

**PORT OF NEWPORT**  
**INTERNATIONAL TERMINAL USERS COMMITTEE MINUTES**

June 9, 2017

**I. CALL TO ORDER**

Committee Chair Kevin Greenwood called the meeting of the Port of Newport International Terminal Committee to order at 10:00 am at the South Beach Activities Room, 2120 SE Marine Science Drive, Newport, Oregon.

**Committee Members/Alternates Present:** David Jincks, Commercial Fishing Fleet; Yale Fogarty, ILWU Representative; Paul Huculak, Stevedore Representative; Joe Lamb, Lessee Representative. Paul Langner, Teevin Bros. Representative joined the meeting by phone at 10:08, completing a Quorum. Bill Olivera, Lessee Representative, joined the meeting at approximately 10:10 am.

**Committee Members Absent:** Corey Rock, Commercial Fishing Fleet; Jess Pullen, Industry Support Representative; Rex Capri, Local Community Representative.

**Ex Officio Members Present:** Aaron Ferguson, TCB Security; James Luo (phone 10:06 am), Silvan Forestry; Peishong Cui (phone 10:06 am), Silvan Forestry; Shawn Reitman (phone 10:10 am), Teevin Brothers, Inc; and Evan Hall (phone).

**Port Commission Liaison:** Stewart Lamerdin.

**Management and Staff:** Kevin Greenwood, General Manager; Jim Durkee, Interim Director of Operations; and Karen Hewitt, Administrative Assistant.

**Members of the Public and Media:** Steve Beck; Sara Skamser, Foulweather Trawl; Fred Yeck, F/V Sea Dawn; Pat Ruddiman, ILWU; Brian Lonergan, Shore Side Marine; Mark Cooper, Midwater Trawlers Cooperative; Cari Brandberg; Lee Fries, PON Volunteer Mates; Walter Chuck, and Dennis Anstine, Newport News-Times.

**II. RECONSIDER SELECTION OF CO-CHAIRS**

Jincks said he would volunteer as Chair if he had been more involved in the creation of the Committee. He did not want his name associated with being the Committee Chair. He was the only commercial fishing representative here, which was different from who should be present. Jincks said the Port had skipped step one in drafting the Operations Plan before meeting with the Committee.

**III. REVIEW CHANGES/COMMENTS TO OPERATIONS PLAN**

Greenwood asked if there were any comments on the minutes. Jincks asked if the meeting had been recorded; Greenwood said the Port did not record the meeting. Jincks said he felt the main points were covered but a lot of the discussion was missed. Hewitt said they were summary minutes, not a transcript. There was a consensus to adopt the minutes as presented.

Greenwood referred to the Staff Report, which included changes that had been made following the Committee's meeting on June 2<sup>nd</sup>. Referring to the safety zone formed by fishing gear storage identified on page 9 of the draft plan, Jincks said that didn't make sense because moving trawl gear could result in damage and wear. He also asked why the smaller restricted zone showing how far it may be moved wasn't shown on the diagram. Jincks said the diagram needed to show the possible configuration before it could be discussed. He suggested a jersey barrier for the safety zone. Fogarty agreed with the suggestion for a jersey barrier since it would be difficult to

predict what gear would be needed when. If the barrier was made up of storage, the equipment could not be moved when a cargo ship was in port. Greenwood said the smaller area details depended upon input on the needed turning radius and could be discussed at a future meeting. Jincks asked when that would happen. Jincks said this would need further discussion before the Commission adopted the Operations Plan. Durkee said Zerr had called the Coast Guard about the fluid fence line. Jincks said that at the last meeting Teevin said they would be hot loading which did not require a staging area. Fogarty said the option to move the fence in would be looked at after the first load helped determine the required area. Jincks said that it was important not to restrict usable area if it weren't needed. Parking could be closer to keep more usable area and accommodate users. Lamerdin asked if the determination of the fenced area was in the Port's hands rather than the Coast Guard, which Durkee confirmed.

