

**OREGON INTERNATIONAL PORT OF COOS BAY**

**Coos Bay, Oregon**

**REGULAR COMMISSION MEETING**

**11:00 a.m., Thursday, December 19, 2024**

Port Commission Chambers, 125 Central Avenue, Suite 230, Coos Bay, Oregon 97420

**ATTENDANCE**

**Commission:**

Kyle Stevens, President, Kyle ViksneHill, Treasurer, Elise Hamner, Secretary; and Arnie Roblan, Commissioner. Nick Edwards, Vice President, was excused.

**Staff:**

Lanelle Comstock, Chief Executive Officer; Melissa Cribbins, PCIP Executive Director; Mike Dunning, Chief Port Operations Officer; Megan Richardson, Director of Finance and Accounting; Matt Friesen, Director of External Affairs; Rick Adamek, Director of Asset Management; Brian Early, General Manager, Coos Bay Rail Line; Ray Dwire, Charleston Marina Manager; Krystal Karcher, Administrative Services Manager; and Jennifer Sierra, Administrative Assistant.

**Media & Guests:**

Ross Williamson, Local Government Law Group; Adrienne DeDona, JLA Public Involvement; Franziska Elliott, JLA Public Involvement; Lucy Swartz, Environmental Consultant; Tallon Trentz, IUOE Local 701; Paul Poresky; Christine Moffitt; Ellen Momsen; John Bozzo; Patrick Momsen; Ken Bonetti; Steve Skinner, CCE; Abby Knipp; Nora Terwilliger; Jan Hodder; Sharon Taylor; Todd Buclehotz; Aaron Simons, ILWU Local 12; Annie Donnelly; Dean Lundie, Divine Nature Academy; Brian Clem, Oregon EcoTerminal/North Point; Rick Osborn, Blue Ridge Strategies; Chris Machhorter; Brenda Jackson; Nate Schwartz, Coos Bay World; Jamie Fereday; Steve Miller; Melissa Cliver; Sue Lee; Eric Lee; Jess Howell; ArdisAnn Szala; Joel Nista; Mike Graybill; and Mark Daily.

**1. CALL MEETING TO ORDER**

President Stevens called the meeting to order at 11:02 a.m.

**2. INTRODUCTION OF COMMISSIONERS, GUESTS AND PORT STAFF**

**3. PUBLIC COMMENT**

**A. Mike Graybill** read from his written testimony, which is attached to the end of these minutes.

**B. Patrick Momsen** read from his written testimony, which is attached to the end of these minutes. Mr. Momsen also provided additional documents, which are attached to the end of these minutes.

**C. Christine Moffitt** read from her written testimony, which is attached to the end of these minutes.

**D. Steve Skinner** read from his written testimony, which is attached to the end of these minutes.

**E. Tallon Trentz** read from his written testimony, which is attached to the end of these minutes.

**F. Paul Poresky** read from his written testimony, which is attached to the end of these minutes.

**G. Jan Hodder** read from her written testimony, which is attached to the end of these minutes.

**H. Annie Donnelly** made several statements that highlighted some concerns about the way the Commission operates. She emphasized that the Commissioners are unsuccessful in fulfilling their fiduciary duties to the community, as required by state statute. According to her, the Commissioners have not demonstrated any recognition of their responsibility to the community's economic development. She specifically calls attention to the promises of job creation and economic benefits from this project but argues that these promises have not been substantiated with specific details about the jobs, their duration, or how housing will be impacted.

Ms. Donnelly also pointed out that despite the Port's investments—such as buying an office building and Terminal One—there has been no measurable positive impact on job creation in the private sector. Instead, the Port has expanded its own payroll while employment in the community has declined, especially on properties owned and managed by the Port. This, according to Ms. Donnelly, shows a neglect of infrastructure and a failure to improve the local economy.

She further comments that the Commissioners are prioritizing external financial and political interests over the well-being of the community. Rather than making tangible progress, she suggests that the Commissioners are more focused on appearances and securing funding, without delivering real results for the people who are paying taxes to support the Port's operations.

Ultimately, Ms. Donnelly urged the Commissioners to reconsider their priorities, stressing that they should focus on their responsibilities to the community, rather than aligning with outside pressures or agendas.

**I. Dean Lundie** read from his written testimony, which is attached to the end of these minutes.

**J. Melissa Cliver** stated she is a Product and Service Designer from Empire, OR. Ms. Cliver expressed an interest in organizing a community advisory group modeled after similar initiatives in Charleston. She suggested that this group could aim to engage local knowledge and skills to address complex challenges that may overwhelm existing staff resources and address a need to develop a collaborative plan that could assist in drafting comprehensive plans focused on community and environmental sustainability. The group could also focus on specific issues that could address emerging concerns such as the potential for invasive species introduced by incoming ships, ensuring best practices are identified and implemented. Lastly, the advisory group could

serve as a platform for ongoing collaboration to tackle current and future issues and to ensure a proactive and inclusive approach to local challenges, with commitment to community well-being and environmental health.

**K. Steve Miller** read from his written testimony, which is attached to the end of these minutes.

**L. Sue Lee** expressed concerns about losing the Port's charm, emphasizing that the project could lead to environmental and employment issues. She also raised the possibility of it becoming “another boom and bust” scenario, where initial economic gains could be followed by long-term challenges or downturns.

**M. Jess Howell**, who was representing the South Coast Health Equity Coalition, emphasized the importance of community engagement and transparency in addressing local concerns. She highlighted the coalition's commitment to amplifying historically unheard voices and ensuring all sectors of the community are involved in decision-making processes. Ms. Howell expressed concern within Coos County, stressing the need for inclusive participation from all sectors of the community. Ms. Howell stated she supports the draft’s recommendations, specifically the commitment to integrity and dialogue, as outlined on page 14, which serves as a foundation for inclusive and transparent community collaboration. The absence of some groups, such as local fishermen, underscores the challenge of ensuring all voices are represented, particularly when individuals are occupied with essential economic activities. Ms. Howell promoted policies that uphold integrity, transparency, and responsiveness, striving for a process that enables factual and accessible community engagement. Ms. Howell urged community involvement through attending meetings, paying attention to agendas and minutes, and active participation in community sessions and the Board of Commissioners could have an opportunity to respond to the community’s questions and concerns.

