

January 12, 2026  
9:00 A.M.  
Newport, OR

## PORT OF NEWPORT COMMISSION SPECIAL MEETING MINUTES

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

The Port of Newport Commission met on the above date and time virtually via Microsoft Teams. In attendance were Commissioners Sylvia, Retherford, and Dziak. Commissioners Ruddiman and Lackey were excused. Also in attendance were Executive Director Paula Miranda, Deputy Executive Director Aaron Bretz, Finance Director Mark Brown, and Administrative Assistant Gloria Tucker.

### NEW BUSINESS

**Approval of Ballard Agreement for Sunken Vessel Removal.** Sylvia introduced the agenda item. Bretz reported the fishing vessel Eclipse was abandoned a couple years back, towed out of fuel by the Coast Guard. He stated the Port has been keeping watch on it, and staff made a round on December 24. He explained after that and prior to 8 a.m. on December 25, something changed with the vessel significantly, and it took on a bunch of water and sank. He noted, initially, the Port made the national response center report and talked to the environmental agencies to let them know the situation. He indicated staff deemed the pollution threat as low because there's not hardly an fuel and not much of a sheen. He added on Friday morning, with tidal changes, the boat had shifted back and forth, and it allowed a small amount of fuel to vent out, making a bit more of a noticeable sheen.

Bretz reported staff decided to get this out of the water to prevent any future sheens developing and to protect the marina. He stated staff solicited proposals and only have one proposal from Ballard. He suggested declaring the situation an emergency. He explained that means the procurement process takes the one proposal and moves forward to get this out of the water. He noted part of that is an assessment on the Port's part that the offer is a fair one. He indicated he thinks it is fair based on the experience the Port has had with other sunken and abandoned vessels. He added this is an 82-foot wood boat.

Bretz reported staff don't know exactly why it sank. He stated given the unknowns and the size of boat, this is a fair proposal. Miranda noted the Coast Guard is watching over this, and the Port does not want to get into trouble with them. She added DSL, through the derelict vessel program, will look into reimbursing the Port for this. Bretz noted an email in the packet states they intend to reimburse the Port. He indicated the Port received a notice of federal interest, which means the federal government is keeping an eye on this and expects the Port to do the right thing to prevent environmental impacts. He explained they watch how the Port responds, and if, at some point, the Port is not doing anything, they step in, and they are not concerned about cost. He added there is potential for penalties.

Dziak asked if the Port needs any permits from the Coast Guard. Bretz replied no permit is required. He added the Coast Guard is concerned with marine traffic obstruction. Retherford noted the proposal estimates three days. She asked if it goes further than that, is there a price increase. Bretz replied there is potential there for future costs. He explained staff aren't authorized to continue beyond that, and after that time, staff would need to reassess things. He noted staff will

know before three days if it will be problematic and take longer and more money. He added staff will know more at the end of today because Ballard will do a dive on it.

Bretz reported whenever diesel hits the water, it spreads a lot, so a small amount of diesel creates a large sheen that may not be recoverable. He stated that situation is probably where the Port is at. Retherford asked if the three day [reassessment] is in the contract. Bretz replied that is part of the not to exceed amount. Miranda noted on Friday, she went ahead and authorized up to \$50,000, her authorization limit, but staff figure it may cost more than that, so staff came to Commission for additional authorization.

Sylvia asked what do staff do with derelict or abandoned vessels, in terms of fuel and oil. He asked are those removed from the vessel, or it is impossible to remove every ounce. Bretz replied it is impossible to get every ounce out of the tank. He stated he thinks that is what the Port is looking at here. He explained in general, staff take a look at boats and assess the risk of the situation. He noted staff try to determine how much fuel is on boats, and if they have one they are worried about sinking, and staff have the opportunity to get the fuel off, they do.

Sylvia asked at what point does the Coast Guard or DEQ fine the Port for leakage. Bretz replied, usually, it involves the quantity. He explained if someone discharges a recoverable amount of fuel or oil, there is a penalty involved with that. He noted another part of that is how responsive you are. He added, generally, the Coast Guard is about gaining compliance, but, by the book, regardless of quantity, anyone is subject to penalties.

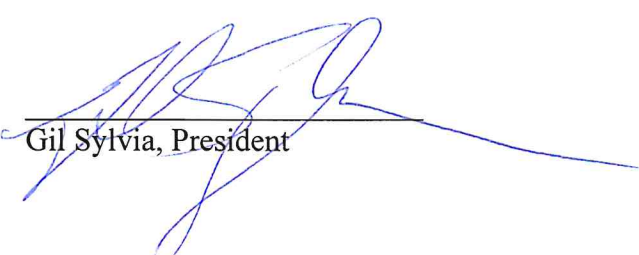
Dziak noted in the DSL letter in the packet, they ask questions about how the ship will be handled. He asked is that part of the funding from DSL, to report and follow up. Bretz replied it is not a hard and fast requirement, but they are going to want to know what's going on with the disposal side. He explained as soon as he has all the details worked out, he tells them. He added he keeps them well apprised of what is happening with disposal. Miranda explained the fact that DSL owns the submersible lands means they are interested in if a vessel is not intact and moving, impacting traffic in the bay and channel.

Bretz suggested adding to the recommended motion the declaration of emergency.

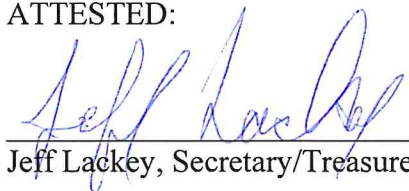
MOTION was made by Retherford, seconded by Dziak, to authorize the Executive Director or her designee to contract with Ballard Marine Construction not to exceed \$100,000 for the removal of the Eclipse from the marina and declare an emergency. Sylvia, Retherford, and Dziak voted in favor.

### ADJOURNMENT

Having no further business, the meeting adjourned at 9:17 a.m.

  
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Gil Sylvia, President

ATTESTED:

  
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Jeff Lackey, Secretary/Treasurer