Reports: 03/15/2016	Last EDR Contact: 07/01/2016
Number of Days to Update: 25	Next Scheduled EDR Contact: 10/17/2016
	Data Release Frequency: Varies

## COAL ASH: Coal Ash Disposal Sites Listing

A listing of coal ash disposal sites.

Date of Government Version: 12/31/2014	Source: Department of Environmental Quality
Date Data Arrived at EDR: 09/10/2015	Telephone: 541-298-7255
Date Made Active in Reports: 11/10/2015	Last EDR Contact: 09/06/2016
Number of Days to Update: 61	Next Scheduled EDR Contact: 12/19/2016
	Data Release Frequency: Varies

## DRYCLEANERS: Drycleaning Facilities

A listing of registered drycleaning facilities in Oregon.

Date of Government Version: 05/02/2016	Source: Department of Environmental Quality
Date Data Arrived at EDR: 05/03/2016	Telephone: 503-229-6783
Date Made Active in Reports: 06/13/2016	Last EDR Contact: 07/29/2016
Number of Days to Update: 41	Next Scheduled EDR Contact: 11/14/2016
	Data Release Frequency: Varies

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## Financial Assurance 1: Financial Assurance Information Listing

Financial assurance information for hazardous waste facilities.

Date of Government Version: 03/14/2016  
Date Data Arrived at EDR: 04/08/2016  
Date Made Active in Reports: 05/04/2016  
Number of Days to Update: 26

Source: Department of Environmental Quality  
Telephone: 541-633-2011  
Last EDR Contact: 08/22/2016  
Next Scheduled EDR Contact: 12/05/2016  
Data Release Frequency: Varies

## Financial Assurance 2: Financial Assurance Information Listing

Financial assurance information for solid waste facilities. Financial assurance is intended to ensure that resources are available to pay for the cost of closure, post-closure care, and corrective measures if the owner or operator of a regulated facility is unable or unwilling to pay.

Date of Government Version: 05/26/2016  
Date Data Arrived at EDR: 06/03/2016  
Date Made Active in Reports: 08/10/2016  
Number of Days to Update: 68

Source: Department of Environmental Quality  
Telephone: 503-229-5521  
Last EDR Contact: 08/22/2016  
Next Scheduled EDR Contact: 12/05/2016  
Data Release Frequency: Varies

## HSIS: Hazardous Substance Information Survey

Companies in Oregon submitting the Hazardous Substance Information Survey and either reporting or not reporting hazardous substances.

Date of Government Version: 04/28/2016  
Date Data Arrived at EDR: 06/01/2016  
Date Made Active in Reports: 08/10/2016  
Number of Days to Update: 70

Source: State Fire Marshal's Office  
Telephone: 503-373-1540  
Last EDR Contact: 09/20/2016  
Next Scheduled EDR Contact: 01/02/2017  
Data Release Frequency: Semi-Annually

## OR MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 12/31/2015  
Date Data Arrived at EDR: 05/24/2016  
Date Made Active in Reports: 08/10/2016  
Number of Days to Update: 78

Source: Department of Environmental Quality  
Telephone: N/A  
Last EDR Contact: 08/08/2016  
Next Scheduled EDR Contact: 11/21/2016  
Data Release Frequency: Annually

## NPDES: Wastewater Permits Database

A listing of permitted wastewater facilities.

Date of Government Version: 05/13/2016  
Date Data Arrived at EDR: 05/17/2016  
Date Made Active in Reports: 08/10/2016  
Number of Days to Update: 85

Source: Department of Environmental Quality  
Telephone: 503-229-5657  
Last EDR Contact: 08/08/2016  
Next Scheduled EDR Contact: 11/21/2016  
Data Release Frequency: Quarterly

## UIC: Underground Injection Control Program Database

DEQ's Underground Injection Control Program is authorized by the Environmental Protection Agency (EPA) to regulate all underground injection in Oregon to protect groundwater resources.

Date of Government Version: 06/27/2016  
Date Data Arrived at EDR: 06/30/2016  
Date Made Active in Reports: 08/10/2016  
Number of Days to Update: 41

Source: Department of Environmental Quality  
Telephone: 503-229-5945  
Last EDR Contact: 09/26/2016  
Next Scheduled EDR Contact: 01/09/2017  
Data Release Frequency: Varies

## FUELS PROGRAM: EPA Fuels Program Registered Listing

This listing includes facilities that are registered under the Part 80 (Code of Federal Regulations) EPA Fuels Programs. All companies now are required to submit new and updated registrations.

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 05/24/2016  
Date Data Arrived at EDR: 05/25/2016  
Date Made Active in Reports: 07/13/2016  
Number of Days to Update: 49

Source: EPA  
Telephone: 800-385-6164  
Last EDR Contact: 08/23/2016  
Next Scheduled EDR Contact: 12/05/2016  
Data Release Frequency: Quarterly

## ECHO: Enforcement & Compliance History Information

ECHO provides integrated compliance and enforcement information for about 800,000 regulated facilities nationwide.

Date of Government Version: 09/20/2015  
Date Data Arrived at EDR: 09/23/2015  
Date Made Active in Reports: 01/04/2016  
Number of Days to Update: 103

Source: Environmental Protection Agency  
Telephone: 202-564-2280  
Last EDR Contact: 09/20/2016  
Next Scheduled EDR Contact: 01/02/2017  
Data Release Frequency: Quarterly

## EDR HIGH RISK HISTORICAL RECORDS

### *EDR Exclusive Records*

#### EDR MGP: EDR Proprietary Manufactured Gas Plants

The EDR Proprietary Manufactured Gas Plant Database includes records of coal gas plants (manufactured gas plants) compiled by EDR's researchers. Manufactured gas sites were used in the United States from the 1800's to 1950's to produce a gas that could be distributed and used as fuel. These plants used whale oil, rosin, coal, or a mixture of coal, oil, and water that also produced a significant amount of waste. Many of the byproducts of the gas production, such as coal tar (oily waste containing volatile and non-volatile chemicals), sludges, oils and other compounds are potentially hazardous to human health and the environment. The byproduct from this process was frequently disposed of directly at the plant site and can remain or spread slowly, serving as a continuous source of soil and groundwater contamination.

Date of Government Version: N/A  
Date Data Arrived at EDR: N/A  
Date Made Active in Reports: N/A  
Number of Days to Update: N/A

Source: EDR, Inc.  
Telephone: N/A  
Last EDR Contact: N/A  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: No Update Planned

#### EDR Hist Auto: EDR Exclusive Historic Gas Stations

EDR has searched selected national collections of business directories and has collected listings of potential gas station/filling station/service station sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include gas station/filling station/service station establishments. The categories reviewed included, but were not limited to gas, gas station, gasoline station, filling station, auto, automobile repair, auto service station, service station, etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A  
Date Data Arrived at EDR: N/A  
Date Made Active in Reports: N/A  
Number of Days to Update: N/A

Source: EDR, Inc.  
Telephone: N/A  
Last EDR Contact: N/A  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: Varies

#### EDR Hist Cleaner: EDR Exclusive Historic Dry Cleaners

EDR has searched selected national collections of business directories and has collected listings of potential dry cleaner sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include dry cleaning establishments. The categories reviewed included, but were not limited to dry cleaners, cleaners, laundry, laundromat, cleaning/laundry, wash & dry etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.



# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: N/A  
Date Data Arrived at EDR: N/A  
Date Made Active in Reports: N/A  
Number of Days to Update: N/A

Source: EDR, Inc.  
Telephone: N/A  
Last EDR Contact: N/A  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: Varies

## EDR RECOVERED GOVERNMENT ARCHIVES

### ***Exclusive Recovered Govt. Archives***

#### RGA HWS: Recovered Government Archive State Hazardous Waste Facilities List

The EDR Recovered Government Archive State Hazardous Waste database provides a list of SHWS incidents derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Environmental Quality in Oregon.

Date of Government Version: N/A  
Date Data Arrived at EDR: 07/01/2013  
Date Made Active in Reports: 01/03/2014  
Number of Days to Update: 186

Source: Department of Environmental Quality  
Telephone: N/A  
Last EDR Contact: 06/01/2012  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: Varies

#### RGA LF: Recovered Government Archive Solid Waste Facilities List

The EDR Recovered Government Archive Landfill database provides a list of landfills derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Environmental Quality in Oregon.

Date of Government Version: N/A  
Date Data Arrived at EDR: 07/01/2013  
Date Made Active in Reports: 01/13/2014  
Number of Days to Update: 196

Source: Department of Environmental Quality  
Telephone: N/A  
Last EDR Contact: 06/01/2012  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: Varies

#### RGA LUST: Recovered Government Archive Leaking Underground Storage Tank

The EDR Recovered Government Archive Leaking Underground Storage Tank database provides a list of LUST incidents derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Environmental Quality in Oregon.

Date of Government Version: N/A  
Date Data Arrived at EDR: 07/01/2013  
Date Made Active in Reports: 12/27/2013  
Number of Days to Update: 179

Source: Department of Environmental Quality  
Telephone: N/A  
Last EDR Contact: 06/01/2012  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: Varies

## OTHER DATABASE(S)

Depending on the geographic area covered by this report, the data provided in these specialty databases may or may not be complete. For example, the existence of wetlands information data in a specific report does not mean that all wetlands in the area covered by the report are included. Moreover, the absence of any reported wetlands information does not necessarily mean that wetlands do not exist in the area covered by the report.

#### NY MANIFEST: Facility and Manifest Data

Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a TSD facility.

Date of Government Version: 08/01/2016  
Date Data Arrived at EDR: 08/03/2016  
Date Made Active in Reports: 09/09/2016  
Number of Days to Update: 37

Source: Department of Environmental Conservation  
Telephone: 518-402-8651  
Last EDR Contact: 08/03/2016  
Next Scheduled EDR Contact: 11/14/2016  
Data Release Frequency: Annually

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## WI MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 12/31/2015  
Date Data Arrived at EDR: 04/14/2016  
Date Made Active in Reports: 06/03/2016  
Number of Days to Update: 50

Source: Department of Natural Resources  
Telephone: N/A  
Last EDR Contact: 09/12/2016  
Next Scheduled EDR Contact: 12/26/2016  
Data Release Frequency: Annually

## Oil/Gas Pipelines

Source: PennWell Corporation

Petroleum Bundle (Crude Oil, Refined Products, Petrochemicals, Gas Liquids (LPG/NGL), and Specialty Gases (Miscellaneous)) N = Natural Gas Bundle (Natural Gas, Gas Liquids (LPG/NGL), and Specialty Gases (Miscellaneous)). This map includes information copyrighted by PennWell Corporation. This information is provided on a best effort basis and PennWell Corporation does not guarantee its accuracy nor warrant its fitness for any particular purpose. Such information has been reprinted with the permission of PennWell.

## Electric Power Transmission Line Data

Source: PennWell Corporation

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**Sensitive Receptors:** There are individuals deemed sensitive receptors due to their fragile immune systems and special sensitivity to environmental discharges. These sensitive receptors typically include the elderly, the sick, and children. While the location of all sensitive receptors cannot be determined, EDR indicates those buildings and facilities - schools, daycares, hospitals, medical centers, and nursing homes - where individuals who are sensitive receptors are likely to be located.

## AHA Hospitals:

Source: American Hospital Association, Inc.  
Telephone: 312-280-5991

The database includes a listing of hospitals based on the American Hospital Association's annual survey of hospitals.

## Medical Centers: Provider of Services Listing

Source: Centers for Medicare & Medicaid Services  
Telephone: 410-786-3000

A listing of hospitals with Medicare provider number, produced by Centers of Medicare & Medicaid Services, a federal agency within the U.S. Department of Health and Human Services.

## Nursing Homes

Source: National Institutes of Health  
Telephone: 301-594-6248

Information on Medicare and Medicaid certified nursing homes in the United States.

## Public Schools

Source: National Center for Education Statistics  
Telephone: 202-502-7300

The National Center for Education Statistics' primary database on elementary and secondary public education in the United States. It is a comprehensive, annual, national statistical database of all public elementary and secondary schools and school districts, which contains data that are comparable across all states.

## Private Schools

Source: National Center for Education Statistics  
Telephone: 202-502-7300

The National Center for Education Statistics' primary database on private school locations in the United States.

## Daycare Centers: Child Care Listings

Source: Employment Department  
Telephone: 503-947-1420

**Flood Zone Data:** This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.

Source: FEMA

Telephone: 877-336-2627

Date of Government Version: 2003, 2015

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Wetlands Inventory Data  
Source: Oregon Geospatial Enterprise Office  
Telephone: 503-378-2166

Current USGS 7.5 Minute Topographic Map  
Source: U.S. Geological Survey

## **STREET AND ADDRESS INFORMATION**

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## GEOCHECK® - PHYSICAL SETTING SOURCE ADDENDUM

### TARGET PROPERTY ADDRESS

PORT OF NEWPORT SOUTH BEACH PARK  
SOUTHWEST JETTY WAY  
NEWPORT, OR 97365

### TARGET PROPERTY COORDINATES

Latitude (North): 44.619436 - 44° 37' 9.97"  
Longitude (West): 124.053394 - 124° 3' 12.22"  
Universal Transverse Mercator: Zone 10  
UTM X (Meters): 416426.2  
UTM Y (Meters): 4940999.0  
Elevation: 6 ft. above sea level

### USGS TOPOGRAPHIC MAP

Target Property Map: 6066150 NEWPORT SOUTH, OR  
Version Date: 2014  
  
North Map: 6066148 NEWPORT NORTH, OR  
Version Date: 2014

EDR's GeoCheck Physical Setting Source Addendum is provided to assist the environmental professional in forming an opinion about the impact of potential contaminant migration.

Assessment of the impact of contaminant migration generally has two principal investigative components:

1. Groundwater flow direction, and
2. Groundwater flow velocity.

Groundwater flow direction may be impacted by surface topography, hydrology, hydrogeology, characteristics of the soil, and nearby wells. Groundwater flow velocity is generally impacted by the nature of the geologic strata.

# GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

## GROUNDWATER FLOW DIRECTION INFORMATION

Groundwater flow direction for a particular site is best determined by a qualified environmental professional using site-specific well data. If such data is not reasonably ascertainable, it may be necessary to rely on other sources of information, such as surface topographic information, hydrologic information, hydrogeologic data collected on nearby properties, and regional groundwater flow information (from deep aquifers).