**N. Mark Daily** mentioned that at the last board meeting, he had concerns about whether the dock was adequate for LNG ships and wanted information on size. He noted that the consultants had not provided a response to his inquiry. Mr. Daily stated that the lack of response raises concerns about transparency from the Port. Mr. Daily asked about Title VI, particularly in the process of submitting discrimination complaints. Ms. Comstock confirmed that an online form would be available on the website for such complaints. Mr. Daily suggested the Governor appoint a person of color to the board to help alleviate some of the community’s concerns, emphasizing that his suggestion does not reflect negatively on the current board members.

Mr. Daily questioned whether the Port has undertaken projects to address homelessness, noting the Port's ability to secure funding for projects benefiting affluent community members. President Stevens confirmed that the Port has not directly initiated any homelessness-related projects, which Mr. Daily felt was a gap needing attention. Mr. Daily expressed concerns about the board's lack of engagement and responsiveness to community questions and concerns.

**O. ArdisAnn Szala** stated she lives in Bandon, OR and has concerns about a proposed Port container project, specifically in Empire, OR, and its potential impact on the community and quality of life. She raised issues about how the project might immediately affect home values and the long-term implications concerning noise, bright lights, and the need to adjust living conditions to maintain comfort and privacy. Ms. Szala also has some safety concerns, questioning what might be stored in the containers and the possibility of illegal activities such as trafficking or drug-

related operations. Ms. Szala highlighted that the South Coast is already economically challenged, expressing skepticism about job creation, and fearing that jobs will go to outsiders rather than benefiting the local population. She also expressed the need for recreational development and preserving the charm of the area instead of large industrial projects. Ms. Szala views this project as potentially disruptive to the local culture and community.

**P. Ken Bonetti** raised concerns about the economic feasibility and long-term viability of the proposed Port project, particularly in the context of developments along the West Coast. He touched on the justification for the Port based on COVID-era congestion, which he says no longer seems relevant, as the Port's traffic data indicates there isn't significant congestion. The global trend toward larger ships, he suggested, and competing with ports, like Long Beach and Rupert, who are expanding their capacity, channel depth, and rail connectivity, potentially outpacing the demand for a smaller port. The proposed port lacks proximity to class one rail or major interstate highways, a critical disadvantage compared to other West Coast ports. Mr. Bonetti encouraged an independent economic feasibility study conducted by an expert without vested interest in port expansions.

**Q. Brian Clem**, who is a part-owner of Oregon EcoTerminal, LLC, expressed gratitude and highlighted the importance of inclusivity and equity, particularly in relation to Title VI. Mr. Clem expressed appreciation for the commitment to upholding values aligned with Title VI, which prohibits discrimination based on race, color, or national origin. Mr. Clem emphasized that Oregon EcoTerminal, LLC would not allocate any resources to individuals or groups associated with white supremacist ideologies. His position is deeply rooted in his family's experiences with racism, particularly targeting friends and family members. Mr. Clem also highlighted the significant roles that people of color have played in building the county and highlighted the importance of honoring their contributions. Mr. Clem referenced specific conversation and evidence that informed his decision, ensuring that entities promoting discriminatory language or behavior would not receive funding from his company. He concluded by expressing gratitude for the board's commitment to fostering inclusivity and uplifting marginalized communities.

#### **4. PORT PROJECT UPDATE**

##### **A. JLA Public Involvement: Overview of Stakeholder Feedback and Proposed Community Engagement Plan**

Melissa Cribbins explained that the JLA Public Involvement, Inc. was chosen through the competitive RFP process and was selected out of four proposers. The people interviewed by JLA provided favorable comments, highlighting their engagement and rapport with the community. JLA's willingness to visit the community and interact face-to-face underlines their dedication to building genuine connections. Ms. Cribbins continued by saying the community engagement plan serves as a foundational framework for achieving a transparent, collaborative, and an exclusive approach to the project development process. This plan is separate, this stand-alone effort, not associated with or connected to the formal NEPA process. NEPA and the regulatory processes will be led by the selected federal lead agencies. This was a separate effort by the Port to be as transparent as possible and try to get community concerns out before this process starts.

Adrienne DeDona and Franziska Elliott presented highlights from the engagement process that they conducted over the last couple of months as well some recommendations for engagement moving forward. As this project gets into design development and hopefully a collaboration with the lead federal agencies leading the NEPA process and environmental statements.

Ms. DeDona shared that the organization was established 35 years ago with the belief that community members impacted by public projects have the right to be involved in them. Over the decades, JLA has participated in thousands of public engagement projects, supporting government agencies and the communities they serve to stay informed, engaged, and involved while fostering opportunities for feedback. Ms. DeDona expressed gratitude to the community for their willingness to engage and share their perspectives.

Ms. Elliott discussed a major theme expressed by those who participated in the discussion, that everyone really cares about this community, regardless of their stance on the project. The goal was to foster trust, transparency, and collaboration. The extensive stakeholder process involved conducting 63 interviews, that represented 68 different individuals and/or organizations. The purpose of the engagement was to build awareness, to gather meaningful input from stakeholders and tribal government to identify concerns and desired outcomes. Also, to prepare for future engagement by understanding communication preferences and barriers to participation. The JLA utilized a thorough and inclusive approach to gather input and perspectives, using what they call the "snowballing" approach. This technique, where initial contacts lead to further recommendations for others to get involved, particularly to reach a broad and diverse set of voices. By supplementing interviews with online questionnaires, they ensured that even those who couldn't participate in person had an opportunity to contribute.

The distinction they made between stakeholders and rights holders, in particular recognizing the unique status of Tribal governments. They did reach out to the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw, as well as the Coquille Tribe, to engage with these critical groups appropriately.