Greenwood suggested that an option for maximizing usable space would be to have parking outside of the safety zone. Jincks said the Committee needs to know how far the safety zone would extend beyond the secured area. He said it would be helpful to have a diagram showing the restricted area when hot loading showing the reduced footprint. Langner referred to Appendix A.2, and said the restricted area could be dropped to approximately right under the green line and over to the utility shed. This could be figured out after the first shipment. Langner said this would be determined by vessel security, and depends on the vessel. The line could shrink 15-20 feet, and perhaps 50-75 feet. Jincks suggested the restricted line go northwest. Greenwood added that Appendix A.4 shows the secured area need for research ships, and suggested that the northeast corner could be shaved off. Langner said the restricted area for shipping would not be less than this area. Fogarty said they have to have room for loads to swing, for access, and for the loader. Fogarty said the fence wouldn't be around the crane when loading. Lines will be tied at the bollard, and will have to start at the RORO corner. The line may be moved northwest to provide more room. Jincks asked when the ship size would be known, and Huculak said between 2 weeks to 30 days before arrival. Jincks asked if the ship were a smaller one if the restricted area could be reconfigured to keep the hoist dock available. Huculak said all of the vessels are generally the same size, from 560 – 580 feet. Lamb asked when the fence would be put up. Durkee said 24 - 36 hours before the ship arrives. Jincks asked if staff can prepare a diagram of what fences would remain in place so that can be discussed. Fogarty said that Zerr said they were all mobile, so the fence can be moved to accommodate users. Jincks said the Committee meeting should be able to develop a plan of what will be done rather than negotiating each time. He said it is important for the Port Commission to have all of the information about what can be expected when a ship leaves. This information should be included in the draft operations plan. Greenwood said fence would not be left up for the smallest footprint.

Lamb suggested that the configuration needed for a vessel should be known up to 10 days in advance. Fogarty said if the Port needs to adjust the fence, they will receive from 10 days to 2 weeks advance notice, but the configuration will be fairly standard from ship to ship. Jincks asked that the fence configuration options be part of the operations plan before it is presented to the Commission for approval. Greenwood confirmed that Jincks was asking for the 3 likely scenarios: research vessel, surge area needed, and hot loading. Jincks said that the fence movement should also be included in the document. Lamerdin said the time for the area to be cleared could also be helpful to include, something like "within 12 hours." Jincks commented that the ship would generally leave with the tide in the morning. Lamerdin said there was a consensus that the restricted area shown in Appendix A.1 was the largest in any scenario. Fogarty added the area on the diagram will be needed if the surge area is used. If hot loading, there will be room needed for the equipment.

Durkee said that in past winters outriggers had no place to store gear so it was placed along the road. Lamerdin said parking would be more convenient along the safety zone if there was a jersey barrier. Jincks said he was concerned about the size of the surge area; room is only needed for truck traffic. He was concerned outriggers would be in the way. Lamerdin said the area identified needs to be more than "potential" storage. Greenwood said of the three possible footprints, the fence would only remain up for the largest. If a smaller area were fenced for hot loading, all of the fencing would be removed afterward. Greenwood said staff would put together diagrams.

Jincks asked that the diagrams also show the truck route in detail, not just enter and exit, and how large an area would be required.

Greenwood said the truck volume included on page 10 was provided by Olivera. The estimated turning radii on page 12 were provided by Langner, who also said the preference would be to hot load. Fogarty added that the best configuration would be a clockwise rotation per his conversation with Langner. Lamerdin asked about how notice would be given about the arrival of a ship as provided for on page 10. Jincks suggested noticing needs to be formalized. Durkee said notices are currently posted on barricades, but they could also be posted on the website. Fogarty said posting online notice was a common practice, and sometimes direct email was used. Greenwood said there are plans to update the website in the next fiscal year, which would allow for easier updating. The port does have the ability now to adjust the front page. Lamerdin asked if specific days could be provided, with a minimum of 14 days. Huculak said if there is a full load, there will be 14 – 30 days advance notice of arrival. If there is a partial load, 5 days advance notice. Fogarty suggested that berth time be included in the notice. Jincks asked of the 7 – 8 shipments planned, how many would be partial. Huculak said the odds are they would be full loads. If partial, two loads would be taken so that the total time and number of loads would still be the same. Langner asked if the fishing fleet knows their maximum time, and if the same noticing requirements would apply to the fishing fleet. Greenwood said specific noticing information would be added to the operations plan.