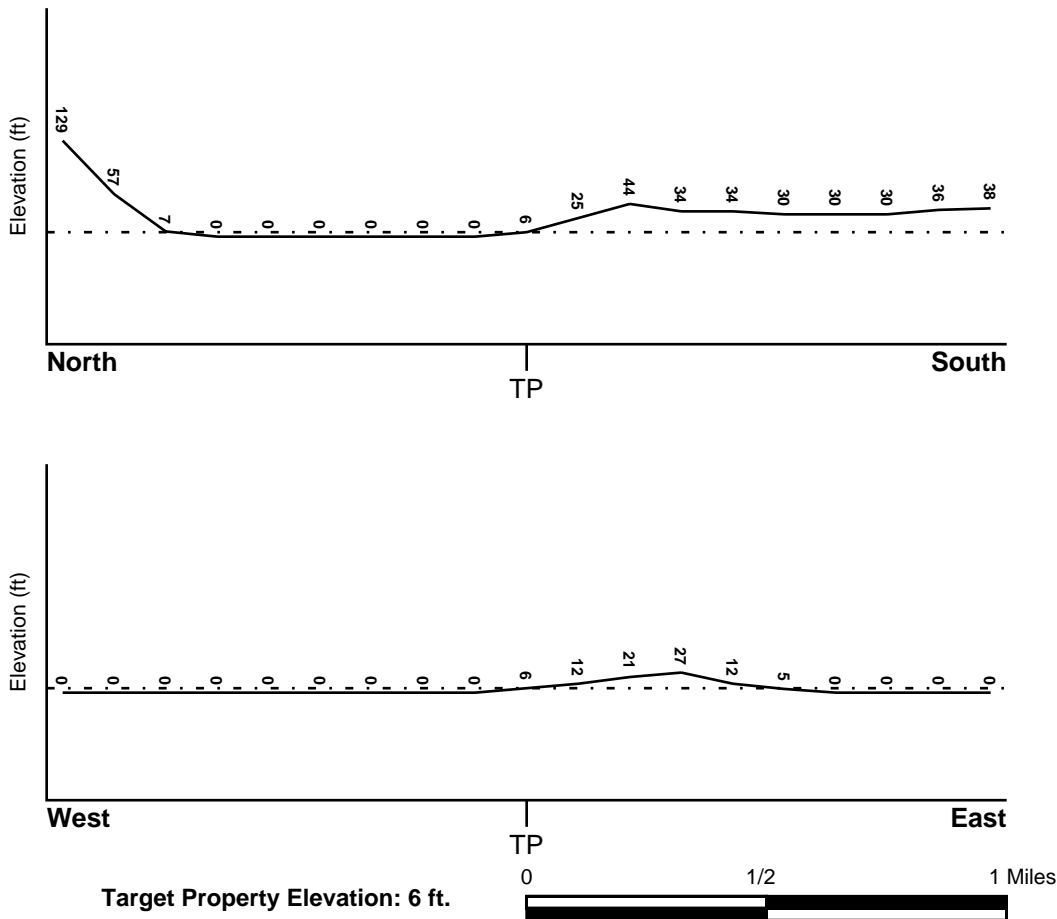
## TOPOGRAPHIC INFORMATION

Surface topography may be indicative of the direction of surficial groundwater flow. This information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

## TARGET PROPERTY TOPOGRAPHY

General Topographic Gradient: General NNW

## SURROUNDING TOPOGRAPHY: ELEVATION PROFILES



Source: Topography has been determined from the USGS 7.5' Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified.

# GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

## HYDROLOGIC INFORMATION

Surface water can act as a hydrologic barrier to groundwater flow. Such hydrologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Refer to the Physical Setting Source Map following this summary for hydrologic information (major waterways and bodies of water).

## FEMA FLOOD ZONE

<u>Flood Plain Panel at Target Property</u>	<u>FEMA Source Type</u>
41041C0506D	FEMA FIRM Flood data
<u>Additional Panels in search area:</u>	<u>FEMA Source Type</u>
41041C0364D	FEMA FIRM Flood data
41041C0368D	FEMA FIRM Flood data
41041C0502D	FEMA FIRM Flood data

## NATIONAL WETLAND INVENTORY

<u>NWI Quad at Target Property</u>	<u>NWI Electronic Data Coverage</u>
NEWPORT SOUTH	YES - refer to the Overview Map and Detail Map

## HYDROGEOLOGIC INFORMATION

Hydrogeologic information obtained by installation of wells on a specific site can often be an indicator of groundwater flow direction in the immediate area. Such hydrogeologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

## AQUIFLOW®

Search Radius: 1.000 Mile.

EDR has developed the AQUIFLOW Information System to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted by environmental professionals to regulatory authorities at select sites and has extracted the date of the report, groundwater flow direction as determined hydrogeologically, and the depth to water table.

<u>MAP ID</u>	<u>LOCATION FROM TP</u>	<u>GENERAL DIRECTION GROUNDWATER FLOW</u>
Not Reported		

# GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

## GROUNDWATER FLOW VELOCITY INFORMATION

Groundwater flow velocity information for a particular site is best determined by a qualified environmental professional using site specific geologic and soil strata data. If such data are not reasonably ascertainable, it may be necessary to rely on other sources of information, including geologic age identification, rock stratigraphic unit and soil characteristics data collected on nearby properties and regional soil information. In general, contaminant plumes move more quickly through sandy-gravelly types of soils than silty-clayey types of soils.

## GEOLOGIC INFORMATION IN GENERAL AREA OF TARGET PROPERTY

Geologic information can be used by the environmental professional in forming an opinion about the relative speed at which contaminant migration may be occurring.

### **ROCK STRATIGRAPHIC UNIT**

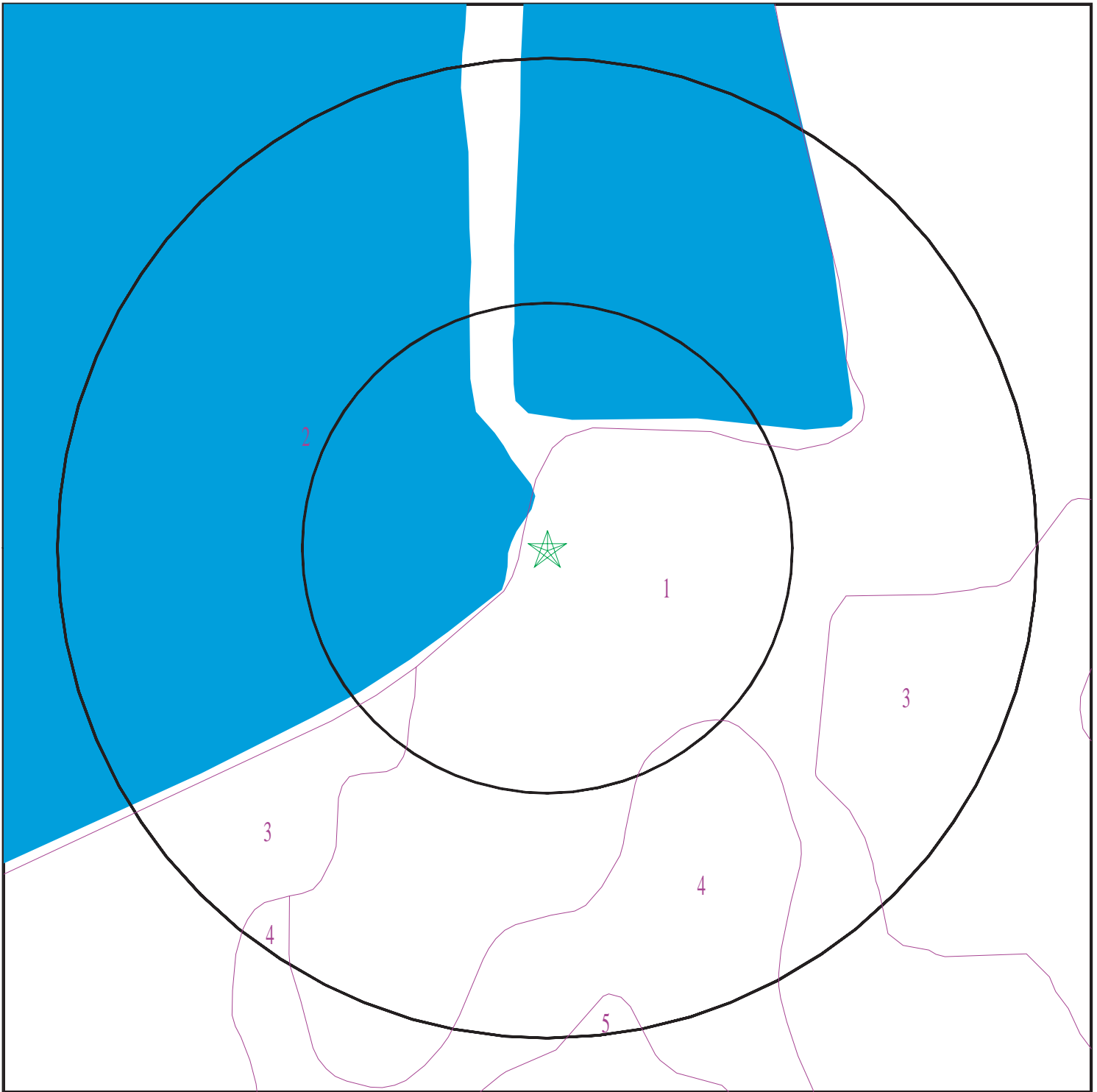
Era: Cenozoic  
System: Tertiary  
Series: Miocene  
Code: Tm (decoded above as Era, System & Series)

### **GEOLOGIC AGE IDENTIFICATION**

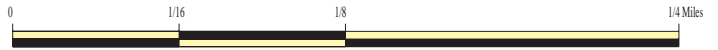
Category: Stratified Sequence

Geologic Age and Rock Stratigraphic Unit Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - a digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

# SSURGO SOIL MAP - 4741778.2s



- ★ Target Property
- ∩ SSURGO Soil
- ∩ Water



SITE NAME: Port of Newport South Beach Park  
 ADDRESS: Southwest Jetty Way  
 Newport OR 97365

LAT/LONG: 46.19464124, -124.053394  
 Commission Regular Meeting  
 Meeting Packet

CLIENT: Portage Environmental  
 CONTACT: James Jackson  
 INQUIRY #: 4741778.2s

DATE: September 30, 2016 3:06 pm



## GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

### DOMINANT SOIL COMPOSITION IN GENERAL AREA OF TARGET PROPERTY

The U.S. Department of Agriculture's (USDA) Soil Conservation Service (SCS) leads the National Cooperative Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. The following information is based on Soil Conservation Service SSURGO data.

---

#### Soil Map ID: 1

Soil Component Name: Urban land

Soil Surface Texture:  
Hydrologic Group: Class D - Very slow infiltration rates. Soils are clayey, have a high water table, or are shallow to an impervious layer.

Soil Drainage Class:  
Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: Not Reported

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

No Layer Information available.

---

#### Soil Map ID: 2

Soil Component Name: Water

Soil Surface Texture:  
Hydrologic Group: Class D - Very slow infiltration rates. Soils are clayey, have a high water table, or are shallow to an impervious layer.

Soil Drainage Class:  
Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: Not Reported

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

No Layer Information available.

## GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

**Soil Map ID: 3**

Soil Component Name: Waldport

Soil Surface Texture: fine sand

Hydrologic Group: Class A - High infiltration rates. Soils are deep, well drained to excessively drained sands and gravels.

Soil Drainage Class: Excessively drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: High

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	7 inches	fine sand	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 705 Min: 141	Max: 6 Min: 4.5
2	7 inches	59 inches	fine sand	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 705 Min: 141	Max: 6.5 Min: 5.1

**Soil Map ID: 4**

Soil Component Name: Netarts

Soil Surface Texture: fine sand

Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.

Soil Drainage Class: Well drained

## GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: High

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	5 inches	fine sand	Granular materials (35 pct. or less passing No. 200), Fine Sand.	COARSE-GRAINED SOILS, Sands, Clean Sands, Poorly graded sand. COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 141 Min: 42	Max: 5.5 Min: 3.6
2	5 inches	38 inches	fine sand	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 42 Min: 14	Max: 6 Min: 4.5
3	38 inches	59 inches	fine sand	Granular materials (35 pct. or less passing No. 200), Fine Sand.	COARSE-GRAINED SOILS, Sands, Clean Sands, Poorly graded sand. COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 141 Min: 42	Max: 6 Min: 5.1

**Soil Map ID: 5**

Soil Component Name: Netarts

Soil Surface Texture: fine sand

Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.

Soil Drainage Class: Well drained

## GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: High

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	5 inches	fine sand	Granular materials (35 pct. or less passing No. 200), Fine Sand.	COARSE-GRAINED SOILS, Sands, Clean Sands, Poorly graded sand. COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 141 Min: 42	Max: 5.5 Min: 3.6
2	5 inches	38 inches	fine sand	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 42 Min: 14	Max: 6 Min: 4.5
3	38 inches	59 inches	fine sand	Granular materials (35 pct. or less passing No. 200), Fine Sand.	COARSE-GRAINED SOILS, Sands, Clean Sands, Poorly graded sand. COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 141 Min: 42	Max: 6 Min: 5.1

### LOCAL / REGIONAL WATER AGENCY RECORDS

EDR Local/Regional Water Agency records provide water well information to assist the environmental professional in assessing sources that may impact ground water flow direction, and in forming an opinion about the impact of contaminant migration on nearby drinking water wells.

# GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

## WELL SEARCH DISTANCE INFORMATION

<u>DATABASE</u>	<u>SEARCH DISTANCE (miles)</u>
Federal USGS	1.000
Federal FRDS PWS	Nearest PWS within 0.001 miles
State Database	1.000

## **FEDERAL USGS WELL INFORMATION**

<u>MAP ID</u>	<u>WELL ID</u>	<u>LOCATION FROM TP</u>
No Wells Found		

## **FEDERAL FRDS PUBLIC WATER SUPPLY SYSTEM INFORMATION**

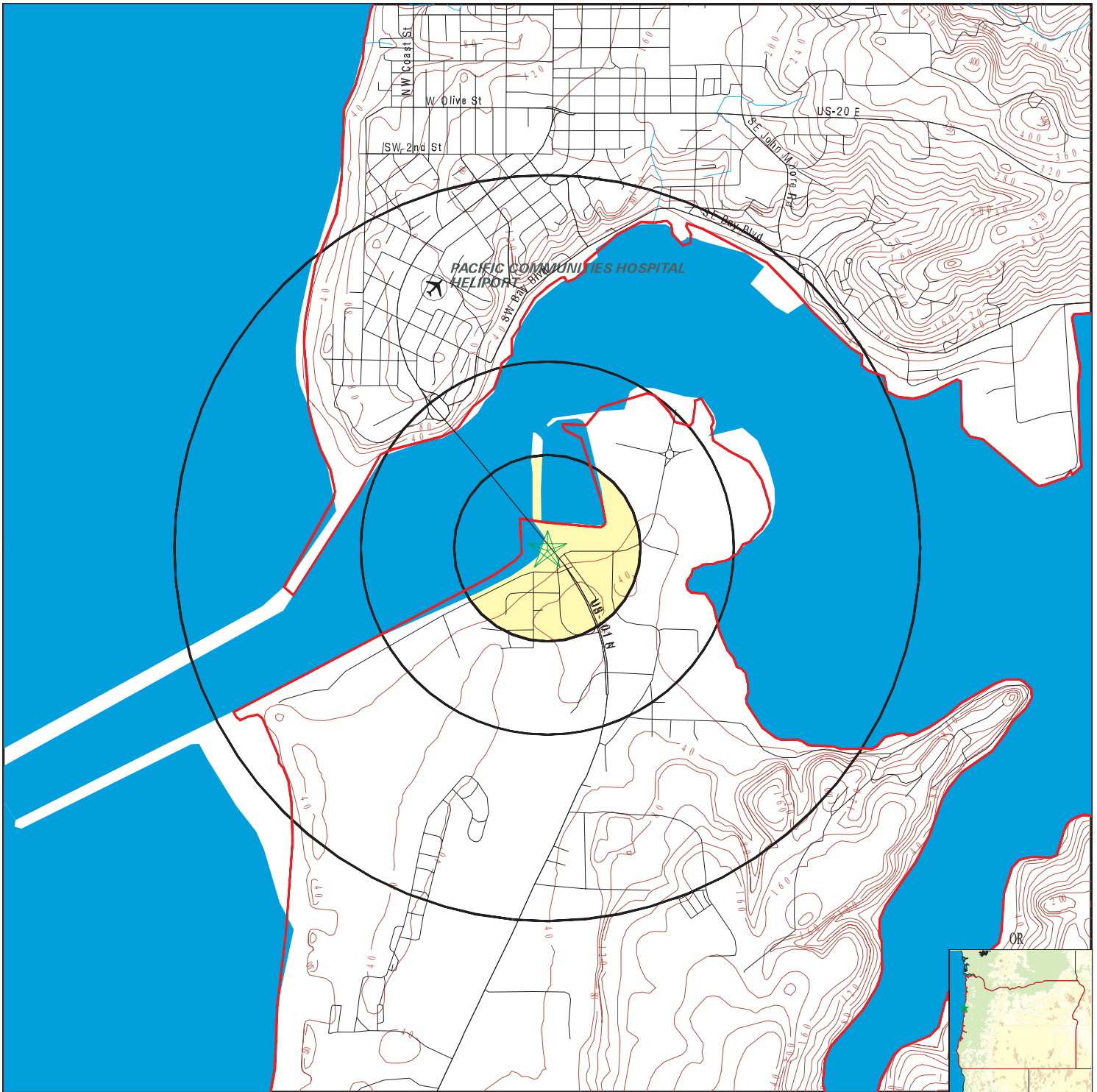
<u>MAP ID</u>	<u>WELL ID</u>	<u>LOCATION FROM TP</u>
No PWS System Found		

Note: PWS System location is not always the same as well location.