Ms. Elliott highlighted feedback from community members, as presented on slide nine. She reviewed the opportunities identified by stakeholders, with economic growth ranking as the top priority. Other key opportunities included:

- **Creation of family-wage jobs** and the potential to attract diverse businesses, restaurants, and retail due to population expansion.
- **Small business development**, including opportunities for local contractors and suppliers during construction and operations.
- **Infrastructure upgrades**, such as rail improvements, were viewed positively.
- **Investments in utilities and water systems** to support population growth.
- **Renewable energy and green solutions**, along with habitat restoration projects, like oyster recovery initiatives.
- **Community and workforce development**, which highlighted housing concerns but also opportunities to address shortages through new development.
- **Strengthening public services** via expanded tax revenue, as well as workforce training programs and apprenticeships resulting from the project.

Ms. Elliott also summarized some of the key concerns of the community regarding the proposed project, focusing on environmental concerns involving habitat destruction (e.g., grass-fed salmon

nurseries, oyster habitats) and environmental risks from dredging, pollution, and invasive species. Also, infrastructure and safety that involved the aging infrastructure's capacity to support increased population and utility demands. Other concerns involved public safety risks from temporary workforce population and tsunami vulnerability. The possibility of social challenges dealing with housing shortages and overcrowded schools, the strain on public services and limited healthcare facilities. The fear of losing the small-town character and the natural beauty of the area due to industrialization. Also, trust-related issues in communication due to “historical lapse in communication”, the perception of limited community involvement in decision-making, and concerns that current engagement efforts are too late in the process.

Local tribal governments expressed concerns about potential disturbances to sacred sites, burial grounds, and culturally significant areas. Additionally, they emphasized the importance of environmental stewardship to protect critical ecosystems essential to their traditional practices.

Residents of the Empire neighborhood have voiced worries about noise and light pollution, the impact on their views, and the potential misalignment with waterfront development goals outlined in the Empire area blueprint. Nearby communities, including Reedsport, Mapleton, Veneta, Eugene, and others, have raised concerns about traffic disruptions, delays at crossings that could affect commuters and emergency services, and safety risks associated with increased rail operations. These include issues related to noise, air pollution, and the potential for accidents or derailments.

The Community Engagement Plan draft, as shared by Ms. DeDona, includes several key strategies aimed at building stronger relationships with the community, promoting transparency, and ensuring inclusivity in the project. A summary of the important points from the engagement goals and strategies are outlined (slides 14 and 15):

#### **Engagement Goals**

- **Build Awareness:** There is a perception that the community has limited information about the project. There is a need for regular communication and clear opportunities for community members to learn about the PCIP project.
- **Facilitate Participation:** Offer meaningful opportunities for community members to provide input, increasing involved participation in the process.
- **Strengthen Relationships:** Strengthen existing relationships within the community while fostering new connections with other agencies, community groups, and governmental bodies.
- **Promote Transparency:** A key theme is maintaining consistent communication, keeping the community informed about the project's progress, and creating opportunities for involvement in decision-making.
- **Support Inclusivity:** Actively invite and provide access to a wide range of community perspectives, ensuring that diverse voices are included in the project's development.

#### **Key Strategies**

- **Clear Communication:** Transitioning information from an advocacy-focused approach to public-facing communication that is easily understood, with clear and accessible language.

- **Regular Communication:** Maintain regular communication and use accessible formats, including creating a public comment process and a frequently asked questions (FAQ) feature to keep the community updated.
- **Project Advisory Group:** Establish a group that will act as a liaison to the community, ensuring the project remains representative of diverse community perspectives and shaping the direction of the reinvestment plan.
- **Community Engagement Activities:** Hold focus groups, listening sessions, and presentations to community organizations (particularly those serving vulnerable groups like non-English speakers). Provide accommodations to ensure these groups can participate and share their views.
- **Outreach Efforts:** Engage the community through various means like open houses, town halls, and presentations to neighborhood associations, business groups, and other organizations. Add in the online involvement opportunity. This will help to share information, gather feedback, and promote involvement.
- **Accessibility and Location:** Ensure that key milestones and engagement opportunities are spread across different locations such as Eugene, Empire, Reedsport, Charleston, Coos Bay, and Mapleton. Online engagement tools like informational video briefings will also be available, along with outreach through media and mailed surveys.
- **Ongoing Information Sharing:** Consistently provide updated information about the project, ensuring that the community stays informed and involved throughout its development.

In conclusion, the Estimated Timeline created in the draft (slide 16) provides a structure designed to ensure that various community members and stakeholders are involved in different stages of the project, and their input is actively used to shape its outcomes, particularly in areas like environmental impact and community reinvestment.

- **Engagement Activities Aligned with Project Milestones:** The project timeline includes specific points where engagement activities will coincide with project milestones. These activities will allow stakeholders to review and provide feedback on aspects of the environmental statement, as well as social and economic impacts, as detailed in the project report.
- **Opportunities for Feedback:** There are designated moments for stakeholders to learn about the environmental and socio-economic impacts of the project. These opportunities will be paired with structured feedback mechanisms.
- **JLA's Recommendations:**
  - **Three Focus Groups/Listening Sessions:** These would focus on engaging with vulnerable populations, providing them with a space to voice their concerns, suggestions, and feedback.
  - **Five Open Houses/Town Halls:** These events would be both in-person and online, providing an opportunity for the broader community to engage with the project, ask questions, and offer input.
  - **Eleven Project Advisory Group Meetings:** Regular meetings will be held with a specific advisory group to share information, gather feedback, and shape the project's direction.

Commissioner Hamner asked about the section on the timeline where JLA will be connecting with the community from Spring through Summer. The engagement plan included focus groups and listening sessions and utilizing a community organization or local nonprofit to facilitate those engagements. Commissioner Hamner wanted to know which community organization JLA is partnering with. Ms. DeDona responded by saying that at this time they do not have a specific organization to handle the sessions. The proposal mentioned collaboration with an established local nonprofit organization that has deep community connections. This approach is strategic, as it will help with effectively recruiting participants. The Port will need to provide financial support through a subcontracting arrangement with the organization that has been chosen to help with the sessions.

Commissioner Hamner asked if this would be supported by grant money that the Port has already received. Ms. Cribbins responded that there is state funding being used to support the work.

