

**AGENDA**  
**PORT OF SIUSLAW COMMISSION MEETING**

Wednesday, July 19, 2023, 7:00pm  
Port of Siuslaw Conference Room  
100 Harbor St, Florence, OR 97439

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Terry Duman, President;  
Bill Meyer, 1<sup>st</sup> VP, Dale Edwards, Treasurer, Craig Zolezzi, 2nd VP  
Mike Buckwald, Secretary

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Join Zoom Meeting

<https://us06web.zoom.us/j/89233160588?pwd=V0F5WVFqSktQQTbtZmdxa2g0RkRZUT09>

**Call to Order**

**Duman**

**Public Comment:** *This is an opportunity for members of the audience to bring to the Commission's attention any item not otherwise listed on the agenda. Comments will be limited to five (5) minutes per person, with a maximum time of 15 minutes for all items. Speakers may not yield their time to others.*

1. **Oath of Office – Dale Edwards** **Duman**
2. **Approval of the Agenda by consent** **Duman**
3. **Siletz Anglers Assoc – Scott Amerman**  
**Northwest and Southwest Zone Chinook bag limit reductions**
4. **Approval of the Minutes by consent** **Duman**
5. **Approval of the Financials by consent** **Stewart**
  - a. Checks printed in June were \$100,947.73.
  - b. Occupancy for the Campground was down 1% from last year and moorage was down 5% from last year.
6. **Assigning Commission Officers, approval of meeting schedule for FY23-24 and Committee Assignments.**
7. **Manager and Commissioner Reports**

**Upcoming Meetings and Conferences**

- **August 16, 2023, Commission Meeting 7:00pm**
- **2023 Siuslaw Awards, 3 Rivers Casino July 21, 2023 from 5:00pm to 8:30pm**

**Adjourn**

**Duman**

Oath of Office

Please raise your right hand and repeat after me.

I, (first) (last), do solemnly swear

I will support the Constitution of the United States of America,

and the Constitution of Oregon,

and the laws thereof,

and that I will faithfully and honorably

discharge my duties

as Commissioner of the Port of Siuslaw.



# CAROLLO LAW GROUP

**Dominic Carollo**  
Managing Attorney

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2315 Old Hwy 99 S., Roseburg, OR 97471

July 11, 2023

## Via Email and US Mail

Curtis E. Melcher, Director  
Oregon Department of Fish and Wildlife  
4034 Fairview Industrial Drive SE Salem, OR 97302  
[curt.melcher@odfw.oregon.gov](mailto:curt.melcher@odfw.oregon.gov)

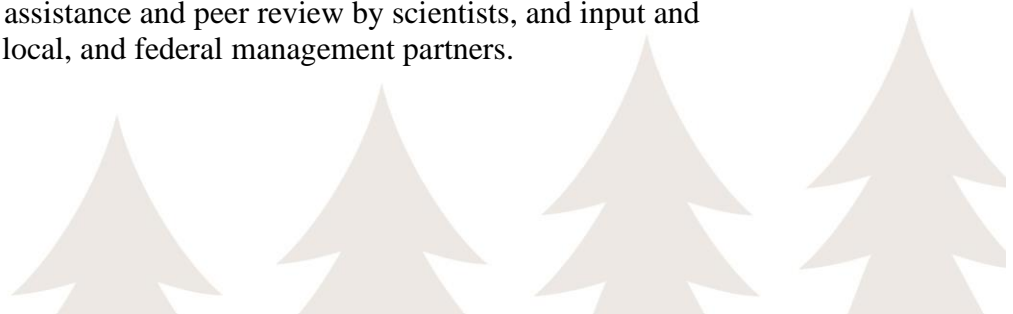
### **Re: Northwest and Southwest Zone Chinook Bag Limit Reductions**

Dear Director Melcher:

I am writing you on behalf of Siletz Anglers Association, fishing guides Scott Amerman, Grant Scheele, and Mike Kelly, and tackle manufacturer Mike Glass dba Oregon Rod Reel & Tackle to provide you and the Oregon Department of Fish and Wildlife (collectively, “ODFW”) notice that the recently-adopted temporary rules titled “Northwest and Southwest Zone Chinook Bag Limit Reductions and Area Closures” (“Chinook Rules”) are unlawful. The Chinook Rules violate the rulemaking requirements of ORS 183.335, violate the agency’s own procedural requirements for native fish management, and inexplicably depart from the procedures and standards contained in the Coastal Multi-Species Conservation and Management Plan (“CMP”). For these reasons, among others, my clients are requesting that you immediately rescind the temporary Chinook Rules and adopt regulations that are consistent with the guidelines of the CMP in its management of the chinook fisheries along the Oregon coast. If you are not willing to follow the CMP, or discuss other alternatives with my clients, my office is prepared to file a legal challenge to the Chinook Rules to protect the interests of Oregon anglers, as well as the integrity of the CMP, which was cooperatively developed by anglers, conservation groups, and the agency alike through a years-long process to guide ODFW’s management of coastal fisheries. My clients sincerely hope that litigation will not be necessary and that ODFW will change course.

#### **I. BACKGROUND**

The management of Oregon’s native salmon resources is guided by OAR 635–007–0505, implementing the Native Fish Conservation Policy. OAR 635–007–0505 provides that management of native fish shall occur pursuant to conservation plans using the most-up-to-date and reliable scientific info, the assistance and peer review by scientists, and input and involvement from tribal, state, local, and federal management partners.