## **STATE DATABASE WELL INFORMATION**

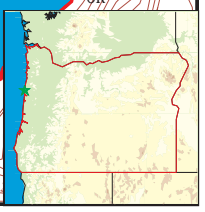
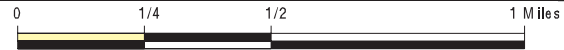
<u>MAP ID</u>	<u>WELL ID</u>	<u>LOCATION FROM TP</u>
No Wells Found		

# PHYSICAL SETTING SOURCE MAP - 4741778.2s



- County Boundary
- Major Roads
- Contour Lines
- Airports
- Earthquake epicenter, Richter 5 or greater
- Water Wells
- Public Water Supply Wells
- Cluster of Multiple Icons

- Groundwater Flow Direction
- Indeterminate Groundwater Flow at Location
- Groundwater Flow Varies at Location



SITE NAME: Port of Newport South Beach Park  
 ADDRESS: Southwest Jetty Way  
 Newport OR 97365  
 LAT/LONG: 43.1946, -124.053394

CLIENT: Portage Environmental  
 CONTACT: James Jackson  
 INQUIRY #: 4741778.2s  
 DATE: September 30, 2016 3:06 pm

# GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS RADON

## AREA RADON INFORMATION

State Database: OR Radon

### Radon Test Results

Zipcode	Num Tests	Maximum	Minimum	Average	# > 4 pCi/L
97365	1	0.3	0.3	0.3	0

Federal EPA Radon Zone for LINCOLN County: 3

- Note: Zone 1 indoor average level > 4 pCi/L.
- : Zone 2 indoor average level  $\geq$  2 pCi/L and  $\leq$  4 pCi/L.
- : Zone 3 indoor average level < 2 pCi/L.

Not Reported

# PHYSICAL SETTING SOURCE RECORDS SEARCHED

## TOPOGRAPHIC INFORMATION

USGS 7.5' Digital Elevation Model (DEM)

Source: United States Geologic Survey

EDR acquired the USGS 7.5' Digital Elevation Model in 2002 and updated it in 2006. The 7.5 minute DEM corresponds to the USGS 1:24,000- and 1:25,000-scale topographic quadrangle maps. The DEM provides elevation data with consistent elevation units and projection.

Current USGS 7.5 Minute Topographic Map

Source: U.S. Geological Survey

## HYDROLOGIC INFORMATION

Flood Zone Data: This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.

Source: FEMA

Telephone: 877-336-2627

Date of Government Version: 2003, 2015

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Wetlands Inventory Data

Source: Oregon Geospatial Enterprise Office

Telephone: 503-378-2166

## HYDROGEOLOGIC INFORMATION

AQUIFLOW<sup>R</sup> Information System

Source: EDR proprietary database of groundwater flow information

EDR has developed the AQUIFLOW Information System (AIS) to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted to regulatory authorities at select sites and has extracted the date of the report, hydrogeologically determined groundwater flow direction and depth to water table information.

## GEOLOGIC INFORMATION

Geologic Age and Rock Stratigraphic Unit

Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - A digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

STATSGO: State Soil Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)

The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) leads the national Conservation Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps.

SSURGO: Soil Survey Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)

Telephone: 800-672-5559

SSURGO is the most detailed level of mapping done by the Natural Resources Conservation Service, mapping scales generally range from 1:12,000 to 1:63,360. Field mapping methods using national standards are used to construct the soil maps in the Soil Survey Geographic (SSURGO) database. SSURGO digitizing duplicates the original soil survey maps. This level of mapping is designed for use by landowners, townships and county natural resource planning and management.



# PHYSICAL SETTING SOURCE RECORDS SEARCHED

## LOCAL / REGIONAL WATER AGENCY RECORDS

### FEDERAL WATER WELLS

#### PWS: Public Water Systems

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Public Water System data from the Federal Reporting Data System. A PWS is any water system which provides water to at least 25 people for at least 60 days annually. PWSs provide water from wells, rivers and other sources.

#### PWS ENF: Public Water Systems Violation and Enforcement Data

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Violation and Enforcement data for Public Water Systems from the Safe Drinking Water Information System (SDWIS) after August 1995. Prior to August 1995, the data came from the Federal Reporting Data System (FRDS).

#### USGS Water Wells: USGS National Water Inventory System (NWIS)

This database contains descriptive information on sites where the USGS collects or has collected data on surface water and/or groundwater. The groundwater data includes information on wells, springs, and other sources of groundwater.

### STATE RECORDS

#### Water Well Data

Source: Department of Water Resources

Telephone: 503-986-0843

## OTHER STATE DATABASE INFORMATION

#### Oil and Gas Well Locations

Source: Department of Geology and Mineral Industries

Telephone: 971-673-1540

A listing of oil and gas well locations in the state.

### RADON

#### State Database: OR Radon

Source: Oregon Health Services

Telephone: 503-731-4272

Radon Levels in Oregon

#### Area Radon Information

Source: USGS

Telephone: 703-356-4020

The National Radon Database has been developed by the U.S. Environmental Protection Agency (USEPA) and is a compilation of the EPA/State Residential Radon Survey and the National Residential Radon Survey. The study covers the years 1986 - 1992. Where necessary data has been supplemented by information collected at private sources such as universities and research institutions.

#### EPA Radon Zones

Source: EPA

Telephone: 703-356-4020

Sections 307 & 309 of IRAA directed EPA to list and identify areas of U.S. with the potential for elevated indoor radon levels.

### OTHER

#### Airport Landing Facilities: Private and public use landing facilities

Source: Federal Aviation Administration, 800-457-6656

#### Epicenters: World earthquake epicenters, Richter 5 or greater

Source: Department of Commerce, National Oceanic and Atmospheric Administration

Earthquake Fault Lines: The fault lines displayed on EDR's Topographic map are digitized quaternary faultlines, prepared in 1975 by the United State Geological Survey

# PHYSICAL SETTING SOURCE RECORDS SEARCHED

## STREET AND ADDRESS INFORMATION

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# **Appendix D**

## **Interviews**

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**Environmental Site Conditions Screening Questionnaire for the Port  
of Newport South Beach Park Phase I ESA**

Date: NOV 1, 2010

Contact Name: Benjamin Hier

Title: Realty Specialist

Company: U.S. Army Corps of Engineers, Portland District

Work Phone: 503-808-4669

Work Fax: \_\_\_\_\_

Please answer the following questions to the best of your knowledge and return to James Jackson (jrjackson@portageinc.com) at Portage, Inc.

1) To the best of your knowledge please describe the current and historical uses of the subject property.

To the best of my knowledge the location has not been used prior to the creation of the current park & walkway for anything.

2) Are there now or were there previously any of the following that exist(ed) on the property:

- Water supply wells
- Fuel oil fill or tank vent pipes
- Dry wells, soakaways, sumps
- Leach fields, septic tanks
- Environmental monitoring wells
- Building floor sumps or water catchment pits
- Swales, retention basins, or ponds
- Streams or creeks
- Unpaved parking areas
- Vehicle maintenance areas
- Stained soils or discolored, dying, or stressed vegetation
- Foul odors from the floors, walls, drains, or yard
- Fill materials brought on site For the Jetty
- Waste pits or lagoons
- None of the above exists or has existed
- Don't know

3) To the best of your knowledge has any hazardous waste been generated at this site? If yes, please describe the volume and the method of disposal.

Not known

4) Are you aware of any spills or releases of hazardous substances or petroleum products on the property?

No                       Yes                       Not known

If yes; describe:

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5) Are there any aboveground or underground storage tanks on the property?

No                       Yes                       Not known

UST/AST	Age (years)	Size (gallons)	Material Stored	Registered?*

Have any tanks been removed or abandoned on site?

No                       Yes\*                       Not known

12) Is there or has there ever been a septic tank and /or leachfield on the property?

No                       Yes\*                       Not known

*If yes please describe the approximate location*

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6) To the best of your knowledge have there ever been any spills or uncontrolled releases of materials from your facility?

No                       Yes                       Not known

If yes, describe the nature, extent, and outcome:

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7) The area in which the property is located is:

industrial     residential     commercial     rural  
 mixed ( Commercial & Residential )

8) Are you aware of any environmental problems, investigations, or litigation at the property or one within one mile of the property?

No     Yes     Not known     NA

If yes, describe

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9) To the best of your knowledge what are the adjoining properties used for?

Residential Housing  
Commercial Fishing & Brewery

10) Are you aware of any environmental problems, investigations, or litigation at any adjacent property or one within one mile of the property?

No     Yes     Not known     NA

If yes, describe

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11) Have there been any environmental site investigations performed at the facility, other than those described previously?  No     Yes     Not known

If yes, briefly describe and attach a copy of the investigation report: \_\_\_\_\_

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12) Are you aware of any environmental cleanup liens against the property that are filed or recorded under federal, tribal, state or local law? (These are filed or recorded against the site)

No       Yes       Not known

If yes; please describe and attach documentation:

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13) Are you aware of any activity or land use limitations that are placed on the site or that have been filed or recorded in a registry (40 CFR 312.26)?

No       Yes       Not known

If yes; please describe and attach any documentation:

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# **Appendix E**

## **Photographs**

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Photo ID points at Port of Newport South Beach Park property.



Picture #1. Fish cleaning table



Picture #4. East side of Property



Picture #2. East side of Property



Picture #5. Drain



Picture #3. Public restroom near (but outside) the Property



Picture #6. East side of Property



Picture #7. East side of Property



Picture #10. Information station



Picture #8. East side of Property



Picture #11. Sanitary sewer manhole



Picture #9. Information station



Picture #12. Rock shoring



Picture #13. Bridge pier



Picture #16. Grassy area



Picture #14. Paved walkway



Picture #17. Bridge pier



Picture #15. Grassy area



Picture #18. Bridge pier





Picture #19. Utility box



Picture #22. Sanitary sewer manhole



Picture #20. East side of Property



Picture #23. East side of Property



Picture #21. Grassy area



Picture #24. East side of Property



Picture #25. Electrical conduit



Picture #28. Paved parking area



Picture #26. Bridge pier



Picture #29. Utility access



Picture #27. Bridge pier



Picture #30. Picnic area



Picture #31. Yaquina Bay bridge



Picture #34. Picnic area



Picture #32. Utility pole



Picture #35. Utility pole



Picture #33. Utility pole



Picture #36. Drain in parking area



Picture #37. Household trash



Picture #40. Paved walkway



Picture #38. Center of Property



Picture #41. Paved walkway



Picture #39. Center of Property



Picture #42. Native grass area



Picture #43. Drain outlet



Picture #46. Drain outlet area



Picture #44. Drain outlet



Picture #47. Household trash



Picture #45. Drain outlet



Picture #48. Rock shoring



Picture #49. Rock shoring



Picture #52. Rock shoring



Picture #50. Center of Property



Picture #53. Rock shoring



Picture #51. Center of Property



Picture #54. Center of Property



Picture #55. Native vegetation



Picture #58. Center of Property



Picture #56. Center of Property



Picture #59. West side of Property



Picture #57. Center of Property



Picture #60. West side of Property



Picture #61. Center of Property



Picture #64. West side of Property



Picture #62. Center of Property



Picture #65. West side of Property



Picture #63. Adjoining property



Picture #66. West side of Property





Picture #67. West side of Property



Picture #70. West side of Property



Picture #68. West side of Property



Picture #69. West side of Property



2021 ANNUAL REPORT TO THE  
PORT OF NEWPORT BOARD OF COMMISSIONERS

This Annual Report is filed with the Port of Newport Board of Commissioners by the President, Vice-President, and Secretary/Treasurer

Action	Date	Type	Vote Y/N
Approved a Contract for NOAA Cathodic Protection Syst. Anode Replacement - Associated Underwater Svc	1/7/2020	Contract	4 - 0
Burke attended the Association of Pacific Ports (APP) Conference 1/21 - 24.....	1/21/2020	Conf/Training	
Approved Payne West NOAA Facilities Earthquake & Flood Insurance (\$85,686.25).....	1/28/2020	Contract	4 - 0
Approved Silver Dollar Disposal - Port of Toledo NTE \$10,000.....	1/28/2020	Contract	4 - 0
Approved annual Contract with HYAK for Network and Video System (\$7,700.00).....	1/28/2020	Contract	4 - 0
Issued 2020 Annual Report of Commission Actions in 2019 .....	1/28/2020	Other	
Approved Lease with Newport Belle Bed & Breakfast.....	1/28/2020	Lease	
Authorized the General Manager to contract with Road & Driveway to conduct boat ramp repairs in the amount of \$16,155.71 .....	1/28/2020	Contract	4 - 0
Accepted the Audit Report for Fiscal Year 2018-2019 - Kern Thompson, CPAs.....	1/28/2020	Finance	Consensus
Adopted Resolution 2020-01 Adopting a Prevention of Workplace Discrimination, Harassment & Retaliation Policy...	2/25/2020	Policy	4 - 0
Approved Marine Liability Renewal & Vessel Coverage - Arthur J. Gallagher Risk Management Services, Inc. (\$11,738.50) .....	2/25/2020	Contract	4 - 0
Adopted Resolution 2020-02 Adopting a Supplemental Budget for Fiscal Year 2019-2020 and Making Appropriations .....	2/25/2020	Finance	4 - 0
Adopted Resolution 2020-03 Authorizing Use of Local Government Investment Pool, Designating Signers, and Authorizing Refinancing of Loans.....	2/25/2020	Finance	4 - 0
Adopted Resolution 2020-04 Designating Bank Accounts, Banking Institutions, and Signers.....	2/25/2020	Finance	4 - 0
Authorized the General Manager to accept the Department of Commerce's Economic Development Administration Grant in the amount of \$1,195,563.00 requiring a Port match of the same amount.....	2/25/2020	Finance	4 - 0
Authorized the General Manager to record an Easement with Clearwater Restaurant pending approval by the Port's attorney .....	2/25/2020	Other	4 - 0
Authorized the General Manager to execute the amended Memorandum of Understanding with the City of Newport regarding dredge spoils .....	2/25/2020	Contract	4 - 0
Chuck attended PNWA Mission to Washington.....	3/1/2020	Conf/Training	
Adopted Resolution 2020-6 Authorizing Transfer of Appropriated Funds within the 2019-2020 FY Budget.....	4/28/2020	Finance	4 - 0
Offered Miranda a salary increase to \$141,000.....	4/28/2020	Personnel	4 - 0
Authorized the General Manager or designee to appoint WHA Insurance as the Port's insurance representative and Producer of Record for all matters relating to and concerning the Port's insurance, and authorized payment of insurance premiums related to this Request for Proposal .....	4/28/2020	Contract	4 - 0
Adopted Resolution 2020-07 Adopting the 2020-2021 Fiscal Year Budget, Making Appropriations, and Levying and Categorizing the Tax .....	5/26/2020	Finance	4 - 0