Commissioner Hamner asked how the presentations would be conducted to surrounding communities. Ms. DeDona responded that at this time they do not have a formal procedure for how these gatherings will be conducted, but Port staff could be present at scheduled meetings to share information about the project and answer questions. Ms. Elliott added that JLA could help facilitate those meetings, but it would be helpful for staff to have someone with technical knowledge of the project present. Ms. DeDona added, with the other forms of communication, like FAQ, videos, printed and online distribution of materials will help with a variety of ways community members can find out about the project and get their questions answered.

Commissioner Hamner requested additional clarity on how community members could participate in the advisory groups. Ms. DeDona explained that there would be an open application process. Interested individuals can indicate their interest to staff, who will then review the applicants' information and select members to form a group that reflects a variety of interests and represents the broader community. The advisory group is expected to be sizable, ensuring diverse perspectives. It will likely be formed and convened early next year, beginning with an orientation to the project. Afterward, the group will adopt a regular meeting schedule that continues throughout the project's duration. The advisory group's primary role will include acting as a sounding board for staff, serving as a liaison to the community, and keeping neighbors and colleagues informed throughout the project.

## **5. CONSENT ITEMS**

- A. Approval of November 21, 2024 Regular Commission Meeting Minutes
- B. Approval of November Invoices
- C. Approval of November Contracts Awarded

Upon a motion by Commissioner ViksneHill (second by Commissioner Hamner), the Board of Commissioners voted to approve the November 21, 2024 Regular Commission Meeting Minutes, November Invoices and November Contracts Awarded. **Motion Passed Unanimously.** (Ayes: Stevens, ViksneHill, Hamner, and Roblan. Nays: None. Absent: Edwards).

## **6. MANAGEMENT REPORTS**

All Management Reports were included within the Meeting Packet.



Commissioner ViksneHill asked to receive updates on financial actuals so far and then an update on how the budget might turn out for the second half of the fiscal year. Ms. Richardson responded that she and Ms. Comstock are working on a projection through the end of the year. Commissioner Hamner asked if there will be a work session. Ms. Comstock responded that there will be a work session planned for next month on forecast findings.

## 7. ACTION ITEMS/REPORTS

### A. **2024Res16: Port of Coos Bay Rate Schedule**

As part of the annual budget process, the Charleston Marina Complex rates are reviewed each year and may be adjusted by the Consumer Price Index (CPI) and/or by market analysis. Each year staff surveys the rates and schedules of comparable facilities.

Charleston Marina RV Park rates are evaluated in December of each year to better serve summer customers. This ensures that long-term summer customers do not experience an unknown rate adjustment mid-season.

Port Staff compared similar RV Parks in the region and found the Port's daily, weekly and monthly rates continue to be well below the market average. Port Staff recommends a rate adjustment of 5% for all monthly RV Park Rates. This rate adjustment is based on market analysis, overall maintenance needs, and a projected 11% increase in electrical rates for 2025.

The proposed changes are set forth in the table below. The daily and weekly rates also incur a 1.5% Coos County Lodging Tax and 9.5% Charleston Area Lodging Tax, which are not included in these listed rates.

Rate Type	2024 Rates	Recommended for 2025
Standard Hook Up - Daily	\$47.72	\$47.72 (No Increase)
Standard Hook Up - Weekly	\$263.68	\$263.68 (No Increase)
Standard Hook Up - Monthly	\$703.94	\$739.14
Deluxe Hook Up - Daily	\$50.11	\$50.11 (No Increase)
Deluxe Hook Up - Weekly	\$280.39	\$280.39 (No Increase)
Deluxe Hook Up - Monthly	\$744.50	\$781.73
Pull Through Hook Up - Daily	\$53.70	\$53.70 (No Increase)
Pull Through Hook Up - Weekly	\$295.89	\$295.89 (No Increase)
Pull Through Hook Up - Monthly	\$783.88	\$823.07
Pull Through Deluxe Hook Up - Daily	\$57.73	\$57.73 (No Increase)
Pull Through Deluxe Hook Up - Weekly	\$318.08	\$318.08 (No Increase)
Pull Through Deluxe Hook Up - Monthly	\$842.67	\$884.80
Yurts - Daily	\$68.02	\$68.02 (No Increase)
Yurts - Weekly	\$319.75	\$319.75 (No Increase)

The following are additional proposed changes:

- Increase “Winter Storage” rate in the Charleston RV Park from \$125.00/mo. to \$135.00/mo. This increase is also due to offset the projected 11% increase in electrical rates for 2025.

The proposed red lined 2024/25 Port of Coos Bay Rate Schedule is attached as Exhibit A to the resolution within the meeting packet.

Pursuant to Port Policy, the Rate Schedule must be modified by resolution of the Port Commission. Upon Commission approval of the resolution, the revised Port of Coos Bay 2024/25 Rate Schedule will be republished with an effective date of January 1, 2025.

Upon a motion by Commissioner ViksneHill (second by Commissioner Hamner), the Board of Commissioners motioned to approve Resolution 2024Res16 revising the 2024/25 Port of Coos Bay Rate Schedule effective January 1, 2025. **Motion Passed Unanimously.** (Ayes: Stevens, ViksneHill, Hamner, and Roblan. Nays: None. Absent: Edwards).

Commissioner Roblan asked if the Port’s rates fall on average based on other facilities. Mr. Dwire confirmed that the rates are below average compared to other facilities. Commissioner Hamner asked if the rate changes go to the Charleston Advisory Committee. Ms. Comstock responded that these do not go to Charleston Advisory Committee.

#### **B. Assignment of Track Miles for 45G Tax Credit**

Port staff has worked with Mickelson & Company in the past to arrange assignment of the Port’s Section 45G tax credit on behalf of its 151-track miles of rail line to a third-party Class II railroad for allowable track mile maintenance tax credits.

The Short Line Railroad Rehabilitation and Investment Act, Section 45G of the Internal Revenue Code, creates an incentive for the private sector to invest in rail infrastructure by providing a tax credit of 50 cents for every dollar a railroad spends on track improvements. The credit is based on a track mile formula and is limited to \$3,500 per mile of rail line owned, leased or assigned to such a Class II or Class III railroad at the end of the railroad’s taxable year.