The CMP is a conservation plan developed pursuant to the process mandated by OAR 635–007–0505. The Executive Summary for the CMP provides that, “[i]n addition to meeting requirements of the NFCP, the CMP provides long-term management direction for species which are relatively healthy, with the intent to help ensure the continued existence of wild fish and the fisheries which wild and hatchery fish support.” The Executive Summary also describes the CMP’s development process, which included input from a focused “Stakeholder Team,” Salmon and Trout Enhancement Program (STEP) groups and the Salmon and Trout Advisory Committee (STAC), a scientific opinion survey, habitat experts, an independent science team (i.e., the Independent Multidisciplinary Science Team [IMST]), and the public through six open houses and a two-month comment period. Development of the CMP began in 2012, and was completed in 2014 with the intent that the CMP be implemented through 2026.

Through this informed and public process, the CMP developed a sliding scale approach for setting chinook harvest levels. The creation of “critical abundance” thresholds allows ODFW to monitor fish populations and restrict harvest opportunities when necessary to protect the resource. Meanwhile, “Predicted Stratum Abundance Cycles” allows ODFW to modify its chinook harvest retention rules based on the strength of returns in any given year. While not perfect, the multi-year developmental process of the CMP, as required by OAR 635–007–0505, provides the procedures and standards ODFW must follow for managing fisheries, including setting bag limits.

Unfortunately, ODFW has shown a disregard for the provisions of the CMP and OAR 635–007–0505 over the past year. In April of 2022, the Commission eliminated the North Umpqua summer steelhead hatchery program, effectively amending the CMP *sub silentio*. Litigation over that decision is still ongoing by this office. Now, most recently, ODFW has decided to abandon the CMP’s sliding scale approach for setting chinook harvest limits, without amending the CMP, much less even attempting to explain why the CMP’s approach is no longer appropriate for Oregon’s coastal rivers.

In short, the Chinook Rules are an unexplained departure from the CMP. In the North and Mid-Coast stratum, ODFW’s own projections indicate that the majority of the rivers will be within an average or high abundance cycle. The CMP’s sliding scale approach therefore directs that the rivers within these abundance cycles be open for angling from August 1 through December 31<sup>1</sup> with “primary limits” of between 2 wild chinook per day/10 per year (“2/10”), and 2 per day, 20 per year (“2/20”). Despite this CMP direction, the Chinook Rules have established retention limits which are far below those specified by the sliding scale, while simultaneously creating retention closures outside of the time limits provided in the CMP. With vague reference to “precautionary” factors, ODFW has rejected the sliding scale approach for 2023, and arbitrarily decided that more-restrictive retention limits would better serve the interests of the public.

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<sup>1</sup> The CMP provides exceptions in the Nehalem River, Siuslaw-Lake Creek, and Coquille River where the primary limits apply during a different date range.

This rejection of the CMP, and adoption of restrictive retention limits for chinook is the source of significant concern for anglers and guides across the state. Therefore, the undersigned parties are prepared to challenge ODFW's arbitrary and short-sighted Chinook Rules on multiple grounds if ODFW does not immediately rescind the rules.

## **II. THE CHINOOK RULES SHOULD BE RESCINDED**

ODFW's disregard for the CMP and establishment of the temporary Chinook Rules is unlawful on multiple grounds, several of which are addressed below. As an initial matter, however, ODFW's apparent disdain for the CMP must be addressed.

It seems clear now that ODFW and the Commission are of the position that the CMP is outdated, or at least inconvenient, for meeting the agency's policy objectives. If that is so, then ODFW must initiate the development of a new CMP, rather than simply ignore the CMP between now and when the CMP is scheduled to be revisited in 2026. The current trend and practice of ignoring governing provisions of the CMP is causing a serious lack of public trust in ODFW and the Commission. From the public's perspective, the CMP struck a difficult, but important, balance that was developed through significant public and scientific input, and reached through compromises and defensible management guidelines. The Chinook Rules, to the contrary, have been adopted with little public input, with little scientific development, and are not premised on defensible scientific data or principles. Rather, the Chinook Rules seem founded on nothing more than a belief that vague conceptions of "precautionary" management is a better approach than the CMP.

My clients, and many other stakeholders, would likely support an early reopening and amendments of the CMP, which must include meaningful discussions and action plans to address the commercial overharvest of chinook in British Columbia and Alaskan waters. However, in the meantime, ODFW must follow the CMP. Continuing to ignore the CMP is unacceptable and is causing severe damage to the public's trust in the agency.

### **A. The Chinook Rules Violate ORS 183.335.**

ORS 183.335 describes the process which must be followed by an agency when adopting rules. ORS 183.335(5) provides exceptions to this process for the adoption of temporary rules, as long as the agency prepares:

- (a) A statement of its findings that its failure to act promptly will result in serious prejudice to the public interest or the interest of the parties concerned and the specific reasons for its findings of prejudice;
- (b) A citation of the statutory or other legal authority relied upon and bearing upon the promulgation of the rule;
- (c) A statement of the need for the rule and a statement of how the rule is intended to meet the need;

- (d) A list of the principal documents, reports or studies, if any, prepared by or relied upon by the agency in considering the need for and in preparing the rule, and a statement of the location at which those documents are available for public inspection; and
- (e) For an agency specified in ORS 183.530, a housing cost impact statement as defined in ORS 183.534.