Action	Date	Type	Vote Y/N
Approved DSL Amended Waterway Lease 11720-ML, South Beach Marina (\$12,812.09).....	5/26/2020	Lease	4 - 0
Approved additional security for South Beach fillet tables (\$8,064).....	5/26/2020	Contract	4 - 0
Approved Cari Brandberg as Pos. #4 on the Commercial Fishing Users Group Committee.....	5/26/2020	Other	4 - 0
Appointed Kelley Retherford to fill vacant Commission position #2 expiring 6/30/2021.....	5/26/2020	Personnel	4 - 0
Adopted Resolution 2020-08 Authorizing Engagement of Auditor.....	6/23/2020	Finance	5 - 0
Adopted Resolution 2020-09 Authorizing Check Signers.....	6/23/2020	Finance	5 - 0
Adopted Resolution 2020-10 Setting Rates, Fees & Charges.....	6/23/2020	Finance	5 - 0
Adopted Resolution 2020-11 Adopting a Port of Newport Employee Handbook and Replacing the Personnel Manual	6/23/2020	Policy	5 - 0
Approved DSL Amended Waterway Lease 11873-ML, Commercial Marina (\$36,016.23).....	6/23/2020	Lease	5 - 0
Approved contract for NOAA Landscape Maintenance – Spiro Landscapes (\$450/month).....	6/23/2020	Contract	5 - 0
Authorized the General Manager to contract with Summit Public Relations Strategies, LLC nte \$23,800.....	6/23/2020	Contract	4 - 1
Elected Commission Officers for FY 2020-2021.....	6/23/2020	Other	5 - 0
Approved Purchase of a Commercial Marina Forklift from Toyota Lift Northwest (\$41,626).....	7/28/2020	Contract	5 - 0
Approved Purchase of South Beach Towable Dumpsters from Rule Steel (\$12,000).....	7/28/2020	Contract	5 - 0
Approved Pacific Northwest Waterways Association Membership Renewal (\$8,260).....	7/28/2020	Contract	5 - 0
Increased the General Manager Procurement Authority to \$10,000.....	7/28/2020	Finance	5 - 0
Authorized the General Manager to contract with Hyak as a Managed Services Provider.....	7/28/2020	Contract	5 - 0
Authorized the General Manager to contract with Capri Architecture and DH Goebel Architecture, and move forward with Schematic Design Phase 2 for the Administration Building .....	7/28/2020	Contract	5 - 0
Authorized the General Manager to accept the Amended Grant Agreement and the award available under Section 601(a) of the Social Security Act, as added by Section 5001 of the Coronavirus Aid, Relief and Economic Security Act, for an amount not to exceed \$257,048 .....	8/6/2020	Finance	4 - 0
Authorized the General Manager to contract with Critical Repairs to repair the crane in an amount not to exceed \$27,000 which includes a 10% contingency .....	8/6/2020	Contract	4 - 0
Adopted Resolution 2020-12 Authorizing a Contract with HDR Engineering for Project Management for the Port Dock 5 Pier Project .....	8/13/2020	Contract	4 - 0
Approved 2020 NOAA UPS Battery Replacement, M.C.Dean (\$14,763).....	9/29/2020	Contract	5 - 0
Approved Purchase of New Dryers for South Beach Marina RV Park (\$15,000) .....	9/29/2020	Contract	5 - 0
Approved Capri & Goebel Architecture Change Order.....	9/29/2020	Contract	5 - 0
Authorized the General Manager to contract with Alpha Environmental to remove the old bilge waste tank and clean the facility in an amount not to exceed \$21,708.00 which includes a 10% contingency.....	9/29/2020	Contract	5 - 0
Authorized the General Manager to negotiate a contract with Alliance Consulting Engineers for Port Docks 3 & 5 electrical engineering in an amount not to exceed \$25,000 .....	9/29/2020	Contract	5 - 0
Approve the SDAO/OPPA Annual Membership Renewal (\$15,666).....	10/27/2020	Contract	4 - 0
Approved a Waterline Use License Extension for Community Ice LLC.....	10/27/2020	Lease	4 - 0
Authorized the General Manager to enter into a contract with Capri Architecture & DH Goebel Architect for Admin Building architectural design in an amount not to exceed \$107,000.....	10/27/2020	Contract	4 - 0
Authorized the General Manager to execute the Second Amendment to Lease Agreement (House of Spirits).....	10/27/2020	Lease	4 - 0
Authorized the General Manager to execute the Fourth Amendment to Lease Agreement (Distillery).....	10/27/2020	Lease	4 - 0

Action	Date	Type	Vote Y/N
Authorized the General Manager to enter into a contract with DOWL for PD5 Pier Project engineering in the amount of \$105,113 .....	10/27/2020	Contract	4 - 0
Approved a Contract for NOAA Common Area Painting (\$15,890) with Fitzpatrick Painting.....	11/17/2020	Contract	5- 0
Approved a Contract for 2020 NOAA Cathodic Protection System Anode Replacement (\$50,284) with Crux Diving...	11/17/2020	Contract	5 - 0
Adopted Resolution 2020-13 Adopting a Supplemental Budget for Fiscal Year 2020-21.....	12/15/2020	Finance	5 - 0
Adopted Resolution 2020-14 Authorizing an Interfund Loan.....	12/15/2020	Finance	5 - 0
Adopted Resolution 2020-15 Adopting an External Computer Use Policy.....	12/15/2020	Policy	5 - 0
Adopted Resolution 2020-16 Approving an Application for a Loan from Business Oregon for the Administration Building .....	12/15/2020	Finance	5 - 0
Adopted Resolution 2020-17 Adopting an Education Assistance Policy.....	12/15/2020	Policy	5 - 0
Adopted Resolution 2020-18 Authorizing a Lease Amendment with Rondys Inc.....	12/15/2020	Lease	5 - 0
Authorized the General Manager to enter into a Contract with Western State Electrical Construction in an amount not to exceed \$667,583.....	12/15/2020	Contract	5 - 0
Adopted Resolution 2020-19 Authorizing Contract with Advanced American Engineering for PD5 Pier Construction.....	12/28/2020	Contract	3 - 0

2020 proved to be a challenging year. The COVID-19 pandemic and neighboring wildfires affected the region's residents and businesses both personally and economically. The President, Vice President, and Secretary/Treasurer are proud of the work accomplished by our Commission and staff in supporting the essential industries served by the Port and continuing to move forward with needed projects. We look forward to a successful 2021. This Annual Report is submitted to the Port of Newport by:

**james m burke** Digitally signed by james m burke  
Date: 2021.01.06 15:18:27 -08'00'

James Burke, President

**Gil Sylvania** Digitally signed by Gil Sylvania  
DN: cn=Gil Sylvania, o=Port of Newport, ou=Port of Newport Commission, email=sylviag@portofnewport.com, c=US  
Date: 2021.01.11 15:20:41 -08'00'

Gil Sylvania, Vice President

**Walter Chuck** Digitally signed by Walter Chuck  
DN: cn=Walter Chuck, o=Port of Newport, ou=Port of Newport, email=wchuck@portofnewport.com, c=US  
Date: 2021.01.12 11:16:55 -08'00'

Walter Chuck, Secretary/Treasurer

at their January 26, 2021 Regular Board Meeting.





## **S T A F F   R E P O R T**

**DATE:** 26 January 2021  
**RE:** Port of Newport Contract G &K Floors  
**TO:** Paula Miranda, General Manager  
**ISSUED BY:** Mark A. Brown, Director of Finance and Business Services

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### **BACKGROUND**

The Port contracted with G & K Floors in 2011. After the contract was executed, it was determined that additional cleaning was necessary. A verbal agreement was reached to provide additional cleaning for \$200 per month. OHA recommends bathroom facilities be cleaned twice per day during the declared COVID-19 Emergency.

### **DETAIL**

In 2011, after the initial contract was awarded, a determination was made that some facilities in South Beach required additional cobweb removal and dusting. At that time, it was verbally agreed, under current contract, the contractor would be paid \$200 per month to perform these services, this was not formalized. The contractor has been performing these services and the port has been paying the \$200 per month since the agreement was reached.

Current guidance from the Oregon health Authority requires that certain restroom facilities be cleaned twice per day, the guidance may or may not apply to RV parks. Out of an abundance of caution, and after conferring with my colleagues, it was deemed that cleaning the restroom facilities twice per day during the COVID-19 emergency is advisable, since COVID-19 is so easily transmitted and to protect our patrons.

### **RECOMMENDATION and Motion**

I recommend a MOTION to authorize the General Manager to sign an amendment with G & K floors retroactively authorizing the previously paid and future payments of \$200 per month for additional cleaning services and authorizes one (1) additional cleaning per day of the restroom facilities in South Beach, at an additional cost of \$1,680, for a total of \$3760 per month, for off-season (October through February) cleaning, until the port notifies contractor to discontinue or until the COVID-19 emergency is declared over.





Amendment & Addendum to Services Agreement  
Between  
Port of Newport (Port)  
and  
G & K Floors (Contractor)

Whereas the parties entered into a Facilities Janitorial Services agreement dated July 1, 2011.

Whereas the parties verbally agreed to and supplemented their services agreement to provide for the dusting and cleaning the cobwebs at the South Beach Marina in 2011.

Whereas the Governor of the state of Oregon declared a state of emergency on March 08, 2020 (herewith called via "Emergency") executive order 20-03 and executive orders, 20-24, 20-30, and 20-59 extended this emergency. Executive Order 20-58 requires the cleaning of restroom facilities twice per day as long as the Emergency exists.

Therefore, the parties agree to amend their services agreement as follows:

A. Description of additional services provided.

- I. Contractor agrees to provide dusting and cleaning of the cobwebs at the South Beach marina.
- II. Until notified by Port to discontinue or the Emergency is declared ended, Contractor agrees to provide **twice daily** for the following restroom facilities:

<b>TWICE daily Cleaning South Beach Marina</b>		<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>
	North Restrooms	X	X	X	X	X
	Launch Ramp Restrooms	X	X	X	X	X
	Maintenance Shop Public Restroom	X	X	X	X	X
	Marina showers, restrooms, and laundry room	X	X	X	X	X
	Central restrooms	X	X	X	X	X
	South restrooms	X	X	X	X	X
	Marina RV Park office building showers, restrooms	X	X	X	X	X

B. Compensation for services provided.

- I. Contractor will be paid the sum of \$200 per month for the dusting and cleaning of cobwebs at the South Beach Marina, effective August 2011.
- II. The Monthly contracted price will increase from \$1,680.00 per month to \$3,700 per month (\$2,020 per month increase) for the months of Oct-Feb, until notified by Port to discontinue or Emergency is declared ended. The remaining months remain unchanged.

C. Dispute Resolution

The parties agree to participate in mediation in the event they do not agree to the allocation of the fines collected under this addendum or to the interpretation or other performance under this addendum. If the parties do not successfully resolve their dispute by mediation, the parties agree to arbitration. Unless the parties agree otherwise, they shall use the Arbitration Service of Portland for purposes of obtaining professional mediation and arbitration services.

D. Original Agreement Not Otherwise Amended.

Except as amended herein, the parties original Services Agreement pertaining to Facilities Janitorial Services remains unchanged.

Dated this \_\_\_\_\_ day of January 2021.

\_\_\_\_\_  
G & K Floors  
Kristie Guzman Martinez

\_\_\_\_\_  
Date

\_\_\_\_\_  
Port of Newport  
Paula J. Miranda

\_\_\_\_\_  
Date



## STAFF REPORT

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**DATE:** 26 Jan 2021  
**RE:** 2021-2022 Rates and Fees  
**TO:** Paula Miranda, General Manager  
**ISSUED BY:** Mark A. Brown, Director of Finance and Business Services

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### **BACKGROUND**

Each budget year the Port Commission must review and approve any rates and fee changes, prior to the budget presentation.

### **DETAIL**

Port Staff have reviewed the economic forecast, the Consumer Price Index, the Producer Price index, user demand, and compared Port and RV park pricing. Port staff is recommending an increase of approximately 2.5% for fiscal year 2021-2022. Most prices are rounded to the nearest nickel, thus approximate. There are exceptions:

**Commercial Marina Moorage:** The rates reflect an increase of 10% as agreed upon for electrical upgrades. Language has been added to allow the Port to charge travel time, when an employee has to travel from home during non-business hours for a vessel.

**South Beach Marina Moorage:** Increased moorage 2.5%, even though the Marina is nearly sold out this summer.

### **Launch, washer, dryer and shower fees remain unchanged**

**Electricity:** Eliminated the delineation between 120 and 240v - all electrical use is charged single rate, \$18.50 per day, this eliminates staff time having to check connections to vessels.

### **Used oil**

Most oil collected is a mix of oil and water, we have eliminated the straight oil and increased the price of the oil water mix to 1.50 per gallon (33% increase). The Port of Toledo charges \$3.00 per gallon.

**Access cards** We have increased South Beach Access cards for additional or replacement cards to \$10, with the intent to align the cost with the Commercial Marina at some future point.

### **RECOMMENDATION and MOTION**

I recommend a Commissioner make **a Motion to adopt resolution 2021-02 Setting Rates Fees and Charges.**



**PORT OF NEWPORT RESOLUTION NO. 2021-02**

**A RESOLUTION SETTING RATES, FEES AND CHARGES**

**WHEREAS**, ORS 294.160 requires the governing body of a unit of local government to provide an opportunity for interested persons to comment on the enactment of any ordinance or resolution prescribing a new fee or a fee increase; and

**WHEREAS**, Port of Newport Facilities Code Sec. 1.2(f) requires the Commission to set moorage and other appropriate rates, fees and charges by the adoption of a "fee schedule" by resolution; and

**WHEREAS**, the Port Commission last adjusted rates, fees and charges via Resolution 2020-10 on May 26, 2020; and

**WHEREAS**, the Port is a single enterprise similar to a commercial entity; and

**WHEREAS**, the Port Commission intends that user fees should cover the costs of the Port; NOW THEREFORE,

**THE PORT OF NEWPORT BOARD OF COMMISSIONERS RESOLVES AS FOLLOWS:**

Unless otherwise noted, all Rates, Fees & Charges are effective July 1, 2021.

**SECTION 1. RATES & FEES.**

The attached document "Rates & Fees FY 2021-2022" is incorporated herein by reference.

**SECTION 2. RETAIL SALES, GIFT CERTIFICATES, PROMOTIONS, SPONSORSHIPS, AND SUNDRIES.**

Commission delegates to the General Manager the ability to set prices.

**SECTION 3. DELEGATION OF RESPONSIBILITY.**

The Commission delegates to the General Manager the ability to adjust these rates on a temporary basis to better manage services at the Port. Any adjustments to these rates will be reported to the Commission at its next Regular Meeting.

**SECTION 4. ANNUAL REVIEW.**

The Commission, through assistance by Port staff, shall at least annually review and adopt a new Rate, Fees and Charges Resolution prior to the subsequent budget's adoption.