Mickelson & Company is able to assign the Port’s 151-track miles solely for the purpose of the Section 45G credit for \$2,200 per track mile or \$332,200. The fee for this Agreement of Assignment is \$20,838, which provides the Port with revenue of \$311,362. The funds will be deposited into the Port's General Fund and are used to offset overhead, and other expenses related to the Port's ownership of the rail line.

Mickelson & Company has worked with the Port since 2013 and has provided exemplary service in the marketing and assignment of the Port’s 45G Tax Credit.

Upon a motion by Commissioner ViksneHill (second by Commissioner Roblan), the Board of Commissioners motioned to approve agreement to assign track miles for purpose of receiving tax credit revenue under Section 45G of the Internal Revenue Code, including signature authority for

the Port Chief Executive Officer to execute the document. **Motion Passed Unanimously.** (Ayes: Stevens, ViksneHill, Hamner, and Roblan. Nays: None. Absent: Edwards).

**8. OTHER**

**9. COMMISSION COMMENTS**

**10. NEXT MEETING DATE** – Thursday, January 16, 2025, 11:00 a.m.

**11. ADJOURN**

President Stevens adjourned the meeting at 12:40 p.m. and entered Executive Session, as authorized under ORS 192.660(2), to:

(e) conduct deliberations with persons designated by the governing body to negotiate real property transactions;

(f) consider information or records that are exempt by law from public inspection;

(g) consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations;

(h) consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed; and

(j) carry on negotiations under ORS Chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.

✓ Public comments of Michael Graybill

Before the Port of Coos Bay management Commission Meeting

19 December 2024

Members of the Management Commission:

Good morning. I am Mike Graybill from Charleston

At multiple meetings over the past 12 months, I have appeared in person to request information related to the proposed PCIP project. I have submitted specific questions and requested information in oral and written testimony. I am here today to state that I have yet to receive any responses. So, I will repeat these recommendations and questions again today.

1. Has the port commission established decision criteria that will be used to determine whether or not they should pursue the PCIP project and, at what stage in the exploration of the PCIP project will these criteria be used?

2. I have encouraged you to develop a more comprehensive understanding of the origins and history of the plans to expand the navigation channel depth to 45' deep and 450' wide. As far as I can tell, these plans began sometime in 2006.

[https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://orule.org/wp-content/uploads/2016/05/ORULE-1.pdf&ved=2ahUKEwjom4vP1bKKAxWbxuYEHR7JOt8QFnoECBcQAQ&usg=AOvVaw1Nqpcw\\_LCSzZJrc7P9cex0](https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://orule.org/wp-content/uploads/2016/05/ORULE-1.pdf&ved=2ahUKEwjom4vP1bKKAxWbxuYEHR7JOt8QFnoECBcQAQ&usg=AOvVaw1Nqpcw_LCSzZJrc7P9cex0)

Since that time, the composition of the port commission has completely turned over and Senator Wyden has been briefed on this proposal by no less than six port executive directors. Aside from this significant turnover of personnel, the locations of the shoreside development proposals used as the rationale for the channel expansion have varied as have the proposed types of vessels likely to use an expanded channel.

Given the protracted history of the port's channel expansion efforts and the spectrum of proposals used to justify the costs and consequences of the work, in previous meetings I have recommended that the commission direct the staff to compile a history of the navigation channel expansion plan as well as a history of the proposals and people that have played a role in advancing the plan. Compiling a history will make it possible for the current staff and commission to understand how the specifications for the project were initially developed and how they have been adapted to accommodate the various proposals that have been associated with it. I am here today to ask if the commission has discussed this recommendation or if the commission has any plan to act on this recommendation.

3. Following the news that the Port's 2023 MEGA grant application was not selected, I appeared before you to request information regarding the status of and plan for the \$55 million state bond funds appropriated by the legislature to provide non-federal cost share for the federal MEGA grant. My initial oral and written request was submitted at the December 2023 commission meeting. I never received a response to that request. More recently, I resubmitted this request in oral and written form at the November 2024 commission meeting. I have not received a response to this second request. I am here today to request a response to this question for the third time.

Thank you for this opportunity to raise these issues again. I continue to look forward to receiving your responses.

✓ Good Morning Commissioners,

My name is Patrick Momsen and I live at 468 S Empire Blvd. I have owned my home for over 30 years. It is a spectacular spot right on the bay south of the Empire Boar Ramp. You could say I am one of the lucky folks Val Hoyle referred to as “one of the people opposed to the PCIP because they will lose their view.” Yes, I stand to lose my view, and much more.

I realized how much more I will lose when I reached out to a few of my neighbors about the project. Funny thing, my neighbors didn't know much of what was to come and how things will change in the Empire District.

Luckily, I came across the Army Core of Engineers Report produced for the International Port of Coos Bay **Proposed Section 204(f)/408 Channel Modification Project**. In it, I found that the PCIP was a bigger more invasive project than I had expected.

Here is what I found out I would lose as a result of the planning, construction and completion of the PCIP:

1. Blasting in the bay would begin to widen the channel. The result could, be a shifting of my house foundation, lessening my home's value.
2. The project is to be built across the bay from the “Hollering Place”, a recognized Native American Cultural Site. This special place was used to transmit by voice, messages between early inhabitants across the bay. The PCIP will bring a new level of noise to the Empire Area.
3. The turning basin would accommodate ships twice the current size of those travelling into Coos Bay. Those ships produce dangerous air emissions and pollution. This would affect my health because I have asthma.
4. The size of the PCIP would produce light pollution that would rival other large Ports on the west coast. Harsh lighting will affect my property values.
5. Incoming ships discharge into the bay. Bigger ship will discharge more. The bay and shoreline will be affected by chemicals and invasive species.

These are some effects as a result of the PCIP.

But, I wanted to know more about the PCIP. So, I called for a quick meeting at the Dolphin Theater and invited my Empire neighbors to come together to learn what we could about the possible changes that would take place because of the PCIP. On such short notice, I thought maybe we would have 5-10 folks.

Well, I was surprised that over 50 folks showed up. More folks said they would have come if I had given more notice.