Jincks suggested removing the bollard on the east dock. Fogarty agreed, saying that bollard was never used in the past, and it needs to be removed so that wasn't an option for a cargo ship. Fogarty also said the hoist will have to be moved when a cargo ship is in. Jincks said it would be possible to move the hoist and return it after a cargo ship left. Relocating the hoist could cost \$100K.

Jincks said the location of support service ships referenced on page 13 needs to be clarified. The location should be clearly identified and not be variable ship to ship. The operations plan should include everyone so there is a well-defined understanding. Fogarty said the support vessels would also want to know where to park. In reference to the water truck, Huculak said the stevedores would not manage it since it wouldn't be their equipment. It would be managed by the log handler. Langer said that Teevin would have a small water truck available on site, 3000 – 5000 gallons. Huculak added that undercover storage would not be needed when they are working, only when equipment is not being used. The equipment could possibly be moved to Coos Bay. A Port-a-Potty is usually provided by the terminal, and since reaching the restroom in the building would require crossing traffic, one or two Port-a-Potties would be helpful. Huculak said a ship's gangway could be used at the west end of the dock if it fit. Otherwise, the stevedore would use their 40 feet gangway mid-ship. Jincks said the Port should be responsible for inspecting and enforcing the cleaning both inside and outside the enclosed area, and he would like language in the document to reflect that responsibility. This would apply to all Terminal users. Huculak added that cleaning the secured area should be a condition of the vessel departure.

Fogarty asked why Rondys property use was included in the plan on page 16. Lamerdin said this should not be part of the operations plan, but part of the Port's relationship with Rondys, Inc. Hall said he understood the removal of this information from the plan. Lamerdin asked if it were necessary to refer to Rondys storage on page 18. Greenwood said it was helpful to identify alternate storage, just like identifying alternate moorage. Jincks suggested that the Rondys property usage be in a separate document.

In reference to scheduling use of the facility, Jincks said that the conclusion from last meeting was that fisherman would work with shipping. This should not be the arrangement. He said the Port should have met with shipping and fishing before drafting an operations plan. Jincks said that at the last meeting he discussed the need for fishing to use all of the terminal facilities from November 1<sup>st</sup> to January 10<sup>th</sup>, but did not speak out for the need in the spring. The Port should not expect the users to discuss the scheduling with each other. Jincks said they had attempted to discuss this with the Port at a Midwater Trawlers Coop. (MTC) meeting, but they did not go further. He asked that the time be set aside for the distant water fleet by Commission resolution. There is less space on Port Dock 5 now, and Port Dock 1 is a small area. The Port should not use ORS 777 against local business. The

statute did not help when remediation was needed. Lamerdin asked if Jincks was requesting exclusive use. Jincks said he was requesting time set aside for fishing to have their usual and accustomed period to do work. In addition to 11/1 to 1/10, Lamb said they would also need the crucial time from April 15<sup>th</sup> to May 15<sup>th</sup>, when the dock was fully used. Fogarty said that some loss of docks was due to the Port not having money to complete repairs since they lost shipping funds. Moving forward, setting aside time when shipping was not permitted would make the Port unattractive to shippers. Fogarty said bringing in shipping would be better for everyone. The chance was slim for shipping to be in Port in the winter. If the Port locks down times, there will never be shipping and the Terminal will continue to operate at a loss. Fogarty said he understood the fleet's need to be here, respects fishing and knows that it's valuable. The Terminal was built for shipping and fishing. Fogarty said fishing was asking for a resolution to restrict use without a promise of income. Lamb said he did not think 3 – 4 months per year was much to ask. It is important for the fishing fleet to have that dock, because there is no other place for them to tie up. Langner asked if Teevin were asked to go 70 – 80 days without operation, what he would do with the employees. Maybe lay them off. He suggested shipping and fishing could make it work with good scheduling. The viability of shipping would be in question if the time in Nov. to Jan. and Apr. to May were set aside. Cui commented they would need space to store logs between shipments.