The sufficiency and accuracy of an agency’s statement pursuant to ORS 183.335(5)(a) is judicially reviewable. *Friends of the Columbia Gorge v. Energy Facility Siting Council*, 366 Or. 78, 456 P.3d 635 (2020). Because public participation is a primary focus of the APA, courts may review whether the ORS 183.335(5)(a) statement accurately and rationally explains why it was appropriate for an agency to dispel with traditional rulemaking procedural requirements. *Id.* at 643. An agency’s decision to adopt a temporary rule pursuant to ORS 183.335(5)(a) instead of a permanent rule following the provisions of ORS 183.335(1) – (4) is reviewable, and the factors necessitating a temporary rule must be explained in the statement of prejudice. *Id.*

Here, the Chinook Rules do not provide the type of serious prejudice which warrants a temporary rule adopted without following standard rulemaking procedures. ODFW’s prejudice statement provides that “there is a substantial likelihood that absent immediate implementation of conservation measures wild Chinook may be adversely affected[.]” ODFW provides no scientific data or other meaningful scientific support for this conclusory statement. Instead, the agency vaguely points to “increased uncertainty in forecasts as a result of changes in the environment.” Yet, ODFW fails to disclose that it is precisely its forecasts that the CMP’s sliding scale is founded upon.

Further, even accepting ODFW’s rationale at face value, ODFW omits the fact that it has held the belief of “changed environmental factors” well in advance of June, 2023. For example, ODFW has had ample time to analyze the estimated shift to el nino, last years’ chinook abundance, and ultimately provide notice and comment opportunities on a “precautionary” chinook retention rule. ODFW’s decision to adopt a temporary rule without formal notice and comment was completely unwarranted and the Chinook Rule’s prejudice statement does not provide an adequate reason for ignoring the procedural requirements of ORS 183.335.

In sum, the prejudice statement provided in the Chinook Rules is arbitrary and capricious, deficient, and unlawful. Therefore, the rules are invalid and should be rescinded.

## **B. The Chinook Rules Violate the Native Fish Policy.**

ODFW’s Native Fish Policy is explicit that the management of native fisheries shall occur through conservation plans. The CMP is the conservation plan guiding the management of chinook in the coastal rivers. Nevertheless, ODFW’s Chinook Rules ignore the CMP and violate the procedural requirements of OAR 635–007–0505.

Because OAR 635–007–0505 requires that the Native Fish Policy be implemented through management plans (when such plans are available), ODFW’s decision to disregard the CMP through the Chinook Rules violates OAR 635–007–0505. ODFW has further violated the

procedural elements of OAR 635–007–0505, which describe the necessary contents of management plans and the process for developing such plans.

By bypassing the CMP, ODFW has ignored and violated its own procedural guidelines for managing native fisheries. This renders the Chinook Rules invalid.

### **C. The Chinook Rules Violate the CMP and Implementing Rule.**

As explained herein, the CMP provides a sliding scale for managing chinook retention. This approach was reached through a years-long process with many stakeholders. The CMP is implemented by, and incorporated by reference in, OAR 635-500-6775. This rule states, among other things, that ODFW “*shall consider and attempt to implement these management strategies [in the CMP] designed for the SMUs as a whole, and for constituent populations as applicable, as mechanisms to reach the desired status.*” The CMP itself states that the plan is “is intended to provide relative management *certainty* for hatchery programs and harvest options until re-assessment occurs in 12 years” and that the “agency is committed to implement[ing]” the CMP (emphasis added).

Despite these procedural requirements and agency assurances in OAR 635-500-6775 and the CMP, ODFW is acting in a manner directly contrary to the plan. ODFW is therefore failing to comply with its own procedural rules found at OAR 635-500-6775.

Additionally, in the federal context, an agency cannot silently depart from its former rules without explaining the reasons behind its departure. *See F.C.C. v. Fox Television Stations, Inc.*, 556 U.S. 502, 129 S. Ct. 1800, 173 L. Ed. 2d 738 (2009). While this rule of law has not been formally adopted by Oregon courts, its justification is nonetheless applicable here. In order to ensure that agency rules are not adopted arbitrarily, and are actually governed by meaningful procedural standards (*see, e.g., Oregon Ass'n of Rehab. Pros. in Priv. Sector v. Dep't of Ins. & Fin.*, 99 Or. App. 613, 617, 783 P.2d 1014, 1017 (1989)), an agency must explain the reasons behind a sudden departure from prior-enacted rules. ODFW has not done so here. It has departed from the terms of the CMP without justification or explanation. Therefore, ODFW should rescind the Chinook Rules and comply with the CMP and OAR 635-500-6775.

### **III. CONCLUSION**

Based on the foregoing,<sup>2</sup> the Chinook Rules are unlawful and invalid. Accordingly, ODFW should immediately rescind the Chinook Rules and apply the sliding scale approach dictated by the CMP. My clients would be happy to sit down and discuss regulations that comply with the CMP. However, if ODFW does not reach out to engage or otherwise take appropriate action on or before July 14, 2023, my clients are prepared to challenge the rules under ORS 183.400 and seek a stay, or partial stay, of the rules taking effect.

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<sup>2</sup> This letter is not intended to provide an exclusive or exhaustive list of reasons why the Chinook Rules are ultra vires.

Please direct future correspondence regarding this matter to me.

Sincerely,



Dominic M. Carollo  
DMC/kh

Cc: Clients  
Anika Marriott, Esq. ([anika.e.marriott@doj.state.or.us](mailto:anika.e.marriott@doj.state.or.us))  
Steve C. Emerson ([steven.c.emerson@odfw.oregon.gov](mailto:steven.c.emerson@odfw.oregon.gov))





**MINUTES**  
**PORT OF SIUSLAW COMMISSION MEETING**

Wednesday, June 21, 2023, 7:00pm  
Port of Siuslaw Conference Room  
100 Harbor St, Florence, OR 97439

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Present: Terry Duman, President,  
Bill Meyer, 1<sup>st</sup> VP, Robert Ward, Treasurer, Craig Zolezzi, 2nd VP  
Absent: Mike Buckwald, Secretary

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Join Zoom Meeting

<https://us06web.zoom.us/j/89370381971?pwd=dDg4aUhYZGF2dkJlZWxmSXBzV3lzQT09>

**Call to Order 7:00pm**

**Public Comment:** *none*

**1. Approval of the Agenda by consent**

**2. Approval of the Minutes by consent**

- a. 5-17-23 Meeting Minutes draft

**3. Approval of the Financials by consent**

Huntington said the checks printed in May were \$82,456.04 and Occupancy for Campground was down 2% from last year and moorage was down 6% from last year. He also said our MMA account interest raised to 4.05 percent instead of 3.75 percent. Duman asked about the campground being down 2% and Huntington said it's the occupancy and not the revenue.