Most of the attendees knew very little if anything about the PCIP. Most hadn't seen a map of the project. Most thought that jobs would be a plenty if the PCIP goes through. Most thought the project would lead to growth. Most didn't realize that the PCIP was right across from the Hollering Place in the Empire District. Most didn't think "What is in it for us?" How would Empire benefit?

Most felt after hearing the overall scope and objectives of the project that their property values would be affected. They would be affected by the light, the noise and the pollution from the ships and port.

I have attached the meeting agenda for your records to show that it was our intent to ask and gather questions for the Port.

The property owners in Empire know very little about the project and most feel that the plans are so advanced that they have no voice or say in the matter.

Although many of the questions are said to answered in the JLA Report, I am requesting that the answers to each of the questions posed by the citizens of Coos Bay be provided in writing so as to serve as the public record.

Thank you for your time.

Patrick Momsen  
468 S Empire Blvd  
Coos Bay, 97420

## PCIP Community Meeting; Questions from the Residents

Patrick Momsen [Patrick.momsen@gmail.com](mailto:Patrick.momsen@gmail.com)

1. How many Coos Bay folks are currently working on the expansion of the Jetty?

Suzi Retz. [retzloe@gmail.com](mailto:retzloe@gmail.com)

1. How much would truck use increase?
2. Have any permits or approvals happened yet?

Sue Lee [meralee4@gmail.com](mailto:meralee4@gmail.com)

1. Will the hours of operation be 24/7?
2. Is this a prudent investment keeping in mind the current China/US relations?
3. Will fishing vessels be blocked when shipping vessels are in transit in the bay?
4. Will employees earn \$100,000+ /year to be able to afford buying in the new housing development?
5. What will happen during a tsunami?
6. Will hazardous cargo be transported through Coos Bay?
7. How will the project impact the snowy plover nesting area?
8. My husband and I have worked 5 years with contractors repairing and remodeling a home only to find it directly across from the proposed terminal location. This month finally obtained a license for use as a vacation BNB rental. The noise, light pollution, and potential diesel fumes/pollution will impact both our business and property values, and cripple plans we have for development on our adjoining lots as well as with a home in the next block over. What compensation is being offered to Empire home owners?
9. The next generation of cargo ships, with shore power capabilities, will be too large to navigate our small bay. Many of the existing cargo ships have not been retro-fitted with shore power capabilities and spew diesel fumes the entire time they are in port. Since the proposed terminal is touting "greenness" will these older, unimproved vessels be banned?
10. How many local managers and crane operators will this proposed facility employ? What other jobs would be available to local workers?

CJ Blaney [cjblaney46@gmail.com](mailto:cjblaney46@gmail.com)

What will be done to mitigate:  
pollution from lights, ship exhaust and noise?  
the destruction of eel grass?  
the pressure on the fishing industry by crowding in the bay?

John Bozzo [stovepipe467@icloud.com](mailto:stovepipe467@icloud.com)

1. How will this effect property values in empire?  
Area which will need expansion look limited.
2. How much of the PCIP operation will be automated?
3. What property tax revenues will be generated?  
This seems like a big plan for a limited site.
4. Why not conduct a community survey with some of the grant money?



Nicole Stagner [stagnic@hotmail.com](mailto:stagnic@hotmail.com)

1. What will be the light radius around the terminal and around the ships?
2. Why is the Port building a terminal for only smaller ships that are not the ships of the future?

Jan Hodder [jhodder111@gmail.com](mailto:jhodder111@gmail.com)

1. What entity will run the PCIP?
2. What, if any, shipping companies have been identified to do business with the PCIP?
3. Will North Point provide funding and management of the PCIP?
4. What terminal operator will run the PCIP?

Cliff Taylor [vettelvr50@gmail.com](mailto:vettelvr50@gmail.com)

1. What are the timelines for dredging the bay?
2. What is the timeline for the construction of the site?
3. What is the expected noise level and hours of operation?
4. What is the timeline for improving the train tracks?
5. What is the timeline for the necessary permits to be completed?
6. What effect on property values can be expected?
7. When will the first ships arrive?

Paul Poresky [oregonoldgrowth@gmail.com](mailto:oregonoldgrowth@gmail.com)

1. Has there been a comprehensive cost/benefit analysis including a concrete projection on terminal usage and revenues generated therefrom, and factoring in the cost of diminished revenues from tourist activity, fisheries, and the cost, mostly borne by the tax payers to continually dredge for these big ships, and to provide other subsidies?
2. Why are we investing so much capital developing a facility that handles tons of shipping, much of which may be toxic, on a site which is smack in the middle of the most vulnerable tsunami hazard zone?

**Anonymous**

What migrating species use the corridor and how will they be affected by the noise and transportation?

**Anonymous**

Is 75 years a long enough lease?



Testimony for the Port of Coos Bay  
19 December 2024  
Christine Moffitt, PhD

I am among the many citizens here today to again point to the lack of transparency and lack of engagement by the Port of Coos Bay with the community in your operations and focus.

Economic development is one of the missions of ports but the vision for economic development that port leadership has embraced for decades is one that disregards the reality of true economic operations.

The Port operations as demonstrated here today appear to be based upon a concept of economic development that is an artifact of colonization. I translate it as "We know what is needed for you poor citizens and we are here to provide that." The Port continues to pursue large scale development projects that involve out of town and out of region entities that are known for boom-and-bust economic drivers with the investments serving stockholders elsewhere. The repeated statements that in the 1960 to 70s we had hundreds of ship calls to the port, and were bustling with industry are stated as if that was a reasonable and prudent sustainable economy.

Economic development agencies appear not to be evaluated and funded based upon performance or results. The general public is promised jobs and a broader tax base that can fund needs, but does that really deliver? The concept of sustainable economic development is one that is driven from within the community and involves and integrates within the local needs, and local dollars generated and retained in the community. We are still dealing with the legacy of toxic chemicals that were left behind by the paper mills and mining of the past. The exiting industries leave these legacies for communities to deal with.

The list of export and import ideas here has been long, just a decade or so ago we were looking at exporting coal, importing then exporting LNG. Do any of those operations create and support long term community goals? What are the costs?