**SECTION 5. REPEALER.** All previous rates and/or rate resolutions are hereby repealed.

**APPROVED AND ADOPTED** by the Board of Commissioners this 26th day of January 2021.

ATTESTED:

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James Burke, President

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Walter Chuck, Secretary/Treasurer



Rates and Fees FY2021-2022

<b>Section 1. Portwide Rates and Fees, effective July 1, 2021</b>				
		<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>
<b>A. Forklift</b>				
1. Small. Toyotas. (equipment only)		\$13.75	\$14.30	\$14.70
1a. Labor for Small Forklift		\$58.80	\$61.15	\$62.70
<i>Forklift and Labor have a 1/2 hour minimum, are billed in 1/2 increments the first hour, thereafter are billed in 15 minute increments (For Commercial Marina Only). For after hours work, travel time and/or overtime charges may apply.</i>				
2. Large. All at International Terminal (NIT). (per Hour)		\$95.80	\$95.80	\$98.20
<b>B. Hoist Docks.</b> Tie up fee, per hour. Includes use of hoist.				
1. one hour minimum, up to 3hr		\$43.05	\$44.13	\$45.25
2. after 3 hours		\$51.45	\$52.74	\$54.10
<b>C. Hoist Dock Cranes.</b> In addition to hoist dock rate.				
1. Large Capacity. Includes equipment and labor. Per Hour		\$105.00	\$107.63	\$110.35
2. Launch Sail Boats. Includes recovery, per launch		\$49.35	\$50.58	\$51.85
<b>D. Service Docks.</b>				
1. Swede's Dock. In addition to moorage.				
Per day, per linear foot		\$1.20	\$1.32	\$1.46
<b>E. City Water, city rate + % Fee</b>				
		5%	5%	7.50%
<b>F. Fuel Surcharge.</b> International Terminal only. Per gallon				
		\$0.03	\$0.03	\$0.05
<b>G. Electricity.</b> Per day charge. One day minimum				
1. NIT & Swede's Dock (regardless of voltage)		\$17.59	\$18.03	\$18.50
2. 120v, not on Port Docks		\$7.61	\$7.80	\$8.00
3. PD 7 Service Dock		\$7.61	\$7.80	\$8.00
43. PD 7 Yard Charge, trucks		\$12.75	\$13.07	\$13.40
<b>H. Service Fee Reimbursement.</b> For electric pedestal amperage		\$105.00	\$109.20	\$111.95
<b>I. Hydraulic Crane.</b> Includes equipment and labor. 30 ton capacity, per hour				
1 hour minimum		\$214.80	\$220.17	\$225.70
<b>J. Personnel Lift. In addition to labor rate</b>				
		cost + 5%	cost + 5%	cost + 5%
<b>K. Pump/Line Service.</b> Includes one Port employee only. Additional				
		\$68.25	\$69.96	\$71.75
<b>L. Storage.</b>				
1. Outside Lot Storage. Any Port of Newport lot except Newport				
a. Per square foot, monthly charge		\$0.25	\$0.26	\$0.30
b. Minimum monthly charge		\$25.20	\$25.83	\$26.50
c. Boat trailer only, per night		\$2.78	\$2.85	\$2.95
d. Boat on trailer, per night, 10 days limit		\$8.93	\$9.15	\$9.40
2. Emergency Storage Fee. Per day billed as guest. For vehicles, 1st day free. Each additional day				
		\$31.50	\$32.29	\$33.10
3. NIT Lot Storage				
a. Per Square foot, monthly Charge		\$0.31	\$0.32	\$0.35
b. Minimum monthly Charges		\$31.00	\$31.78	\$32.60
4. Charge for improper use of parking lot (i.e. boat repair), per day				
		\$25.20	\$25.83	\$26.50

Rates and Fees FY2021-2022

<b>Section 1.</b>				
<b>Portwide Rates and Fees,</b>				
<b>effective July 1, 2021</b>				
		<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>
<b>M. Net &amp; Gear Maintenance.</b> Boat crew is responsible for clean-up. If Port Employees are required to clean up area, the boat account will be billed at the established hourly labor rate + \$.18/ lb garbage disposal				
1. Commercial Marina, per day		\$22.05	\$22.60	\$23.20
2. Terminal Lot, per day. (7 calendar days max)		\$25.00	\$25.63	\$26.30
3. Recreational Marina		\$22.05	\$22.60	\$23.20
<b>N. Work Barge.</b> Includes equipment and labor.				
1. Work Barge (w/o labor)		\$27.30	\$28.39	\$29.10
2. Skiff, per hour w/ labor		\$74.03	\$75.88	\$77.80
<b>O. Clean-up.</b> Fees will be charged for each man-hour at the established				
1. Clean-up Fee, per hour + disposal fee			\$61.15 + \$.18/lb	\$62.40 + \$.20/lb
2. Oil Spills, per hour (HAZWOPER trained staff)		\$107.10	\$109.78	\$112.55
<b>P. Disposal Fees</b>				
1. Just Oil, per gallon		\$0.55	\$0.56	\$0.60
2. Oil-Water Mix, per gallon		\$1.10	\$1.13	\$1.20
3. Net Disposal and/or Related Gear, per pound		\$0.20	\$0.21	\$0.25
4. Garbage, per pound		\$0.17	\$0.17	\$0.20
<b>Q. Port Labor.</b> Includes all staff and fully burdened. Per hour, one hour minimum, in 15 minute increments.				
1. Regular Hours		\$58.80	\$60.27	\$61.80
2. Overtime. Any services required outside the established working		\$88.20	\$90.41	\$92.70
3. Emergency Call-out. Any services requiring a port employee not currently on duty to report to duty after hours, travel time to and from Port will be charged		\$111.30	\$114.08	\$116.95
<b>R. Pallet Charge.</b> Any Port owned pallet leaving yard, per pallet		\$6.83	\$7.00	\$7.20
<b>S. Dredge Spoils.</b> Includes state fees; (may be waived for public		\$2.90	\$2.97	\$3.05
<b>T. Keys/Cards.</b>				
1. South Beach Facilities. Cards				
a. First card (and/or Original)		free	free	free
b. Replacement/additional		\$6.83	\$7.00	\$7.20
1. Bay Front Facilities. Keys.				
a. Original (1st one)		\$18.90	\$19.37	\$19.90
b. Replacement/additional		\$33.60	\$34.44	\$35.35
<b>U. Truck Toll.</b> Vehicles with a Commercial Motor Vehicle Classification		\$7.00	\$7.18	\$7.40



**Section 2.**  
**Commercial Marina Rates and Fees**  
**(Port Docks 1, 3, 5, and 7),**  
**effective July 01, 2021**

	FY 2020	FY 2021	FY 2022
<b>A. Moorage Per Foot</b>			
<b>Transient (Daily)</b>	\$0.60	\$0.66	\$ 0.73
<i>Monthly</i>	\$10.93	\$11.89	\$ 13.08
<i>Semi Annual</i>	\$38.50	\$43.56	\$ 47.92
<i>Annual</i>	\$50.60	\$58.08	\$ 63.89
<i>Weekly</i>			
<b>B. Parking Permits</b> Commercial Fisherman Only, paid in advance ( April 1 - March 31)	\$24.15	\$24.75	25.99

Rates and Fees FY2021-2022

**Section 3.  
International Terminal Rates and Fees,  
effective July 1, 2021**

	FY 2020	FY 2021	FY 2022
<b>A. Port Security Fee. (§I.13). Per day</b>	\$895.00	\$930.80	\$954.10
<b>B. Materials &amp; Supplies. (§I.31) ( cost plus)</b>	25%	25%	30%
<b>C. Dockage Charges. (§III.13). Rate per day, by length.</b>			
1. 000.00 – 351.05 ft	\$1,708.35	\$1,776.68	\$1,821.15
2. 351.05 – 371.02 ft	\$1,881.60	\$1,956.86	\$2,005.80
3. 371.02 – 400.26 ft	\$2,080.05	\$2,163.25	\$2,217.35
4. 400.26 – 426.51 ft	\$2,313.15	\$2,405.68	\$2,465.85
5. 426.51 – 449.48 ft	\$2,491.65	\$2,591.32	\$2,656.10
6. 449.48 – 475.72 f	\$2,734.20	\$2,843.57	\$2,914.70
7. 475.72 – 498.69 ft	\$3,108.00	\$3,232.32	\$3,313.15
8. 498.69 – 524.93 ft	\$3,703.35	\$3,851.48	\$3,947.80
9. 524.93 – 551.18 ft	\$3,820.95	\$3,973.79	\$4,073.15
10. 551.18 – 574.15 ft	\$4,013.10	\$4,173.62	\$4,278.00
11. 574.15 – 600.39 ft	\$4,591.65	\$4,775.32	\$4,894.70
12. 600.39 – 626.64 ft	\$5,346.60	\$5,560.46	\$5,699.50
13. 626.64 – 649.99 ft	\$6,076.35	\$6,319.40	\$6,477.40
14. Above 650 ft., added on top of above rate, per ft	\$9.35	\$9.72	\$10.00
15. Exceptions for certain vessels. (§II.14), per ft. per day	\$1.35	\$1.40	\$1.45
<b>D. Service and Facility Charges. (§III.2). Per 1000 board feet, unless noted</b>			
1. Logs. Scribner scale, ex dock	\$8.14	\$8.46	\$8.70
2. Cants.	\$6.30	\$6.55	\$6.75
3. Lumber. Packaged rough.	\$5.48	\$5.70	\$5.85
4. Lumber. Packaged surfaced	\$4.86	\$5.06	\$5.20
5. Plywood, Veneer, corestock & hardboard, /1000 kilos	\$6.16	\$6.41	\$6.60
6. Pulp, Linerboard, bales or rolls, 2000 kilos	\$3.66	\$3.81	\$3.95
7. Other commodities, per metric ton or 1000 bf	\$7.17	\$7.46	\$7.65
8. Other commodities, per cubic meter	\$5.97	\$6.21	\$6.40
<b>E. Wharfage Assessment. (§III.6). Minimum charge for any single bill of lading</b>	\$10.50	\$10.92	\$11.20
<b>F. Wharf Charges. (§III.7). Per 1000 board feet, unless noted.</b>			
In addition to Service and Facility Charges.			
Logs. Scribner scale, ex dock	\$9.98	\$10.37	\$10.65
Cants	\$6.30	\$6.55	\$6.75
Lumber. Packaged rough	\$4.78	\$4.97	\$5.10
Lumber. Packaged surfaced	\$4.23	\$4.40	\$4.55
Plywood, Veneer, corestock and hardboard, per 1000 kilos	\$4.16	\$4.32	\$4.45
Pulp, Linerboard, bales or rolls	\$2.86	\$2.97	\$3.05
Other commodities, per 1000 kilos	\$5.85	\$6.08	\$6.25
Other commodities, per cubic meter	\$4.80	\$4.99	\$5.15

**Section 3.  
International Terminal Rates and Fees,  
effective July 1, 2021**

	FY 2020	FY 2021	FY 2022
<b>G. Cargo Staging Area. (§IV.2).</b> Base rent for surge area.			
1. per week, seven days	\$2,100.00	\$2,184.00	\$2,238.60
2. per day, less than seven days	\$315.00	\$327.60	\$335.80
<b>H. Line Service. (§V.3).</b> Labor will be charged at the rates set out in the current ILWU/PMA West Coast Contract. Rate schedule per day			
1. 2 men	\$520-\$656	\$520-\$656	\$533.00 - \$672.40
2. 4 men	\$1,061-\$1,317	\$1,061-\$1,317	\$1,087.55 - \$1,349.95
3. 6 men	1,575-\$1,973	1,575-\$1,973	\$1,614.40 - \$2,022.35
4. 8 men	\$2,153-\$2,631	\$2,153-\$2,631	\$2,206.85 - \$2,696.80

Rates and Fees FY2021-2022

<b>Section 4. South Beach Rates and Fees, effective July 1, 2021</b>				
		<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>
<b>Recreational Marina</b>				
<b>A. Moorage Rates Per linear foot.</b> Charge based on boat or slip length, whichever is greater. Charge at F-Dock based on boat length, for boats 24' or longer.				
Daily		\$0.84	\$0.87	\$0.90
Weekly		\$5.25	\$5.46	\$5.60
Monthly		\$12.60	\$16.25	\$16.70
SemiAnnual		\$42.00	\$51.00	\$52.30
Annual		\$63.00	\$80.00	\$82.05
Cancellation Fee – Semi-Annual or Annual Moorage				
30 days or more before check-in date		\$55.65	\$57.88	\$59.35
Less than 30 days before check-in, or early check-out		\$110.25	\$114.66	\$117.55
Live aboard Per Person, requires written contract (monthly)		\$84.00	\$87.36	\$89.55
Live aboard Electrical Surcharge (per month)		\$0.00	\$35.00	\$35.90
<b>B. South Beach Charter Rates.</b>				
Annual Moorage, per linear foot (PONFC)		\$52.50	\$71.00	\$72.80
Charter License		\$367.50	\$382.20	\$391.80
<b>C. Dock Box.</b>				
1. Purchase (at cost)	Purchase	\$393.75	\$409.50	\$419.75
<b>D. Service Fee Reimbursement.</b> For electric pedestal amperage overloads, and GFCI trips (2 or more in a 60 day period) Emergency call out may also apply				
		\$105.00	\$109.20	See Portwide
<b>E. Electrical Upgrade.</b> From 20 to 30 amp. One time				
		\$105.00	\$109.20	\$111.95
<b>F. Line Replacement.</b> Per foot, per time				
		\$1.58	\$1.64	\$1.70
<b>G. Launch Fee</b>				
1. Daily		\$6.00	\$6.00	\$6.00
2. Annual				
a. Resident		\$73.50	\$76.44	\$78.40
b. Resident Senior		\$50.00	\$52.00	\$53.30
c. Non-resident		\$105.00	\$109.20	\$111.95
d. Non-resident Senior (60+)		\$89.25	\$92.82	\$95.15
e. Military Veterans, Disabled, Retired or Active Duty; with ID proof		\$50.00	\$52.00	\$53.30
<b>H. Parking</b>				
a. Daily			\$3.00	\$3.00
b. Annual (for Annual permit Holders)			\$45.00	\$45.00
<b>RV Park</b>				
<b>A. High Traffic Surcharge.</b> Per night (2 night min.) Added to all RV Park stays in Marina RV Park, RV Park Annex, and Dry Camping.				
1. Memorial Day, Labor Day, 4 <sup>th</sup> of July		\$20.00	\$20.00	\$20.00
2. Seafood & Wine Festival		\$50.00	\$50.00	\$50.00
3. Seafood & Wine Festival, Dry Camping		\$20.00	\$20.00	\$20.00
3. Other Special Events		varies	varies	varies
<b>All Marina Park Sites</b>				
<b>Peak Season (Summer).</b> May 1 – October 31				
<b>Main Park</b>				
a. Daily				
i. Regular		\$60.00	\$62.40	\$64.00
ii. Good Sam		\$54.00	\$56.16	\$57.60
b. Weekly				

Rates and Fees FY2021-2022

<b>Section 4. South Beach Rates and Fees, effective July 1, 2021</b>				
		<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>
	i. Regular			
	ii. Good Sam			
	c. Monthly	\$950.00	\$988.00	\$1,012.70
<b>The Annex</b>				
	a. Daily	\$44.00	\$45.76	\$46.95
	b. Weekly			
	c. Monthly	\$820.00	\$852.80	\$874.15
	Dry Camping, daily	\$27.00	\$28.08	\$28.80
<b>All Marina Park Sites</b>				
<b>Off Season (Winter).</b> November 1 – April 30. No discounts during Seafood and Wine Festival.				
<b>Main Park</b>				
	a. Daily			
	i. Regular	\$54.00	\$56.16	\$57.60
	ii. Good Sam	\$48.60	\$50.54	\$51.85
	b. Monthly	\$850.00	\$884.00	\$906.10
<b>The Annex</b>				
	a. Daily	\$43.00	\$44.72	\$45.85
	b. Weekly			
	c. Monthly	\$800.00	\$832.00	\$852.80
	<b>Dry Camping, daily</b>	\$25.00	\$26.00	\$26.65
<b>D. South Beach Meeting Room</b>				
Must be pre-arranged and authorized. Keys must be obtained and returned. Certain waivers by management				
	1. Half Day	\$42.00	\$43.68	\$44.80
	2. Full Day	\$105.00	\$109.20	\$111.95

Rates and Fees FY2021-2022

<b>Section 4. South Beach Rates and Fees, effective July 1, 2021</b>				
		<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>
<b>Pet Fee.</b>				
Daily. First pet free; each additional		\$4.00	\$4.16	\$4.30
Monthly. Charge per pet including first		\$11.00	\$11.44	\$11.75
<b>Individual Fee.</b> First two included; each additional person charged.				
Daily		\$4.20	\$4.37	\$4.50
Monthly		\$44.10	\$45.86	\$47.05
<b>Vehicle Fee.</b> Any combination of three axle pieces of equipment (i.e. trailer, Fifth wheel, truck/car, storage trailer.) Charged for fourth piece.				
Daily		\$10.50	\$10.92	\$11.20
Monthly		\$52.50	\$54.60	\$56.00
<b>H. Reservation Deposit.</b> Payable at booking. Deposits applied to actual stay, subject to cancelation fee.			first night's rate	
<b>Daily or weekly reservation, except holiday or special event.</b>				
72 hours or more before check-in date		\$15.75	\$16.38	\$16.80
Less than 72 hours before check-in date		first night's rate		
<b>Daily or weekly reservation, holiday or special event.</b>				
14 days or more before check-in date		\$55.65	\$57.88	\$59.35
Fewer than 14 days before check-in date		first night's rate		
<b>Monthly reservations.</b>				
30 days or more before check-in date		\$55.65	\$57.88	\$59.35
Less than 30 days before check-in, or early check-out		\$110.25	\$114.66	\$117.55
<b>Service Fee Reimbursement.</b> For electric pedestal amperage overloads. First service call included in base rate. All other service reimbursements may be charged at actual cost to Port				
<b>Laundry</b>				
Washing Machines		\$2.50	\$2.50	\$2.50
Dryers		\$2.00	\$2.50	\$2.50
<b>Showers</b>				
1. Marina RV Park and Annex RV Sites		No charge		
2. Marina Slips & Dry Camping, per 5 minutes		\$1.50	\$1.50	\$1.50
<b>Service Fees.</b> Port owned equipment to be operated by Port personnel.				
<b>A. Storage.</b>				
1. Outside Lot Storage				
a. Boat trailer only, per night		\$2.78	\$2.85	\$2.95
b. Boat on trailer, per night, 10 days limit		8.93	\$9.15	\$9.40
2. Emergency Storage Fee. Per day billed as guest. For vehicles, boats or		\$31.50	\$32.29	\$33.10
<b>B. Clean up.</b> Fees will be charged for each man-hour at the established labor rate. Port Equipment Charges are extra.				
1. Oil Spills, per hour (HAZWHOPER train		\$0.00	\$0.00	Est Rate
<b>C. Keys/Cards</b>				
1. South Beach Facilities Cards				
a. Original (1 <sup>st</sup> one)		free	free	See Portwide
b. Replacement/additional (each)				See Portwide
<b>E. Dredge Spoils.</b> Includes state fees; may be waived for other public agencies				
Per cubic yard		\$2.90	\$3.02	\$3.10