**4. Budget FY23-24**

- a. Public comment - none
- b. Resolution 6-21-23 adopting FY23-24 Budget, Making Appropriations and Levying Taxes.  
Motion by Ward  
Second by Meyer  
Vote is unanimous.

**5. Manager and Commissioner Reports** – Huntington presented Ward a plaque for his dedication and loyalty to the Port. Ward said it has been awesome to serve and that Dale Edwards will be great for the Port. Duman asked if we had started preparing the 4<sup>th</sup> of July. Huntington said yes. He also said we have a Scamp Club coming into the campground this weekend. Huntington said Coho fishing opened, the river will open August 1. Zolezzi asked if the Port was going to do a picnic this year and Huntington said we have not talked about it yet. Meyer said we could afford to put on an appreciation picnic.

**Adjourn 7:16pm**

**Port of Siuslaw**  
**Combined Balance Sheet**  
As of June 30, 2023

	Jun 30, 23
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
1006 · Umpqua General Checking	28,981.51
1007 · Umpqua Savings	276,400.43
1009 · Umpqua MMA General Fund	2,379,974.54
1011 · Umpqua MMA ICM	5,239.64
1070 · Petty Cash	1,000.00
<b>Total Checking/Savings</b>	<b>2,691,596.12</b>
<b>Other Current Assets</b>	
1130 · Inventory - Gas	11,130.30
1140 · Inventory - Diesel	13,429.10
1220 · Accounts Receivable	36,374.30
1250 · Taxes receivable	14,639.00
1450 · Prepaid insurance	27,494.50
1499 · Undeposited Funds	11,104.38
<b>Total Other Current Assets</b>	<b>114,171.58</b>
<b>Total Current Assets</b>	<b>2,805,767.70</b>
<b>Fixed Assets</b>	
<b>1500 · Fixed Assets</b>	
1530 · Construction in Progress	20,036.00
<b>Total 1500 · Fixed Assets</b>	<b>20,036.00</b>
1510 · Land	2,367,874.00
1515 · Land Improvements	2,196,147.50
1520 · Buildings & Docks	8,037,139.56
1525 · Equipment & Vehicles	761,055.71
1600 · Accumulated Depreciation	-1,290,853.00
1615 · Accum Depr - Land Improvements	-1,321,558.70
1620 · Accum Depr - Buildings & Docks	-4,731,734.33
1625 · Accum Depr - Equip & Vehicles	-706,731.44
<b>Total Fixed Assets</b>	<b>5,331,375.30</b>
<b>TOTAL ASSETS</b>	<b>8,137,143.00</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Accounts Payable</b>	
2000 · *Accounts Payable	28,581.95
<b>Total Accounts Payable</b>	<b>28,581.95</b>
<b>Credit Cards</b>	
2021 · Port Credit Card 1	1,419.93
<b>Total Credit Cards</b>	<b>1,419.93</b>
<b>Other Current Liabilities</b>	
2030 · Deposits Held	7,360.00
2040 · Gift Certificates	225.11
2045 · Unearned CG Revenue (Hercules)	369,751.37
2050 · Deferred Compensation Plan NRS	14,460.63
2160 · Accrued Interest	9,482.00
2420 · Lease Payable #9608	200,253.00
<b>Total Other Current Liabilities</b>	<b>601,532.11</b>
<b>Total Current Liabilities</b>	<b>631,533.99</b>
<b>Long Term Liabilities</b>	
2390 · OBD Loan L0004 Bdwk	42,664.00
2440 · OBD Loan 524016 Dredging	38,411.96

8:34 AM

07/11/23

Accrual Basis

**Port of Siuslaw**  
**Combined Balance Sheet**  
As of June 30, 2023

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	<u>Jun 30, 23</u>
2491 · OBD Loan 525186 MSLTD	317,713.57
2492 · OBD Loan 525196 Wharf	250,372.69
<b>Total Long Term Liabilities</b>	<u>649,162.22</u>
<b>Total Liabilities</b>	1,280,696.21
<b>Equity</b>	
3300 · Invested in Capital Assets	4,585,160.40
3900 · Fund Balance	86,633.78
Net Income	2,184,652.61
<b>Total Equity</b>	<u>6,856,446.79</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>8,137,143.00</u></u>