The millions of dollars that have recently been provided to the Port for studies and planning for the proposed PCIP and other iterations of how to enlarge our small estuary to support large ships are not providing salaries or developing opportunities for local residents. These studies conducted to determine how to dredge and enlarge the federal navigation channel are contracted to consulting and engineering firms elsewhere.

Our Charleston fishing community has pleaded for support of their livelihood. We have many scientists here that are working to increase understanding of the importance of estuary systems for our fish and wildlife populations.. Yet the grant proposals lauded are not ones that will rebuild the Charleston dock infrastructure to support existing a develop attractive facilities for local businesses. We need partnerships with the Port to pursue opportunities for large scale restoration programs to deal with sea level rise and flooding that challenges all of our roads, businesses and existing infrastructure.

Our local League of Women Voters of Coos Bay has engaged and studied the actions of the port since the 1960s. Our latest summary report completed last year is posted on the league's web. I urge you to read this to understand the legacy and repeated failure of visions in understanding economic development.

I ask once again for you to listen to our community and work collaboratively and realistically at who we are and together address what we can be.

12.19.24

While I recognize the J.L.A. document is a summary only, I would like to note one specific shortcoming and offer one, I hope, constructive suggestion:

1. The impact on recreational fishing and other water related activities on the west bay by the PCIP was not high-lighted.

The Empire Blueprint Plan, about to be adopted by the City of Coos Bay, is in large part, the result of years of work by the Community Coalition of Empire and its supporters. The key to the success of this plan for economic development is to grow recreational fishing and related activities with major upgrades to the Hollowing Place boat ramp and waterfront and with CBEMF in place improve habitat and fishing stock. To locate the PCIP anywhere across from Empire seems to directly conflict with the Blueprint Plan.

2. A constructive suggestion: Formatting and content along the traditional approach of "press and cons" produced a document which felt very homogenized, vanilla and bland... not bad, but not a strong enough roadmap to move things along.

-2-

A would suggest a third, <sup>more neutral</sup> grouping or category labeled "questions and concerns" with a clear formatting of exactly that "questions and concerns" spelled out specifically and by category.

This would allow the Port to answer specifically and transparently to the public and with periodic updating give us what we are all asking for: clear information and dialogue.

In the end, it is the hard scientific facts that will determine the outcome and success or not of this project.

Why not build it in from the beginning?

✓ STEVE SKINNER

2310 Lombard St.

NORTH BEND, OR. 97459

541.756.3857

s.skinner80@hotmail.com

I am Tallon Trentz with the International Union of Operating Engineers Local 701; I am the southern Oregon field representative. The IUOE Local 701 represents nearly 4,000 workers in Oregon and Southwest Washington. We are committed to fighting for safe and fair working conditions. I am also a delegate for the southern Oregon building & trades council.

I am here today to support the project of the shipping cargo container facility and hope that we can start breaking ground on this project, I was born and raised in Coos Bay and live here currently, throughout my life time I've seen this area which I love dearly pass up opportunities for growth and development I'm hoping with the shipping container facilities we can put this community back on the map once again for not just tourism but as a much needed import & export port once again. With the growing need for trade workers this project will put a lot of people to work. With apprenticeship programs and good paying jobs with benefits the future generation will be able to have opportunities once they graduate school and go straight to work making great livings for themselves and their families. In my role as southern Oregon field representative, I've been part of doing outreach programs with our simulator with the Local 701 and going and speaking at schools letting the younger generation know about apprenticeship programs and the opportunities they could have after high school.

This is a great area to live and a great place to raise your family and with the shipping cargo container facility it will bring great jobs with good benefits back to this area once again and having the opportunity to not leave your hometown in search of a great career is another reason why I support this shipping container facility project.

Thank you in Solidarity,

✓ Tallon Trentz- Southern Oregon Field Representative IUOE 701

Port of Coos Bay Board of Commissioners Meeting, December 19, 2024  
Comments to be included in minutes.

Good morning,

Thank you for serving on the Port Board.

Thank you for this opportunity to express my thoughts about the proposed Container Ship Terminal.

It's come to my attention that you are appointed by the Governor, not elected by the people of Coos County.

You serve Salem and the Willamette Valley, not Coos Bay, North Bend and the Coast

That is clear.

The various dubious ventures you have attempted to foist on us here on the coast prove that. Proposals like LNG, and now a container terminal, profit others elsewhere and cause great harm to our quality of life and our greatest asset, the natural beauty of our area which is a beacon for tourists throughout the world.

The Container Ship Terminal, deceitfully labeled as an Intermodal Port, is the most recent example.

It's a money maker for the people at both ends, the ones sending the containers and the ones receiving them.

It's a major inconvenience for all of us in the middle, people living here in Coos County.

The Coos Bay shipping channel is not currently able to accommodate these giant ships.

They are over four football fields long with a draft of nearly 50 feet.

Creating and maintaining a channel wide and deep enough is harmful to all manor of aquatic life, and a major expense that we all bear.

The amount of noise, light, air and water pollution from terminal activities is staggering, and on a level never seen in Coos Bay. 12,000 twenty foot long containers unloaded, and 20,000 twenty foot long containers loaded for every ship.

That's why other container ship terminals are far away from residential areas.

Why are we investing so much capitol developing a facility which handles tons of shipping, much of which may be toxic, on a site which is smack in the middle of the most vulnerable tsunami hazard zone? Surely there are better ways to develop the Port.

Lastly, if we build it, will they come. The shipping industry is very volatile.

It's a risky site, and a risky business.

Respectfully submitted.

Paul Poresky  
195 N Wall St.  
Coos Bay, Or 97420  
541-404-8267



**Public comment December 2024 Port of Coos Bay Commission Meeting by Jan Hodder Dec 19, 2024**  
[jhodder@uoregon.edu](mailto:jhodder@uoregon.edu)

✓ Good Morning – My name is Jan Hodder and I live in Charleston.

As you all know I have serious concerns about the long term economic feasibility of the PCIP project. I am in the process of reading the channel navigation studies posted on the port's website which I hope that you too are reading. I am commenting today on the Appendix C report. This is the economic justification for the proposed improvements to the federal navigation channel as part of the PCIP project.