**Section 5.  
Civil Penalties,  
effective July 1, 2021.**

		FY 2020	FY 2021	FY 2022
<b><u>Class A Violation</u></b>				
0-14 days, per day		\$330.75	\$343.98	\$352.60
15-29 days, per day		\$661.50	\$687.96	\$705.20
30+ days, per day		\$1,102.50	\$1,146.60	\$1,175.30
<b><u>Class B Violation</u></b>				
0-14 days, per day		\$165.90	\$172.54	\$176.85
15-29 days, per day		\$330.75	\$343.98	\$352.60
30+ days, per day		\$551.25	\$573.30	\$587.65
<b><u>Class C Violation</u></b>				
0-14 days, per day		\$33.60	\$34.94	\$35.85
15-29 days, per day		\$66.15	\$68.80	\$70.55
30+ days, per day		\$110.25	\$114.66	\$117.55
<b><u>Class D Violation</u></b>				
0-14 days, per day		\$16.80	\$17.47	\$17.95
15-29 days, per day		\$33.60	\$34.94	\$35.85
30+ days, per day		\$55.65	\$57.88	\$59.35
<b><u>Parking Violation.</u> Per event, both vehicles and trailers</b>				
0-10 days, paid within		\$44.10	\$45.86	\$47.05
11-20 days, paid within		\$93.45	\$97.19	\$99.65
21+ days		\$137.55	\$143.05	\$146.65
<b><u>Dumping Violation. Per Event</u></b>				
			\$573.30	\$587.65

Rates and Fees FY2021-2022

<b>Section 6. Administrative Fees, effective July 1, 2021</b>				
		<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>
<b>Public Records Request Fee Schedule</b>				
Copies of Public Records, per page		\$0.53	\$0.55	\$0.60
Copies of Nonstandard documents		\$22.05	\$22.93	\$23.55
Copies of Sound Recordings (Each)		\$12.60	\$13.10	\$13.45
Port labor, charged at standard rate		\$58.80	\$60.27	\$61.80
<b>Faxes/Emailing. Per page.</b>				
Local		\$1.16	\$1.21	\$1.25
Long Distance		\$2.10	\$2.18	\$2.25
Incoming		\$1.58	\$1.64	\$1.70
Copies		\$0.32	\$0.33	\$0.35
<b>Long Distance Phone Calls</b>				
		\$2.63	\$2.74	\$2.85
<b>Lamination.</b> Per page, letter size				
		\$2.63	\$2.74	\$2.85
<b>Notice Posting.</b> For non-payment of lease or moorage				
		\$78.75	\$81.90	\$83.95
<b>Failure to Register.</b> For research related to unregistered boats, Per hour, one hour minimum, in 15 minute increments. Charged at the established labor rate.				
		\$52.50	\$54.60	\$56.00
<b>International Terminal Meeting Room.</b> Must be pre-arranged and authorized.				
1. Half day		\$42.00	\$43.68	\$44.80
2. Full day		\$84.00	\$87.36	\$89.55
Keys must be obtained and returned. Certain waivers by management.				
<b>Returned Check Fee.</b> Plus bank fees				
		\$52.50	\$54.60	\$56.00
<b>Per Annum Interest Rate applied to past due accounts</b> (All Marina's and Terminals)				
		20%	21%	21%
<b>Collection Agency Mark-up.</b> Added to past due amount (ORS 697.105)				
<b>POV Mileage Reimbursement Rate (IRS)</b>				
		Current		
<b>Travel Reimbursement Rates follow current IRS per diem rates</b>				
		Current		
<b>Impound Seizure Fee</b>				
Vessel		\$892.50	\$928.20	\$951.45
Car/Truck/Trailer		\$131.25	\$136.50	\$139.95
Towing			cost plus 10%	cost plus 10%
<b>Process Fees.</b> Any additional fees incurred by the Port as part of an eviction process.				
Notice		\$78.75	\$80.72	\$82.75
FED Complaint		\$262.50	\$269.06	\$275.80
Court Hearing		\$210.00	\$215.25	\$220.65
Writ of Execution		\$168.00	\$172.20	\$176.55



Rates and Fees FY2021-2022

<b>Section 6. Administrative Fees, effective July 1, 2021</b>				
		<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>
<b>Special Use Permit Fee.</b> GM has authority to adjust usage fee based upon non-profit status and other criteria				
1.	Application Fee	\$115.50	\$120.12	\$123.15
2.	Usage Fee, Number of Participants, Attendees, Contestants and Volunteers at Event			
a.	1-200	\$441.00	\$458.64	\$470.15
b.	201-500	\$717.15	\$745.84	\$764.50
c.	501-1000	\$992.25	\$1,031.94	\$1,057.75
d.	1001-5000	\$1,543.50	\$1,605.24	\$1,645.40
e.	5001-10,000	\$2,094.75	\$2,178.54	\$2,233.05
f.	10,001-20,000	\$2,646.00	\$2,751.84	\$2,820.65
g.	More than 20,000	\$5,512.20	\$5,732.69	\$5,876.05
3.	Vendors, per each	\$52.50	\$54.60	\$56.00
4.	Insurance Certificate Limits			
a.	General Liability, per occurrence	General Liability, per occurrence	\$2MM	
b.	General Liability, in aggregate	General Liability, in aggregate	\$2MM	
<b>Security</b>		Cost + 5 %		
<b>Background Check.</b>		\$42.00	\$43.68	\$44.80
<b>Credit Check</b>		\$42.00	\$43.68	\$44.80
<b>Notary Fees (OAR 160-100-0410).</b> Acknowledgement, Affidavit/Jurat, Oath/Affirmation, Witness/Attest		\$10.00	\$10.00	\$10.00
<b>Package Handling Fee.</b> Per item.				
1.	Envelope	free	free	
2.	Package. 1 <sup>st</sup> one free. Fee for each additional package	\$5.00	\$5.20	\$5.35

**Section 7.**

**Insurance Certificate Limits.**

Limits are subject to review and risk assessment by management and/or the Port's insurance agent of record. Subject to periodic review by Insurance Agent, and subsequent changes by the Port's Management and/or the Board of Commissioners.

**A certificate naming the Port of Newport as an additional insured is required.**

<b>A. <u>Leases/Tenants General Liability, Each Occurrence</u></b>	\$2MM
1. Damage to Rented Premises (each occurrence)	\$300K
2. Medical Expenses (any one person)	\$5K
3. Personal and Adverse Injury	\$2MM
4. General Aggregate	\$2MM
5. Products – Comp/Op Aggregate	\$2MM
<b>B. <u>Commercial Vessels, Liability Coverage Requirements.</u></b>	
1. Protection and Indemnity, must not exclude Wreck Removal	\$250K
2. Pollution Liability	\$300K
3. If Pollution and Indemnity Combined	\$600K
<b>C. <u>Recreational Vessels, Liability Coverage Requirements</u></b>	
1. Protection & Indemnity, must not exclude Wreck Removal	\$250K
2. Pollution Liability	\$300K
3. –or- Water Craft Liability, must include both wreck removal and pollution liability coverage. Umbrella clauses must identify boats exceeding 25 ft.	\$500K
<b>D. <u>Charter/Guide Vessels.</u></b>	
1. General Liability	\$2MM
E. <u>International Terminal Vessels (Tariff No. 1(\$17))</u>	
1. Maritime Employer's Liability (Jones Act)	\$1MM
2. Commercial and/or Comprehensive Marine General Liability	\$5MM
F. <u>Vendors.</u> (reserved)	

January 14, 2021

PORT OF NEWPORT

Board of Commissioners

General Manager, Paula J. Miranda

Director of Finance and Business Services, Mark A Brown

Subject: Marina Pricing

I recently received a letter from the director of finance, no date given on the letter, referencing a proposed rate increase of 2.5% for moorage holders. Factors given as used in determining the rate increase were current cash flow (much of which is influenced by discretionary spending and demand for campsites and moorage), other ports' rates (up and down the coast), the CPI, PPI and projected economic outlook for both state and federal governments. In an attempt to better understand the mix of ingredients that resulted in a 2.5% increase in moorage rates, I analyzed each factor based on its unique merit. For starters, I've learned to live within my budget and I see no reason why the port, with proper management, cannot do the same. I have checked moorage rates up and down the coast and came up with some interesting findings. Moorage for a 52 foot boat at Depot Bay rents for \$1688 per year. Moorage for the same boat at South Beach Marina rents for \$4160 for year. At Winchester Bay moorage for a 65 foot boat is \$3263 per year, and the same boat moorage at South Beach Marina is \$5200. At Coos Bay moorage for a 65 foot boat is \$4080 per year and at South Beach Marina it rents for \$5200 per year. Let's move on to addressing the Consumer Price Index. Last year the change in the CPI in the United States was 1.2%. That, effectively, is the rate of inflation. A proposed 2.5% increase in moorage fees is double the inflation rate and does exactly what economists are trying to avoid. Using the Producer Price Index (PPI) would not be relevant in determining moorage fees. The PPI was until 1978 the Wholesale Price Index (WPI) which has no relevance in this case. This brings us to the big picture of the economic outlook for the state of Oregon and the nation as a whole. Six months prior to the pandemic, in Oregon, there were approximately 13,000 people looking for work. In the past six months there have been approximately 55,000 people looking for work. For the near future, the economic outlook in Oregon looks pretty bleak with unemployment on the rise and thousands of businesses closing, many to never open again. On the national front things look even worse. The federal government is negotiating a stimulus package to help those out of work, not being able to pay their bills, which include house payments, rent, insurance, food and more. In a desperate attempt to avert implosion of the economy, the federal treasury has increased the national debt in excess of 2.6 trillion to offset the effects of COVID. If this information is used as a metric for painting a favorable picture of the economy for raising the moorage rates 2.5%, then birds don't fly and bears don't live in the woods. Granted, as the letter from the Director of Finance says "It is a lot of information and most of the factors are weighted equally", the question is begged as to what information was actually used and what weight was applied to each factor?

Having been a loyal moorage holder at South Beach Marina for over seventeen years I have seen the rates increase on a regular basis each year, and I accept that as a necessary cost of doing business. For the two year period from November 2018 to November 2020 I experienced a 25% rate increase in moorage. Was that due to the CPI, PPI, competing rates up and down the coast, economic outlook for the state and nation, or an arbitrary figure of 25% that fit nicely into the current (at the time) cash flow equation? You can answer that question better than I. For all the fees I am paying each year, the internet service signal which you claim to provide is so weak it is virtually unusable at the end of D dock. Yesterday evening as I was walking from my boat to the access ramp, I counted ten dock lights that were not working. Safety issues should be of primary concern. And lastly, the rub rail on the dock facing my boat to the right of the 'T' is missing, as it has been for many years. Under a worst case scenario, it could do damage to my boat. As I approach 80 years of age and am tied to a relatively fixed income influenced by the CPI and other factors, it would be nice if the marina would grant moorage holders like myself a senior discount. That would translate into excellent public relations giving you an additional voice in increasing moorage holder morale.

I sincerely hope some of the information I have provided gives you additional insight in your attempt to fairly adjust the moorage rates for the South Beach Marina boating community.

Respectfully,

  
Tom Pinnell

End of D dock



## **GENERAL MANAGER MONTHLY REPORT**

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**DATE:** 01/26/2021  
**PERIOD:** 12/11/2020 – 01/21/2021  
**TO:** Board of Commissioners  
**ISSUED BY:** Paula J. Miranda, General Manager

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### **OVERVIEW**

#### **Summary:**

This has been a period full of holidays (Christmas, New Years and MLK Jr.), storms and project planning.

The storm has caused some damage to our Port Dock 7 where we lost about 65' of our dock. Thankfully no one was hurt and there were no other damages beside the loss of that portion of the dock. We have put in for an insurance claim and are still waiting to hear more from SDIS. We are also looking into other possible storm damage to other areas of the Port.

The contractor has ordered equipment for the South Beach Marina Load Centers' replacement. We still expect the work to be completed prior to Halibut Season. Staff has also learned that a GFI alternative may be possible to avoid future issues with power outages. We are now trying to locate available equipment, so the work can be done simultaneously.

We are also continuing our work on the electrical panels for Port Dock 5 and Port Dock 3 with some coordination with the PUD.

Contractor is starting to mobilize for the work at the Port Dock 5 Pier to start on January 25<sup>th</sup> pending the approval of the in-water work extension. We already received positive feedback from DSL and NOAA. Pending the approval from ODFW, we should get a final approval from the US Army Corps prior to that date. Communications have already been activated in order to avoid any issues.

As it was discussed during the approval of the architect/engineering for the Port Admin Building, work has been completed at a level of drawings necessary to obtain a more detailed cost estimate. The Port has engaged with a local contractor to work as a consult in order to provide a cost estimate prior to finalizing the Construction Drawings. Although Commission has approved the architect entire scope of work, we will not proceed with the final Construction Drawings, unless prices would come within the threshold already provided to the Commissioners. A loan application has also been submitted to Business Oregon. They are currently reviewing the application.

The Port is continuing to work with the Oregon Marine Board and DSL on the issues of derelict vessels. Lately we seem to have a lot of issues with that, which can become expensive to the Port.

Derelict/abandoned vessels are starting to be raised to the federal level, as I received a call from Schrader's office asking for input on the subject. This is an interstate issue that has been a problem for a while and it can be very detrimental for ports, as the cost can be high on getting rid of those boats.

We have been awarded a Community and Economic Development Fund Grants from Lincoln County for the Rogue Seawall Phase II study. We are still waiting for the notification letter. We requested \$15K and my understanding is that we have been awarded just short of \$13K. We estimate the project will cost around \$30K. We will start the project as soon as the grant has been confirmed.

As you may find looking at the Director of Operations report, we had a fair amount of projects to be completed on the operational side, besides some of the big projects I have already listed keeping Aaron and his crew quite busy.

On the financial side, we continue to be on track. We are currently working on the upcoming budget and should be able to provide you some numbers by the next commission meeting.