**Port of Siuslaw**  
**Profit & Loss Budget vs. Actual - General Fund**  
July 2022 through June 2023

	Jul 22	Aug 22	Sep 22	Oct 22	Nov 22	Dec 22	Jan 23	Feb 23	Mar 23	Apr 23	May 23	Jun 23	Year to Date	TOTAL Budget	Variance
<b>Income</b>															
<b>4100 · Available Beginning Cash</b>	1,491,016.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,491,016.00	1,491,016.00	0.00
<b>4140 · Campground Revenue</b>	130,788.16	120,602.65	115,212.63	69,569.91	33,916.75	27,176.62	34,578.16	29,879.20	37,118.69	43,492.25	85,205.53	109,337.25	836,877.80	848,172.00	-11,294.20
<b>4150 · Leases</b>	16,891.61	16,138.55	14,824.71	14,158.45	14,208.45	14,208.45	14,158.45	14,158.45	14,158.45	14,158.45	17,184.74	16,734.70	180,983.46	146,778.00	34,205.46
<b>4160 · Moorage</b>	11,733.06	12,084.25	12,886.93	6,511.79	4,098.10	3,847.20	3,349.97	3,527.93	3,702.97	3,742.17	7,254.37	8,402.65	81,141.39	97,067.00	-15,925.61
<b>4190 · Marine Fuel</b>	6,804.43	5,397.90	6,298.62	583.85	3,171.87	215.31	0.00	0.00	105.02	0.00	1,560.61	1,067.61	25,205.22	36,877.00	-11,671.78
<b>4200 · Other Facility Income</b>	3,713.93	4,059.89	3,665.10	4,531.46	530.30	565.54	1,537.28	245.84	458.93	1,070.13	2,550.20	2,090.46	25,019.06	32,362.00	-7,342.94
<b>4500 · Levied Taxes</b>	703.00	1,412.54	1,299.90	1,453.64	323,332.02	17,496.69	4,597.20	2,975.36	7,986.61	1,667.86	1,324.84	7,627.64	371,877.30	361,771.00	10,106.30
<b>4515 · State Forest Sales</b>	0.00	0.00	2,357.67	0.00	0.00	0.00	0.00	8,562.92	0.00	4,275.41	0.00	0.00	15,196.00	10,000.00	5,196.00
<b>4540 · Interest Income</b>	16.89	17.21	17.08	17.96	17.89	20.50	20.46	17.79	4,018.41	7,059.69	7,538.46	7,848.82	26,611.16	200.00	26,411.16
<b>4550 · Maintenance Assistance Program</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	21,350.00	-21,350.00
<b>4555 · Bulkhead Revenue</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	500,000.00	-500,000.00
<b>4600 · Miscellaneous Income</b>	36,829.16	5,029.78	38,023.06	171.28	506.23	57.54	7,090.64	192.97	5,772.61	126.40	249.88	8,615.55	102,665.10	20,000.00	82,665.10
<b>Total Income</b>	<b>1,698,496.24</b>	<b>164,742.77</b>	<b>194,585.70</b>	<b>96,998.34</b>	<b>379,781.61</b>	<b>63,587.85</b>	<b>65,332.16</b>	<b>59,560.46</b>	<b>73,321.69</b>	<b>75,592.36</b>	<b>122,868.63</b>	<b>161,724.68</b>	<b>3,156,592.49</b>	<b>3,565,593.00</b>	<b>-409,000.51</b>
<b>Gross Profit</b>	<b>1,698,496.24</b>	<b>164,742.77</b>	<b>194,585.70</b>	<b>96,998.34</b>	<b>379,781.61</b>	<b>63,587.85</b>	<b>65,332.16</b>	<b>59,560.46</b>	<b>73,321.69</b>	<b>75,592.36</b>	<b>122,868.63</b>	<b>161,724.68</b>	<b>3,156,592.49</b>	<b>3,565,593.00</b>	<b>-409,000.51</b>
<b>Expense</b>															
<b>5000 · Personal Services</b>															
<b>5020 · Port Manager</b>	6,833.34	6,833.34	10,250.01	3,416.67	6,833.34	7,679.26	7,516.66	7,516.66	11,274.99	3,758.33	7,516.66	11,274.99	90,704.25	86,923.00	3,781.25
<b>5030 · Administrative Assistant</b>	4,969.26	4,452.01	7,290.03	2,108.21	4,694.75	4,833.76	4,485.40	4,898.00	6,649.39	2,309.48	4,465.27	7,304.99	58,460.55	55,120.00	3,340.55
<b>5045 · Services Lead</b>	3,904.65	3,024.00	5,011.60	1,496.00	3,328.60	3,539.76	3,205.44	3,689.60	4,903.56	1,679.04	3,205.44	5,211.23	42,198.92	39,686.00	2,512.92
<b>5061 · Campground Staff</b>	2,287.70	2,779.88	3,996.57	1,260.00	2,701.13	2,808.60	2,882.25	2,646.00	3,829.90	1,469.60	2,805.60	4,258.50	33,725.73	34,736.00	-1,010.27
<b>5075 · Maintenance I Lead</b>	3,825.60	4,399.44	6,120.96	2,104.08	4,399.44	4,812.60	4,400.00	4,600.00	5,925.00	2,200.00	4,400.00	6,400.00	53,587.12	52,707.00	880.12
<b>5077 · Maintenance IV</b>	2,728.00	2,852.00	4,224.00	1,584.00	2,904.00	3,066.60	2,805.00	3,036.00	4,092.00	1,452.00	2,772.00	4,488.00	36,003.60	34,174.00	1,829.60
<b>5079 · Maint II/ Staff</b>	3,520.00	3,360.00	5,766.40	1,696.00	3,731.20	3,893.80	3,561.60	3,900.80	5,448.40	1,865.60	3,561.60	5,766.40	46,071.80	44,096.00	1,975.80
<b>5080 · Maint III / groundskeeper</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	34,174.00	-34,174.00
<b>5110 · Payroll taxes</b>	3,026.72	2,945.98	4,287.96	1,368.67	2,874.63	2,955.42	3,084.64	5,557.88	4,501.96	1,575.34	3,070.35	4,779.97	40,029.52	38,161.00	1,868.52
<b>5180 · Health Insurance</b>	3,867.36	3,867.36	3,867.36	3,867.36	3,867.36	3,867.36	3,867.36	3,867.36	3,867.36	3,867.36	3,867.36	4,020.00	46,560.96	62,000.00	-15,439.04
<b>5181 · Life Insurance</b>	14.22	14.22	14.22	14.22	14.22	14.22	14.22	14.22	14.22	14.22	14.22	14.22	170.64	300.00	-129.36
<b>5182 · Dental Insurance</b>	329.10	329.10	329.10	329.10	329.10	329.10	329.10	329.10	329.10	329.10	329.10	329.10	3,949.20	5,300.00	-1,350.80
<b>5190 · Workers Compensation Insurance</b>	17,541.97	0.00	0.00	463.28	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,067.00	23,072.25	19,000.00	4,072.25
<b>5270 · Retirement</b>	0.00	0.00	0.00	0.00	0.00	0.00	15,152.39	0.00	0.00	0.00	0.00	0.00	15,152.39	14,000.00	1,152.39
<b>5275 · Compensated absences</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8,500.00	-8,500.00
<b>5280 · Overtime</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3,000.00	-3,000.00
<b>Total 5000 · Personal Services</b>	<b>52,847.92</b>	<b>34,857.33</b>	<b>51,158.21</b>	<b>19,707.59</b>	<b>35,677.77</b>	<b>37,800.48</b>	<b>51,304.06</b>	<b>40,055.62</b>	<b>50,835.88</b>	<b>20,520.07</b>	<b>36,007.60</b>	<b>58,914.40</b>	<b>489,686.93</b>	<b>531,877.00</b>	<b>-42,190.07</b>