Lamerdin said he thought the group could collectively agree in the value of diversifying economically. The plan for the Terminal would entail short term risk for long term gain. Jincks said there is a potential down-turn in the market for logs. Jincks reiterated that the Port skipped step one by not meeting with the Committee first. Lamerdin said there are a number of different interests in the financial viability of the Port; the Port needs shipping. He asked that fishing have an open mind and be flexible, which would benefit all groups. Jincks said that the MTC needs assurance from the Port that they can continue to operate. He said they want the terminal for the specified dates, whatever language is used. Fogarty suggested that MTC needs to figure out how to recoup the Port's costs. Jincks said that the losses at the Terminal were misstated because of debt service. With fishing included, the Port's income is \$503K per year. Jincks handed out a financial analysis he prepared, appended to the meeting packet. Greenwood said the Port was losing \$430K to debt service, with some principal deferred. Reductions still can be done.

Cui said Silvan wants to talk about how to work it out, but he couldn't hear on the conference call. Greenwood said it would be important to have all parties present at the next meeting, and suggested moving forward on other elements at this meeting. Olivera said there had been talk of give and take, but there was only take from the fishing perspective. Other community industries rely on the fishing fleet. Fogarty said the facilities were built for shipping with money from shipping. The Port is losing money and needs shipping income. Jincks said shipping had left the terminal, and it took hard work to build the fishing fleet. Greenwood said there is still work to do.

Fogarty suggested that if parking were moved next to the loading area, the planned parking could be made storage. If the area indicated now were dedicated parking, it couldn't be used for anything else. It would be a better use of space to have temporary parking when shipping was in. Olivera asked if space could be found for the 4 – 5 trailers currently in the restricted area. Durkee said staff would look at that down the road. Adjustments can be made. Greenwood said right now the interests are at an impasse. There needs to be another meeting to find a path forward. Lamerdin said the Port needs to look more practically at the winter scenario, when there would possibly be one shipment. He asked that Durkee and Aaron Bretz go through and say where the boats could go. It is important to have conversations to explore all options. Jincks commented this was more give asked of the fishing fleet.

#### IV. PUBLIC COMMENT

Yeck referred to appendix A.1 and said it was discouraging that the Port was working on a plan for the project with the financial demand. The local community has \$50 – 60MM invested in the fishing fleet, and that doesn't count money in the bank. The discussion was all about shipping. Yeck agreed with Jincks that the Port needs to start with what is already here. If the time is not set aside for the fishing fleet, he will take his boat to Seattle and

do business there. There was talk about sharing, but there is not sharing when a cargo ship coming in has access to the big berth. The fishing industry needs exclusive access 11/1 – 1/10 and 4/15 – 5/15, or about 1/3 of the year. The rest of the time shipping could have exclusive access to the big berth. In addition, support vessels should not be at the east berth – that should still be available for fishing vessels. Yeck said this would be a balanced approach. He added that Teamsters were not allowed by the Port, and Longshoremen won't work on terms with fisherman. He agreed with Jincks that the conversation with the fishing industry should have come first, and he said that fishing interests were not fairly represented on the Committee. The meeting should take place in November or December when the fishermen can be present. The Port should first work with fishing and then move forward.

Skamser said that everyone in the Port is affected by the issue. The Commercial Fishing Users Group Committee (CFUG) agreed that there is no place for the boats to go. When weather kicks up, big boats scramble for spots. There is an opportunity to get the facility to meet needs. The Port could work out with the right shipping partner on time. The discussion should have started with the fishing interests, and it is wrong to rush the plan. Priorities are changing other than fishing priorities. In the plan, fishing vessels are not granted spots when they call ahead, but others are. The fishing industry out of the terminal has blossomed, but there are no assurances for the fishermen.

Beck said that it was a mistake to not have everyone here. The Operations Plan was hastily put together and should have been started months ago. The decision to approve should be held over to the new Commission. Beck said he had a solution – give commercial fishing the west berth, and cargo the east berth; exclusivity wouldn't be needed because both would have what they can't use.

Cooper said fishing boats would have to find out where else they can go. The fishermen currently don't have enough moorage. Port Dock 5 and 7 have bad piling so the large boats can't dock there. Cooper said when boats go, they won't be back.

#### V. **ADJOURNMENT**

Having no further business, the meeting adjourned at 12:15 pm.

ATTESTED:

---

Kevin Greenwood, General Manager

---

Karen Hewitt, Administrative Assistant