#### **Meetings/Trainings/Summits:**

- 12/14/20 - Radio hour with Kathy Kraken
- 12/15/20 - Chamber Board Meeting
- 12/15/20 - Regular Commission Meeting
- 12/17/20 - OPPA Meeting
- 12/17/20 - NW Oregon Regional Outdoor Recreation Coordinating Committee meeting
- 12/18/20 - 01Maritime Innovations Center (MIC) Meeting
- 12/18/20 - Port Communications Meeting
- 12/28/20 - Special Commission Meeting
- 01/05/21 - Meeting with Yaquina Bay Charters
- 01/07/21 - Meeting with the Department of State Lands
- 01/08/21 - Commercial Fishing Users Group Meeting
- 01/08/21 - MIC Meeting
- 01/08/21 - Meeting with Hyak
- 01/14/21 - Rotary Meeting Presentation by the Port
- 01/15/21 - Port Communications Meeting
- 01/15/21 - MIC Meeting
- 01/20/21 - Meeting with the Port of Toledo
- 01/21/21 -Vision 2040 Meeting
- 01/21/21 - Association of Pacific Ports Board Meeting
- 01/22/21 - Oregon Public Ports Association Legislative Committee Meeting

## **Upcoming Schedule:**

- 01/26/21 - Vision 2040 Meeting
- 01/27/21 - Regional Solutions Meeting
- 01/27/21 - YBEF Meeting
- 01/29/21 - Port Communications Meeting
- 01/29/21 - MIC Meeting
- 02/03-04/21 - SDAO Annual Conference
- 02/05/21 - MIC Meeting
- 02/12/21 - Port Communications Meeting
- 02/12/21 - MIC Meeting
- 02/18/21 - NW Oregon Regional Outdoor Recreational Coordination







## FINANCE DEPARTMENT MONTHLY REPORT

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**DATE:** January 26<sup>th</sup> 2021  
**PERIOD:** July 1, 2020 to December 31, 2020  
**TO:** Paula Miranda, General Manager  
**ISSUED BY:** Mark Brown, Director of Finance and Business Services

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Financial reports as of December 31, 2021 are included in the commission packet. I have also sent those to you separately for your convenience. I also am including a list of accounts with balances 90 days or more past due.

### Issues of Importance

#### Managed Service Provider update

- All Port staff are now operating in a “Cloud” environment.
- Some minor issues remain to be resolved, such as scanning, considering we moved from a local server to a cloud server, the switch has been smooth, but additional training for staff is needed.
- Within 60 days, the Port will move to Voice over IP (VOIP) Service, this will save \$4-500 per month in phone services costs. Some phone lines will be added shortly which will give staff time to play with the new calling system (internal only).

#### Budgets

- Work on the 2022 budget is nearly complete: Salaries and Wages tables, 2021-2022 Debt Schedules, rates and fees, estimated beginning fund balances, materials and supplies budgets are complete and going through a final review.
- To complete:  
Capital Equipment and Large projects need prioritization

#### Port Audit

- The audit of the fiscal year 2020-2021 is complete, a separate report has been sent, there were no findings/recommendations.

#### Financial/ERP System

- I continue to review Financial/ERP systems that may result in more efficient operations. Including implementation, prices range from 75,000 to \$150,000, those reviewed include Sage Intacct, Dynamics 365m and NetSuite.

## Finances

### GOF Balance Sheet (year to year comparison)

- As of December 31, 2020, 6 months into the fiscal year, the Port has \$3.757 million in savings, up 4% from last year.
- Accounts receivables are up 11% versus last year for the same period, primarily due to the late start in crabbing, and the pandemic's effect on the commercial fishery/supply chain.
- The Quick/Current Ratio is: 3.47
  - This ratio indicates the General Fund can cover its current expenses 3.47 times.
- Debt to Equity Ratio: .14.
  - .23 is considered modest, the lower the number the better, this a good ratio.
- Borrowing to assets ratio: 12%.
  - indicates the extent to which borrowing is covered by assets; some ports are as high as 40% (again a good number).

### **Profit and Loss -**

*The budget is based on a 4-year average spending-revenue average which should give the Port a better picture of how it is performing against the adopted budget.*

### **General Operating Funds (GOF) – all divisions combined:**

#### **Budget vs. Actuals**

- Operating income exceeds budget by \$333,593 (115%)
- Operating expenses are below budget by \$1,355,401 (69%)
- Other income is below budget by \$1.3 million, a result of the budgeted EDA grant money has not been received, which will be resolved over time.
- Other Expenses – capital expenses are over budget, as some projects were completed earlier than anticipated.
- Overall, the Port General Operating Fund is ahead of budget.

## Breakdown of programs

### **Administrative Budget**

#### **Budget vs. Actuals**

- **Expenses** are below budget in all areas.
- Overall, Administration is performing better than budget.

### **International Terminal**

#### **Budget vs. Actuals**

- **Revenues** are below budget, however, this a slow time of year for the International Terminal. As product is offloaded, the International Terminal revenues should catch up.
- **Expenses** are less than budgeted, primarily due to debt service. Materials and Services is over budget, due to some

- large repairs on equipment.
- **Net Income** is ahead budget by 288,023 (64%)

### **Commercial Marina**

#### **Budget vs. Actuals**

- **Revenues** are ahead budget by \$61,359 (111% of budget)
- **Operating expenses** are \$713,420 below (38%) budget.
- **Net income** is \$897,490 (13%) ahead of budget.

### **South Beach**

#### **Budget vs. Actuals**

- **Operating Revenues** are ahead of budget by \$322,655 (125% of budget).
- **Operating Expenses** are under budget \$221,121.
- **Net Income** is \$371,654s ahead of budget (315%).
- Current reservations at the Marina provide a critical insight to this summer, most slips and RV Park spots are sold out for the summer months.

### **NOAA Lease Revenue Fund**

#### **Balance Sheet**

As of November 30, 2020, the Port has a total balance of \$3,521,899, with an available balance of \$1,760,178. The remaining \$1,761,721 is reserved for the annual maximum debt service payment on bonds, as required in bond documents.

#### **Income Statement**

##### **Budget vs. Actuals**

- Revenue is at target.
- Expenses are below budget
- Capital outlays are below budget

### **NOAA Capital Maintenance Fund**

This fund was added by the commission on 22, January 2019. The Port currently has \$2,218,246 in this fund.

#### **Bonded Debt Fund:**

The Port has modified how the Property tax bond levies and Tax receipts are recorded. GASB requires that organizations record the expected funds as a receivable (see 11270 Property Tax Receivable), then reduce the receivable and recognize the income as funds are received. The Port has received \$728,290 to date, and expect to receive an additional \$339,830.

#### **Construction Fund.**

No changes to report

#### **Facility Reserve Fund.**

\$109,816 was added to this fund, as a portion of the electrical upgrade cost for Port Dock 3 and Port Dock 5, bringing the total set aside for this project to \$138,000.

## Accounts Receivable:

The port continues to work on outstanding balances, calls are being made to vessel owners.

Days Outstanding	Amounts Owed and Days outstanding					
	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL
Amount owed as of Feb 29, 2020	295,532	36,962	16,528	4,753	75,713	429,488
Amount owed as of March 31, 2020	199,489	69,966	53,309	2,048	83,326	408,139
Amount owed as of April 30, 2020	208,425	100,515	34,674	47,474	61,737	452,825
Amount owed as of May 31, 2020	86,693	131,622	55,251	42,569	86,467	402,602
Amount owed as of June 30, 2020	94,068	59,108	80,131	38,649	137,365	409,320
Amount owed as of July 31, 2020	72,442	55,759	21,976	56,807	131,978	338,963
Amount owed as of August 31, 2020	17,450	78,338	33,187	13,942	156,637	299,555
Amount owed as of October 15, 2020	44,532	61,652	42,681	33,177	158,724	340,767
Amount owed as of November 12, 2020	52,121	81,679	32,794	30,034	159,803	356,431
Amount owed as of December 09, 2020	136,421	61,541	42,665	26,480	167,951	435,057
Amount Owed as of January 20, 2021	73,344	146,674	27,940	28,515	153,204	429,677

The amount outstanding has grown for crabbing season. Many fishers have indicated they will pay down or off their balances as Crab are offloaded and sold.

The list below represents those Vessel owners or leaseholders with amounts outstanding 90 days or more, the reporting is as of **January 20, 2021**.

Comments on Specific Accounts Receivable customers:

- Oregon Mariculture has committed to getting caught up, as the South Korean Market has reopened for eel and other products.
- Southern California Seafoods will pay off the balance in March.
- The HarborMaster is now included conversations on past due accounts, the Harbormaster is critical to collection of these accounts.

	Current	30-Jan	31 - 60	61 - 90	> 90	TOTAL
Seawater Seafoods Co	25.70	5,973.68	471.95	5,136.18	21,145.30	32,752.81
Sylvia - 226282	736.56	736.56	1,015.12	1,007.68	16,947.07	20,442.99
Oregon Mariculture LLC	147.69	688.53	1,215.64	2,595.04	12,675.56	17,322.46
Southern Cal Seafood, Inc	-	-	349.02	506.51	11,822.05	12,677.58
Orca - 295549	-	1,095.48	364.56	364.92	11,605.52	13,430.48
Angela June - 581478	-	-	173.04	127.89	10,528.30	10,829.23
Ocean Force - 538936	192.00	1,016.01	228.78	163.48	7,766.18	9,366.45
Pacific Rose - 554504	-	-	110.44	848.86	6,718.52	7,677.82
Eclipse - 226744 Eel Boat	-	44.77	107.92	76.25	6,564.84	6,793.78
Captain's Reel Deep Sea Fishing LLC	444.18	1,331.42	1,331.42	1,331.42	5,514.08	9,952.52
Luna - 532150 New Owner	-	141.96	87.18	2,080.70	5,102.03	7,411.87
Western Hunter - OR936AFK	917.20	1,061.44	992.91	1,050.62	3,497.04	7,519.21
Das Bug - 565814	2,004.68	1,692.34	102.43	87.15	3,490.30	7,376.90
Coastal Catch Seafoods	-	-	-	-	3,236.34	3,236.34
Tempo - 555742	-	1,665.28	630.86	716.20	2,611.66	5,624.00
Granville - 241539	208.89	2,805.12	311.62	217.72	2,254.87	5,798.22
Foulweather Trawl LLC	-	1,938.62	2,002.36	1,938.62	1,938.62	7,818.22
Robin Ann - 550432	-	4,606.24	268.42	286.72	1,924.73	7,086.11
Albatross - 980072	-	-	31.24	2,131.52	1,899.96	4,062.72
Joyce Marie - 295021	49.92	58.24	24.90	359.02	1,516.24	2,008.32
Misty - 636457 (Dustin Blake)	-	675.31	186.92	184.47	1,502.34	2,549.04
Trondhjem - 241924	-	-	22.94	23.33	1,396.22	1,442.49
Blue Pacific Ocean - 1268	25.70	1,335.05	875.62	1,397.56	1,361.19	4,995.12
Topaz - 573234	74.88	285.23	19.60	19.95	1,191.09	1,590.75
Lili-Anne - OR956AFD	-	99.84	17.04	17.34	1,035.45	1,169.67
Caremi - 262161	-	-	-	-	918.29	918.29
Over Cast - 259524	106.34	580.05	145.43	167.84	858.47	1,858.13
Valor III - 245645	-	740.72	164.69	131.35	765.79	1,802.55
Instigator - 978135 COLLECTIONS	-	-	-	-	763.09	763.09
Saltybros LLC Boathouse Lease	160.22	160.22	160.22	169.92	750.72	1,401.30
Nancy - 253247	-	-	11.40	11.58	692.92	715.90
Captain's Charters - 23826 - Long Fin	-	-	11.06	11.25	673.13	695.44
Defender - 589002	-	-	441.86	10.40	653.33	1,105.59
Buxtub Too - 974256	-	-	-	-	576.23	576.23
Pacific Rim - OR126YH	522.72	849.83	564.69	556.81	553.05	3,047.10
Roggy - 574577	-	-	483.17	295.89	525.08	1,304.14
Maggie (Saltybros) - OR001UA	-	-	8.55	8.61	520.31	537.47
Foulweather Trawl Storage/Service Tks	480.00	480.00	496.04	480.00	480.00	2,416.04
Northern Ram - 979437	3,408.22	3,457.43	1,629.19	680.03	448.45	9,623.32
Little J - 544607	37.73	3,161.16	464.16	326.56	396.27	4,385.88
Pacific Ram - 589115	384.00	384.00	882.36	-	380.98	2,031.34
Toby J - 274577	-	-	5.63	5.71	341.62	352.96
Western Sea 2 - WN5888SA	-	-	-	14.53	294.00	308.53
Gracie Arlene - 563679	149.76	249.60	187.86	209.41	243.52	1,040.15
Venture II - 250111	-	-	3.57	6.32	217.14	227.03
Dawn Treader - 609228 New Owner	322.33	3,099.80	328.95	246.51	208.78	4,206.37
First Hope I - 953627	119.60	44.77	125.76	180.35	164.42	634.90
Long Shot - OR818HC	-	-	2.52	2.57	153.16	158.25
Ida May - 665118	427.68	427.68	446.48	439.73	143.41	1,884.98
Oceanic Logistics - 1344	-	-	1.97	2.01	120.24	124.22
Pursuit -Vanderpool	-	-	1.74	1.78	105.78	109.30
Little Aud - 569619	-	-	1.62	2.46	98.86	102.94
Brea -OR620ADW	-	-	1.47	2.33	89.54	93.34
Judy - 548600	44.77	847.15	155.40	127.97	83.20	1,258.49
Wide West - 535690 New Owner	25.70	25.70	26.70	26.70	51.40	156.20
Roma - 240425	-	-	1.00	1.00	49.88	51.88
Apache - 533118	-	376.91	359.39	160.01	47.35	943.66
Irish Miss - 563523	-	-	1.06	-	31.68	32.74
Island Star - AK6471P	-	-	1.00	-	27.72	28.72
Sea Wolf - 270816	-	-	2,012.40	589.58	25.82	2,627.80
Larry Boy - 539184	-	-	1.00	1.00	20.00	22.00
Morning Star II - I509427	-	888.90	279.20	278.20	16.54	1,462.84



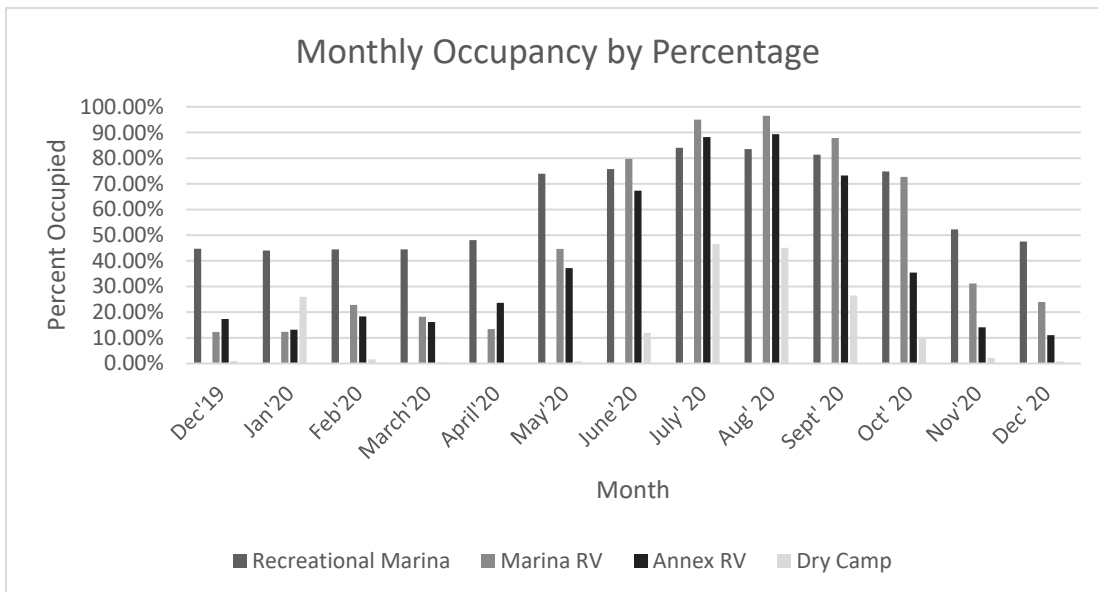


## RV PARK & RECREATIONAL MARINA OCCUPANCY REPORT

**DATE:** 4 January 2021  
**RE:** Month Ending 31 December 2020  
**TO:** Mark Brown, Director of Finance  
**ISSUED BY:** Bill Hewitt, RV Park and Marina Supervisor

The Marina was once again ahead of last year for the month of December and for the whole year. The Marina RV Park was ahead of December 2019 but behind for YTD. The Annex was below last December and also behind YTD. Dry camping was off slightly for December but ahead of 2019 YTD.