**Port of Siuslaw**  
**Profit & Loss Budget vs. Actual - General Fund**  
July 2022 through June 2023

	Jul 22	Aug 22	Sep 22	Oct 22	Nov 22	Dec 22	Jan 23	Feb 23	Mar 23	Apr 23	May 23	Jun 23	Year to Date	TOTAL Budget	Variance
<b>5300 - Material and Services</b>	44,994.73	59,704.81	39,746.57	44,635.59	30,772.18	43,309.92	34,282.38	90,947.77	30,648.15	50,075.08	29,767.15	22,523.40	521,407.73	628,800.00	-107,392.27
<b>6000 - Capital Outlay</b>															
<b>6050 - Office Equipment</b>	0.00	0.00	0.00	0.00	0.00	0.00	194.66	0.00	0.00	0.00	0.00	0.00	194.66		
<b>6060 - Operations Equipment</b>															
<b>6067 - WiFi Internet, fiber optics</b>	0.00	0.00	0.00	0.00	0.00	0.00	15,610.00	0.00	0.00	0.00	0.00	0.00	15,610.00	15,000.00	610.00
<b>Total 6060 - Operations Equipment</b>	0.00	0.00	0.00	0.00	0.00	0.00	15,610.00	0.00	0.00	0.00	0.00	0.00	15,610.00	15,000.00	610.00
<b>6130 - Land</b>															
<b>6131 - 1499 Parking Lot</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	29,785.00	29,785.00	37,000.00	-7,215.00
<b>6147 - Mapleton and E Dock Repairs</b>	0.00	0.00	0.00	0.00	0.00	0.00	4,894.80	378.00	8,237.56	65.54	41.46	0.00	13,617.36	15,000.00	-1,382.64
<b>6148 - New RV sites - spoils pit</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	300,000.00	-300,000.00
<b>Total 6130 - Land</b>	0.00	0.00	0.00	0.00	0.00	0.00	4,894.80	378.00	8,237.56	65.54	41.46	29,785.00	43,402.36	352,000.00	-308,597.64
<b>6150 - Facilities</b>															
<b>6111 - Reseal and stripe Mapleton lot</b>	0.00	0.00	0.00	0.00	1,800.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,800.00	2,500.00	-700.00
<b>6151 - Mo's Building</b>	0.00	0.00	0.00	0.00	0.00	61.15	0.00	0.00	0.00	9,328.00	0.00	0.00	9,389.15	13,000.00	-3,610.85
<b>6155 - Wharf/Bdwk Fire System</b>	0.00	0.00	0.00	15,200.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	19.98	15,219.98	20,000.00	-4,780.02
<b>Total 6150 - Facilities</b>	0.00	0.00	0.00	15,200.00	1,800.00	61.15	0.00	0.00	0.00	9,328.00	0.00	19.98	26,409.13	35,500.00	-9,090.87
<b>6170 - Marine Facilities</b>															
<b>6177 - Bulkhead</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	500,000.00	-500,000.00
<b>6182 - A Dock walkway repair</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3,501.00	81.44	0.00	0.00	0.00	3,582.44	7,000.00	-3,417.56
<b>6183 - F Dock electrical</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10,000.00	-10,000.00
<b>Total 6170 - Marine Facilities</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3,501.00	81.44	0.00	0.00	0.00	3,582.44	517,000.00	-513,417.56
<b>Total 6000 - Capital Outlay</b>	0.00	0.00	0.00	15,200.00	1,800.00	61.15	20,699.46	3,879.00	8,319.00	9,393.54	41.46	29,804.98	89,198.59	919,500.00	-830,301.41
<b>6700 - Contingency</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	900,000.00	-900,000.00
<b>7000 - Debt Service</b>	11,599.93	7,424.94	11,599.93	0.00	29,262.16	11,599.93	0.00	7,424.94	11,599.93	0.00	7,424.94	0.00	97,936.70	97,950.00	-13.30
<b>7600 - Unappropriated Ending Fund Bal</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	437,466.00	-437,466.00
<b>7700 - Transfer to other funds</b>	0.00	0.00	0.00	0.00	0.00	0.00	50,000.00	0.00	0.00	0.00	0.00	0.00	50,000.00	50,000.00	0.00
<b>Total Expense</b>	109,442.58	101,987.08	102,504.71	79,543.18	97,512.11	92,771.48	156,285.90	142,307.33	101,402.96	79,988.69	73,241.15	111,242.78	1,248,229.95	3,565,593.00	-2,317,363.05
<b>Net Income</b>	<b>1,589,053.66</b>	<b>62,755.69</b>	<b>92,080.99</b>	<b>17,455.16</b>	<b>282,269.50</b>	<b>-29,183.63</b>	<b>-90,953.74</b>	<b>-82,746.87</b>	<b>-28,081.27</b>	<b>-4,396.33</b>	<b>49,627.48</b>	<b>50,481.90</b>	<b>1,908,362.54</b>	<b>0.00</b>	<b>1,908,362.54</b>