This appendix, the authors of which are not noted, is an analysis comparing the cost of shipping two million containers a year from Busan, South Korea to either Coos Bay or several east coast ports including the Port of Norfolk, Virginia which is used in the report for the vessel operating costs, and then delivering those containers to markets in western inland states.

The assumptions used in this report need serious consideration. In the three minutes that you allocate for public comment it is not possible for me to outline what I see as the inadequate due-diligence shown by the consultants hired by the port to write this report. But just a few examples:

- The analysis uses containerized cargo data from 2022 as the basis of forecasts of future volumes to be handled by US ports. These data are from the Covid pandemic era which we know are unusually high. More recent data should be used for this analysis.
- The analysis is based on an assumption that Asia-North America cargo handled at East and Gulf coast ports is presently transported to and from inland US states only via trucks, and that these ports will continue this practice into 2050. This is not going to be the case. For example, The Port of Virginia, which includes the Port of Norfolk, has just completed an \$83 million rail yard project increasing the port's capacity to handle 2 million TEUs annually. These types of data makes the report's cost comparisons out of date and unreliable.
- The report also assumes that a Coos Bay port will be the only rail served port option available to shippers moving cargo between Asia and US interior states until 2050. Rail options now exist at every major port and are expanding greatly, which makes this assertion invalid.

One reason in the report for a Coos Bay cost savings over east coast ports is because you don't need to go through the Panama Canal to get to Coos Bay from South Korea. Melissa's recent presentation to the Bay Area Chamber luncheon on Dec 11 noted that Coos Bay would be 40% faster than Savannah, Georgia for freight routed from Asia to Chicago. Why the Savannah comparison? Savannah has two Class 1 on-terminal rail facilities. Why not compare Coos Bay with LA/Long Beach, Seattle, Tacoma, Lazaro Cardenas all of which also have rail ability? I would like to know why they were they not included in the study?

I would urge those of you making decisions about whether the PCIP is a good investment of federal and state funds to read the consultants report, and evaluate its many assumptions used to support the PCIP project. It is imperative that, if we undertake this development, you can assure us that there will be a successful long term outcome from this project.

Please accept this comment for the minutes of the Dec. 19<sup>th</sup> 2024 port commissioner's meeting.

Dean Lundie  
Divine Nature Academy  
100 Newmark Avenue  
Coos Bay, OR 97420

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*miely60s@barric.com*  
December 13, 2024

Subject: Demand for Public Records Related to Environmental Studies, Funding, Dredging Operations, Material Transport, Contingency Plans, and Army Corps of Engineers Involvement *PCIP*

To whom it may concern,

Pursuant to the Oregon Public Records Law (ORS 192.410-192.505), I am formally requesting access to and copies of all public records related to the Coos Bay Rail Line and associated operations. This request specifically includes the following:

1. Environmental Studies and Reports: All completed, ongoing, or proposed environmental studies regarding dredging operations along the Coos Bay Rail Line. • Documentation detailing the potential environmental impacts of these dredging activities, including assessments of ecosystems, water quality, and wildlife habitats.
2. Funding Sources: Records showing all sources of funding allocated to the Coos Bay Rail Line, including public and private contributions, grants, or loans related to the rail line's development, maintenance, or environmental initiatives. • Specific details regarding the use of these funds for dredging operations, including any allocations for the deposit or management of dredged spoils.
3. Dredging Operations: All records describing the extent, location, and methods of dredging operations conducted along the rail line or its adjacent waterways. • Reports, permits, or studies related to the disposal of dredged materials, including spoil locations, volumes, and environmental compliance measures.
4. Materials Transported via Rail Line: Documentation detailing the types of materials currently or proposed to be transported along the Coos Bay Rail Line, particularly from any container cargo offloading facilities. • A comprehensive list of all hazardous materials (HAZMATs) being transported or planned for transport, including their classification, volume, and frequency of movement.
5. Contingency Plans for Future Hazards: Copies of any emergency response plans, contingency plans, or risk mitigation strategies for potential shipwrecks



involving container vessels navigating the Coos Bay bar or the jetty. • Contingency plans and safety protocols for future derailments involving hazardous materials along the Coos Bay Rail Line, particularly on the route between Coos Bay and Eugene, Oregon. • Any agreements or communications with state, federal, or local agencies outlining emergency response coordination, including provisions for spill containment, evacuation, and environmental remediation. • Training materials, incident simulations, or preparedness assessments conducted for potential disasters, including shipwrecks and HAZMAT-related rail incidents.

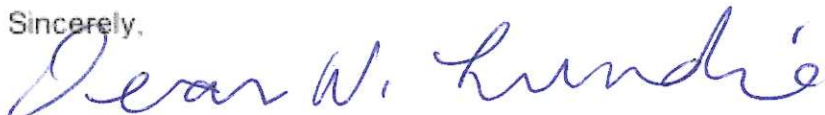
6. Army Corps of Engineers Involvement: Copies of all plans, maps, and associated documentation created or submitted by the Army Corps of Engineers regarding this rail cargo container ship-to-rail project. • All permit applications related to dredging, construction, or other operations tied to this project. • Records identifying all investors or stakeholders involved in funding, developing, or supporting this project, including any agreements or contracts made with private entities or government agencies.

7. Compliance and Oversight: All communications with state or federal agencies related to permitting or compliance for dredging activities, cargo offloading, materials transport, disaster response preparedness, and Army Corps of Engineers involvement. • Any correspondence, reports, or studies regarding adherence to applicable environmental and safety regulations, including NEPA and state-level requirements.

Request for Public Record Format I request that these records be provided in electronic format where possible, or as physical copies if digital versions are unavailable. If any of these records are withheld or redacted, please provide a written explanation citing the specific legal exemptions that apply. Time Frame for Response As provided by ORS 192.329, I expect a response to this request within five business days. If the records cannot be provided within this timeframe, please inform me of the anticipated date for the release of these records and the reason for the delay. Fee Waiver Request Given the significant public interest in the environmental, safety, and economic implications of this project, I request a waiver of any fees associated with this request. However, if fees are unavoidable, please notify me in advance of the total cost.

Thank you for your prompt attention to this matter. I look forward to your timely response and am happy to clarify any part of this request if needed.

Sincerely,



Dean Lundie