<b>OCCUPANCY PERCENT MONTH &amp; YTD</b>						
<b>Dec' 2020</b>	<b>2019</b>	<b>2020</b>	<b>Change</b>	<b>YTD 2019</b>	<b>YTD 2020</b>	<b>Change</b>
<b>Recreational Marina</b>	44.69%	47.49%	2.80%	59.43%	63.25%	3.91%
<b>Marina RV</b>	12.31%	23.95%	11.64%	55.97%	50.43%	-7.14%
<b>Annex RV</b>	17.71%	11.04%	-6.67%	49.87%	41.52%	-8.55%
<b>Dry Camp</b>	<b>0.95%</b>	<b>0.77%</b>	<b>-0.18%</b>	12.09%	<b>12.32%</b>	<b>0.27%</b>

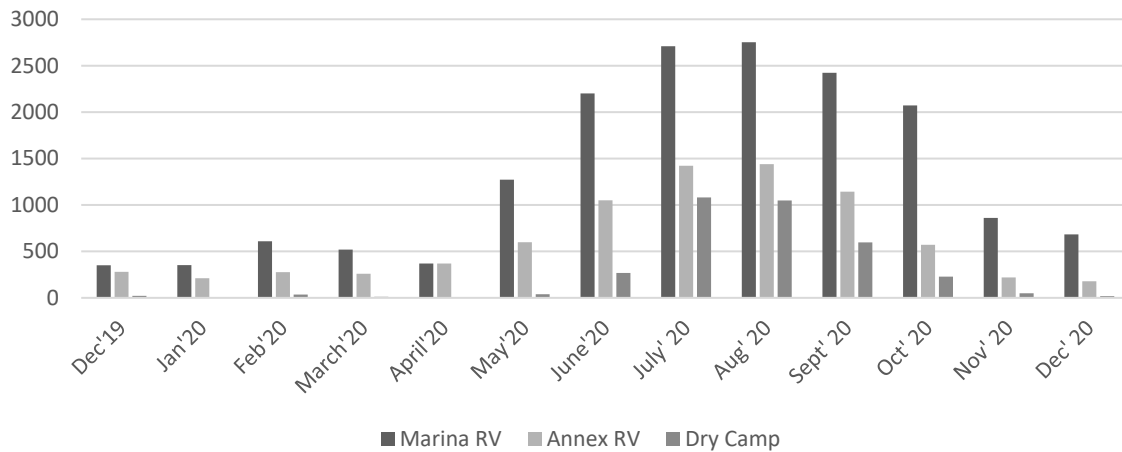




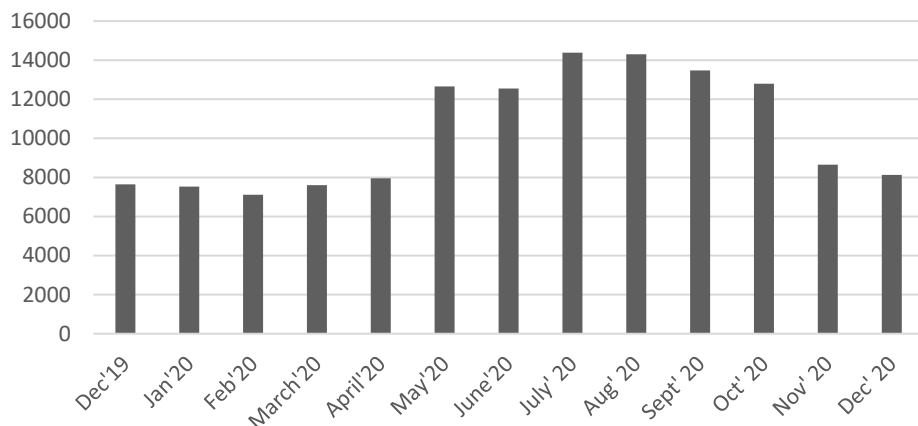
**OCCUPANCY DAYS MONTH & YTD**

Dec' 2020	2019	2020	Change	YTD 2019	YTD 2020	Change
<b>Recreational Marina</b>	7,647	8,126	6.27%	119,733	127,781	6.72%
<b>Marina RV</b>	351	683	94.59%	18,796	16,983	-9.65%
<b>Annex RV</b>	280	178	-36.42%	9,467	7,903	-16.52%
<b>Dry Camp</b>	<b>22</b>	<b>18</b>	-18.18%	<b>3311</b>	<b>3383</b>	2.17%

Monthly Occupancy by Occupancy Days  
RV Parks



Monthly Occupancy by Occupancy Days  
Recreational Marina







## DIRECTOR OF OPERATIONS REPORT

**DATE:** 1/21/2021  
**PERIOD:** December-January 2021  
**TO:** Paula J. Miranda, General Manager  
**ISSUED BY:** Aaron Bretz

### OVERVIEW DIROPS

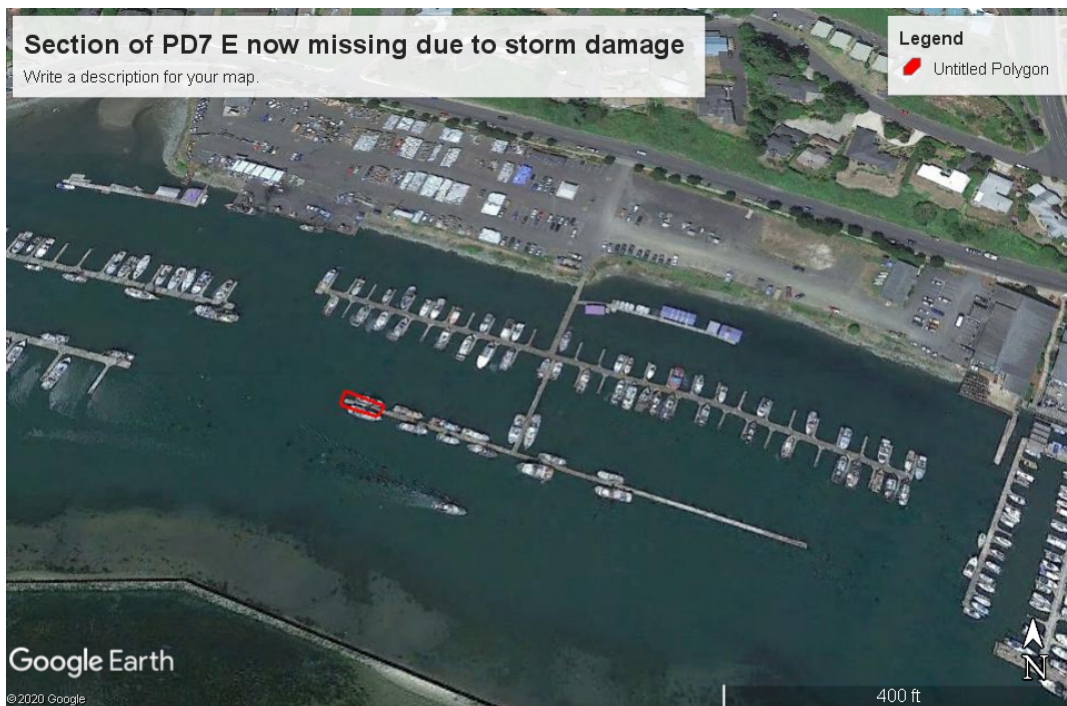
#### **Summary:**

This month has been marked by response to weather related damages in different areas at the Port. We also have three major projects on-going currently, and several smaller maintenance projects in South Beach that are taking off. Operations on the north side of the bay have rapidly increased so my time has been extremely limited.

#### **Detail:**

- **Storm Damage**

About 65' of Port Dock 7E broke loose with two fishing vessels tied to them around 3AM on the 12<sup>th</sup> of January. We worked with Coast Guard Station Yaquina Bay to get the two boats to safety in winds that were gusting to 50 knots. I sent a personal note to the station because they were not necessarily required to respond to that request, but they did so very quickly. We owe them a big thank you. I initiated an insurance claim on the dock.



The boat basin warning marker labelled “Danger Submerged Jetty” at the entrance to the Commercial Marina came down during the bull ebb on a king tide. This is a private aid that the Port is responsible to maintain; we had a diver survey the piling and looked at the area to be sure that the remnants were not a hazard to navigation. I reported the discrepancy to the Coast Guard and quickly submitted a Joint Permit Application to remove the old piling and replace with a new one. I got a preliminary approval from the Corps to drive the piling and have requested a quote from Advanced American Construction for the single piling. I also got the necessary applications on file with DSL and DEQ. We explored the possibility of a temporary marker in place of this piling, and it’s neither advisable nor necessary.

The floats and pilings that Community Ice put in place last year were ripped up due to strong ebbs and weather conditions. It’s had no impact to our property at the Terminal, but for the moment, they have some logistical issues delivering ice.

- **Port Dock 5 Electrical Engineering**

The projected load sheets using current National Electric Codes were submitted to PUD. Their preliminary take on the loads is that upsizing of the transformer that feeds PD5 will be necessary. We’re having an ongoing discussion about this, however, and I have another meeting with PUD and our engineer next week.

- **South Beach Load Centers**

The required parts were put on order in time for them to arrive and complete the project on schedule (provided the supplier is able to deliver). We’ve confirmed that installation of GFI protection at the pedestals will be compatible with GFI protection at the load centers, and we are at this time planning to undertake that change ourselves. The first step, however will be getting the materials here to be able to do the work and we’ve not yet located a supplier for the breakers we will need to use. Due to COVID, shipping of electrical components and fixtures has been significantly delayed.

- **Port Dock 5 Project**

We’ve received communications from the Corps and DSL that indicate they have been in consultation with all agencies and that our extension request is likely to be approved. We are still awaiting a final determination, but based on that indication and the eroding window of time we have, Advanced American has begun to mobilize. We expect piling to start arriving on time, and they plan to start up in-water work next Tuesday, January 25<sup>th</sup>. HDR, DOWL, and the Port are reviewing the contractor’s submittals as quickly as they come in to keep things on track. I have provided all required documentation to the EDA; they approved our notice to proceed, and have submitted the required surety bond for the Port to begin receiving funds on the construction portion of the project.

We contacted the newspaper, local radio stations, and placed signs at the site to let people know the project will be starting up. We will also be using social media to get information to the public. At the outset, the contractor will simply be asking pedestrians to walk down the east side of the pier rather than the west side. We don’t anticipate a major deviation of traffic to the docks at this time.

- Commercial Fishing User Group**  
 We held a meeting of the Commercial Fishing User Group. A quorum was not present, but we did have a number of representatives from the various contingents of fishing businesses present. We discussed possible impacts of the PD5 Pier Project, the PD5 electrical upgrade and the future of GFI protection in the marina, the rising cost of disposal of bilge waste due to our tank outage, and progress on PD7 planning among a few other items. The main purpose was for me to glean information about concerns and see about finding solutions, and to give members of the public an update on projects, etc.
- Army Corps Feasibility Study, Federal Project for dredging in the Commercial Marina**  
 The Division Office approved the Federal Interest Determination Report, which means they will begin scoping the full cost-shared feasibility study. They are now receiving additional federal funding to complete the project scope. Once the fact sheet is approved by Headquarters (and they project that it will be approved), they will contact us with an official cost-share agreement. I've already sent a boiler-plate version of the cost-share agreement to our lawyer, and also re-acquainted him with the last such agreement the Port signed with the Corps, which was on the Commercial Marina breakwater improvements in 1997-98.
- NOAA Pier Lights:** Western States completed the repair on WED, January 20th. All lights are operational again. The lights are being shaken from winds, which has caused chaffing in the wires inside the poles. We used heavier insulated wire and will get more life out of this repair.
- Seaworthiness of vessels:** It's worth noting once more that the vessels moored at the Port are not under the custodial care of the Port. This is very clearly stated on the moorage license agreement and in Port Facilities Code. This means it is the vessel's owners who are responsible to keep their vessels not only afloat, but operational. When rain picks up, we sometimes find vessels that have not been properly configured to allow rainwater to run overboard and they are beginning to sink. This month, we sent 4 notices of intent to undertake "safekeeping actions" under the Port Facilities Code, which will include removal to the Port of Toledo Boatyard. We are pursuing funding from the Oregon State Marine Board for disposal of several recreational vessels. F/V NILE II was taken to Toledo and disposed of.
- South Beach Siding:** Re-siding and preparing to paint the south restrooms (under the bridge) is underway. When the weather presents an opportunity, painting will start on the showers in South Beach, and we are replacing some corroded exterior doors on the Marina Store with composite doors, which will last much longer.
- NOAA Anode Replacement:** We just received the Joint Permit for in-water work to replace the next zone of anodes on the cathodic protection system for the NOAA Pier. The contractor will start work next week.
- #3 Crane Outage, Commercial Marina:** The number 3 crane at the Hoist Dock was out of service for about 5 days this week with a wiring problem. An electrician found a bad wire and got the crane back up Monday.
- Terminal Building:** Following the broken pipe I mentioned in last month's report, ServePro completed the drying and cleaning. There was minimal damage because we got them on scene very quickly. I initiated an insurance claim, and they will be paying the bill (minus deductible).

**Newport International Terminal- Don Moon, Supervisor**  
**Billable Services Performed this Period (January)**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Forklift – 69 hrs               | <input checked="" type="checkbox"/> Moorage – 218 Days        |
| <input checked="" type="checkbox"/> 30 Ton Hydraulic Crane – 15 hrs | <input checked="" type="checkbox"/> Hoist Dock Tie Up – 32hrs |
| <input checked="" type="checkbox"/> Labor – 70hrs                   | <input checked="" type="checkbox"/> 120V power – 21 hrs       |
| <input checked="" type="checkbox"/> Other Overtime Billed 13 hrs    | <input checked="" type="checkbox"/> 208V power – 248 Days     |

**Special Projects:** *(Not regular maintenance & repair tasks. Enter project name and notes)*

Completed  In Progress      Painted office and floors, patched areas exposed for drying after building flooded.

**Commercial Marina- Kent Gibson, Harbormaster**  
**Billable Services Performed this Period:**

Will be included in next month's report

**NOAA MOC-P Jim Durkee, Maintenance Supervisor**  
**Special Projects:**

Vessels Using the Facility Since My Last Report – R/V Sikuliaq NOAA vessels Hi'ialikai, Bell M. Shimada, Oscar Dyson, and Rainier.

NOAA Staff are still operating on minimal crew and work from home.

Shut down irrigation system for the season and opened the drain valve.

Received bids for common area painting and submitted to the commission.

Received bids for the pier's east zone cathodic protection zone anode replacement and submitted to the commission for approval.

Coastal Refrigeration installed the new HVAC unit in the Contractor's Office on the warehouse.

Performance Systems performed the five-year inspection of the sprinkler systems in both buildings. Of course, the fire alarms went off the following morning at 2am. Other than the rude awakening, everything performed as expected. I asked for advice on prevention of this next time... I discovered a bleeder valve in the mechanical room by the contractor's office.

M.C. Dean performed the annual on the battery back-up systems and replaced all the batteries in the systems in the warehouse and the office for the data rooms.

Cummins Northwest performed the annual service on the generator as well as some miscellaneous recommended repairs.

Fitzpatrick Painting performed the three year public area painting.

Lightning strikes twice. The motherboard in the main gate controller had to be replaced again along with another plug-in unit for the exit loop. Metro Access performed the work.

Performance Systems replaced batteries and did some trouble shooting on the fire alarm system.

I had a failure during monthly inspection of the accordion door in the Museum(part of the FM200 Fire Suppression System). I ordered a new power supply for it. The batteries that back-up the unit were due to be replaced as well so I ordered and replaced those.

Western States Electric replaced the light fixtures on the pier with LED fixtures.

**South Beach Marina- Chris Urbach, Harbormaster**

Will be included in next month's report