**Port of Siuslaw**  
**Profit & Loss Budget vs. Actual - Capital Maint Fund**  
 July 2022 through June 2023

	Jul 22	Aug 22	Sep 22	Oct 22	Nov 22	Dec 22	Jan 23	Feb 23	Mar 23	Apr 23	May 23	Jun 23	Year to Date	TOTAL Budget	Variance
<b>Income</b>															
4100 - Available Beginning Cash	226,357.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	226,357.00	226,357.00	0.00
4540 - Interest Income	0.00	0.00	11.40	5.71	0.00	0.00	0.00	0.00	6.46	0.00	0.00	-1.08	22.49	40.00	-17.51
4700 - Incoming Transfer	0.00	0.00	0.00	0.00	0.00	0.00	50,000.00	0.00	0.00	0.00	0.00	0.00	50,000.00	50,000.00	0.00
<b>Total Income</b>	<b>226,357.00</b>	<b>0.00</b>	<b>11.40</b>	<b>5.71</b>	<b>0.00</b>	<b>0.00</b>	<b>50,000.00</b>	<b>0.00</b>	<b>6.46</b>	<b>0.00</b>	<b>0.00</b>	<b>-1.08</b>	<b>276,379.49</b>	<b>276,397.00</b>	<b>-17.51</b>
<b>Gross Profit</b>	<b>226,357.00</b>	<b>0.00</b>	<b>11.40</b>	<b>5.71</b>	<b>0.00</b>	<b>0.00</b>	<b>50,000.00</b>	<b>0.00</b>	<b>6.46</b>	<b>0.00</b>	<b>0.00</b>	<b>-1.08</b>	<b>276,379.49</b>	<b>276,397.00</b>	<b>-17.51</b>
<b>Expense</b>															
5300 - Material and Services															
5700 - Facilities															
5700 - Facilities - Other	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	200,000.00	-200,000.00
<b>Total 5700 - Facilities</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>200,000.00</b>	<b>-200,000.00</b>
<b>Total 5300 - Material and Service</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>200,000.00</b>	<b>-200,000.00</b>
7600 - Unappropriated Ending Fu	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	76,397.00	-76,397.00
<b>Total Expense</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>276,397.00</b>	<b>-276,397.00</b>
<b>Net Income</b>	<b>226,357.00</b>	<b>0.00</b>	<b>11.40</b>	<b>5.71</b>	<b>0.00</b>	<b>0.00</b>	<b>50,000.00</b>	<b>0.00</b>	<b>6.46</b>	<b>0.00</b>	<b>0.00</b>	<b>-1.08</b>	<b>276,379.49</b>	<b>0.00</b>	<b>276,379.49</b>

	Campground 2019/2020			Campground 2020/2021			Campground 2021-2022			Campground 2022-23		
	% Occ.	YTD %	Nights	% Occ.	YTD %	Nights	% Occ.	YTD %	Nights	% Occ.	YTD %	Nights
JULY	78%	86%	2617	77%	78%	2939	96%	96%	3660	91%	91%	3476
AUG	89%	84%	2978	88%	83%	3357	97%	97%	3705	93%	92%	3553
SEPT	84%	84%	2724	88%	84%	3243	92%	95%	3408	90%	91%	3313
OCT	42%	73%	1393	47%	75%	1780	51%	84%	1948	52%	82%	1966
NOV	33%	65%	1059	20%	64%	752	34%	74%	1258	30%	71%	1117
DEC	28%	59%	937	18%	56%	680	25%	66%	957	26%	64%	995
JAN	25%	54%	842	20%	51%	742	32%	61%	1210	32%	59%	1222
FEB	28%	51%	861	22%	48%	763	37%	58%	1270	31%	56%	1073
MAR	25%	48%	847	30%	46%	1143	37%	56%	1400	32%	53%	1227
APR	13%	45%	423	36%	45%	1324	41%	54%	1521	37%	51%	1350
MAY	13%	42%	417	40%	44%	1522	46%	53%	1756	52%	51%	1963
JUN	48%	42%	1566	69%	46%	2528	60%	54%	2214	67%	53%	2479
TL YTD	42%	42%	16664	46%	46%	20773	54%	54%	24307	53%	53%	23734
REV YTD	\$519,620.00			\$756,828.00			\$795,908.00			\$836,299.00		

	Moorage 2020-21			Moorage 2021-22		
	% Occ.	YTD %	Nights	% Occ.	YTD %	Nights
JULY	48%	44%	1745	51%	51%	1850
AUG	63%	56%	2293	64%	58%	2339
SEPT	79%	63%	2796	78%	64%	2759
OCT	49%	60%	1790	47%	60%	1725
NOV	26%	53%	915	26%	53%	929
DEC	23%	48%	852	26%	49%	932
JAN	23%	44%	846	26%	45%	965
FEB	24%	42%	783	25%	43%	840
MAR	24%	40%	878	24%	41%	870
APR	25%	38%	871	26%	39%	906
MAY	28%	37%	1038	29%	38%	1068
JUN	38%	38%	1351	40%	39%	1412
TL YTD	38%	38%	16158	39%	39%	16595
REV YTD	\$99,027.00			\$97,804.00		

Moorage 2022-23		
% Occ.	YTD %	Nights
53%	53%	1929
58%	56%	2121
58%	56%	2055
33%	51%	1194
26%	46%	920
25%	42%	904
23%	39%	837
23%	37%	770
24%	36%	872
24%	35%	850
28%	32%	1030
38%	34%	1334
34%	34%	14816
\$111,687.00		

**Port of Siuslaw**  
**Profit & Loss Prev Year Comparison**  
**July 2022 through June 2023**

	<u>Jul '22 - Jun 23</u>	<u>Jul '21 - Jun 22</u>	<u>\$ Change</u>	<u>% Change</u>
<b>Income</b>				
4100 · Available Beginning Cash	1,717,373.00	1,338,644.00	378,729.00	28.3%
4140 · Campground Revenue	836,877.80	838,648.74	-1,770.94	-0.2%
4150 · Leases	180,983.46	153,188.18	27,795.28	18.1%
4160 · Moorage	81,141.39	99,366.30	-18,224.91	-18.3%
4170 · Storage	0.00	1,239.30	-1,239.30	-100.0%
4190 · Marine Fuel	25,205.22	43,861.25	-18,656.03	-42.5%
4200 · Other Facility Income	25,019.06	33,653.18	-8,634.12	-25.7%
4500 · Levied Taxes	371,877.30	357,285.30	14,592.00	4.1%
4515 · State Forest Sales	15,196.00	21,170.30	-5,974.30	-28.2%
4540 · Interest Income	26,633.65	178.00	26,455.65	14,862.7%
4600 · Miscellaneous Income	102,665.10	41,689.79	60,975.31	146.3%
4670 · Sale of Surplus Property	0.00	550,000.00	-550,000.00	-100.0%
4700 · Incoming Transfer	50,000.00	50,000.00	0.00	0.0%
4750 · Business Oregon Reimb Fund	0.00	22,344.00	-22,344.00	-100.0%
<b>Total Income</b>	<u>3,432,971.98</u>	<u>3,551,268.34</u>	<u>-118,296.36</u>	<u>-3.3%</u>
<b>Gross Profit</b>	3,432,971.98	3,551,268.34	-118,296.36	-3.3%
<b>Expense</b>				
5000 · Personal Services	489,686.93	444,973.97	44,712.96	10.1%
5300 · Material and Services	521,497.15	552,688.23	-31,191.08	-5.6%
6000 · Capital Outlay	89,198.59	113,590.01	-24,391.42	-21.5%
7000 · Debt Service	97,936.70	272,643.28	-174,706.58	-64.1%
7700 · Transfer to other funds	50,000.00	50,000.00	0.00	0.0%
<b>Total Expense</b>	<u>1,248,319.37</u>	<u>1,433,895.49</u>	<u>-185,576.12</u>	<u>-12.9%</u>
<b>Net Income</b>	<u><b>2,184,652.61</b></u>	<u><b>2,117,372.85</b></u>	<u><b>67,279.76</b></u>	<u><b>3.2%</b></u>



## Commission Officers

### Current FY22-23

President - Terry Duman

Secretary - Mike Buckwald

1<sup>st</sup> VP - Bill Meyer

2<sup>nd</sup> VP - Craig Zolezzi

Treasurer - Rob Ward

### FY 23-24

President –

Secretary -

1<sup>st</sup> VP -

2<sup>nd</sup> VP -

Treasurer -

Motion by

Second by

Vote

**Port of Siuslaw Board of Commissioners**

**Regular Meeting Schedule**

**FY2023-24**

**Wednesday 19 July 2023**

**Wednesday 16 August 2023**

**Wednesday 20 September 2023**

**Wednesday 18 October 2023**

**Wednesday 15 November 2023**

**Wednesday 20 December 2023**

**Wednesday 17 January 2024**

**Wednesday 21 February 2024**

**Wednesday 20 March 2024**

**Wednesday 17 April 2024**

**Wednesday 15 May 2024**

**Wednesday 19 June 2024**

Unless otherwise noted, all meetings begin at 7:00pm at the Port Office, or **via zoom**  
100 Harbor Street, Florence OR, Lane County.

**Motion by**  
**Second by**  
**Vote**

2023-2024 Committee Assignments

<u>Organization</u>	<u>Assigned</u>	<u>Alternate</u>	<u>Involvement / Issues</u>
<b>*Lane Council of Governments, LCOG</b>			Voting delegate for interagency cooperation
<b>*Oregon Coastal Zone Management Assn, OCZMA</b>			Voting delegate for coastal planning issues
<b>**Oregon Public Ports Association, OPPIA</b>			Lobby for state legislation and funding
<b>**Siuslaw Watershed Council SWC</b>			Executive council member
<b>**Pacific NW Waterways Assn, PNWA</b>			Federal transportation & trade, dredging
Florence Area Chamber of Commerce			Business retention & recruitment, community marketing
Florence Urban Renewal Agency			Representative contact
Pacific Coast Congress of Harbor Masters and Port Managers, PCC			Marina operations training and development
Special Districts Association of Oregon, SDAO			Representative contact
West Lane Emergency Operations Group, WLEOG			Voting delegate for Emergency Response planning

**\* Requires elected official representative**

**\*\* Elected official recommended**