



**Maryland Port Administration  
Open Session Meeting Minutes, #411  
Tuesday, October 1, 2024**

**MEETING DATE & LOCATION**

The Four Hundredth and Eleventh Session of the Maryland Port Commission was called to order at 9:00 a.m. on October 1, 2024, by Secretary of Transportation Paul J. Wiedefeld. The Commission met in Open Session from 9:00 a.m. until 10:04 a.m. in the Stanton Room, 20th floor, World Trade Center, 401 E. Pratt Street, Baltimore, MD 21202.

**ATTENDANCE**

**Chairman and Officials:**

Secretary Wiedefeld and Commissioners Barber, Brewer, Neuman, Richardson, and Webb.

**Staff:**

Jonathan Daniels (Executive Director), Robert Munroe (Deputy Executive Director, Administration and Environment), Matthew Wypyski (Deputy Executive Director, Commercial Development), Bradley Smith (Director of Maritime Commercial Management & Strategic Initiatives), Dominic Scurti (Director of Planning), Darren Swift (Deputy Director of Harbor Development), Holly Miller (Director of Harbor Development), Jennifer Guthrie (Director of Office of Government Relations and External Affairs), John Boden (Director of Human Resources), John Thornton (Director of Procurement), Phil Whaling (Assistant Attorney General, Principal Counsel), Mary Kay Radford (Acting Chief Financial Officer & Treasurer), Richard Scher (Director of Communications), Steve Johnson (Director of Engineering), William Richardson (Director of the Environment), Cindy Burman (Deputy Director of Business Development and Cruise), Jasmin Todman (Budget Manager), Signe Pringle (Deputy Secretary, Department of Commerce), Andrew Libraty (DCOS, Department of Veteran Affairs), Marvis Harden (Special Assistant to the Executive Director), Ken Kolarik (Office of Information Security and Technology) and Krystal Jones (Executive Office).

**Absent:**

Commissioner Roberts

**APPROVAL OF PRIOR MEETING MINUTES**

*Open and Closed Session Meeting Minutes of September 5, 2024;* Commissioner Richardson moved to approve the Open Session Minutes of the Four Hundredth and Tenth Maryland Port Commission meeting. Commissioner Barber seconded the motion. Commissioner Barber moved to approve the Closed Session Minutes, and Commissioner Richardson seconded the motion. The Commission then voted unanimously to approve the Open and Closed Session Minutes.

## EXECUTIVE DIRECTOR'S UPDATE, Jonathan Daniels, Executive Director

On October 1, 2024, at 12:01 a.m., the ILA officially went out on strike, effectively closing the Port of Baltimore, in addition to 35 other ports on the East and Gulf Coasts. The ILA action comes as additional strike activity occurs at Canadian ports in Montreal and Vancouver. The Vancouver port handles 52% of all exported grain from Canada. When the striking workers return, there will be heavy competition for railcars and trucks.

MPA has put in place a strike plan for access and safety at MPA's public terminals that ensures the protection of the first amendment rights of the ILA members while maintaining an accessible flow on and off the terminal for those not involved in the strike.

Gate transactions remain strong and continue to climb; September 30, we had 3,622 transactions at Seagirt Marine Terminal. In the month of September, there were only two (2) days where we fell below 3K gate moves. This is a busy time of the year as retailers are looking to stock holiday goods and as carriers rushed to discharge and pick up cargo before the strike.

MPA anticipates announcing the return of some carrier routes and services that went away based on a variety of geopolitical activities around the world. Additionally, we anticipate making an announcement soon regarding a new agreement with one of the cruise lines calling the Port as a homeport.

Our efforts continue to bring additional grant funding into MPA in support of a variety of initiatives, including increasing our revenue by replacing or repairing berths, reducing emissions and ensuring we are a cleaner port. MPA's grant submittals and awards will fund electrification and other reduced emission incentives and will foster additional outreach and make MPA a better neighbor within the neighborhoods we serve.

MPA is currently soliciting internal input from mid-level management for its Strategic business plan. The survey results will inform the MPA on what it is doing right and where MPA is not meeting and/or exceeding expectations. The 3-5 year short term plan will make substantial changes and guide the MPA in identifying and improving on the MPA's key performance indicators.

In response to a question from Mr. Richardson about whether there was non-union labor at any East Coast ports and if that would give those ports a competitive advantage, Mr. Daniels responded that all of the major East Coast ports are staffed by ILA labor and impacted by the strike. The South Carolina Port has some non-ILA labor which led to litigation with the ILA, ultimately resolved in favor of the ILA. Mr. Daniels did not have concerns about a competitive disadvantage for the Port of Baltimore and noted that the ILA labor in Baltimore is very productive making the Port very attractive to customers.

## ILA STRIKE OPERATIONS OVERVIEW, Jonathan Daniels

MPA held a stakeholders' meeting on Wednesday, September 25, 2024, with well over 100 business partners and maritime community members to discuss the MPA's strike operations plan. The MPA Operations and Security teams are working with the MdTA Police to implement the strike operations plan in support of a safe and secure environment for all persons.

The strike operations plan established Restricted gates at each of the terminals to be used by employees and guests of Steamship Trade Association member companies. Strike/picketing activity is anticipated on public property outside those gates.

The Neutral gates are to be used by anyone not affiliated with an STA member company, including MPA credentialed employees and contractors, Allied Security and MdTA Police. Strike/picketing activity is not anticipated or allowed around the neutral gates.

Members of ILA are not permitted to be on the terminals during the strike. MPA's tenants' operations on the terminals will be mostly shut down though military cargo, certain medical supplies and the Cruise operations will continue and are exempt from the strike.

As of the MPC meeting, there had been some minor interactions between the picketers and others though was primarily peaceful. MPA will be on standby to make any necessary adjustments to ensure business can continue and people are safe.

### ETHICS OVERVIEW – BOARDS & COMMISSIONS, Phil Whaling

Phil Whaling, Principal Counsel, provided an overview of the ethical rules applicable to the Commissioners. The ethical rules are best understood against the backdrop of the MPC's primary duties which include, approving contracts, adopting regulations, establishing policies to improve the competitive position of the Port and appointing management employees.

The ethics law rules are intended to avoid conflicts of interest. For example, Commissioners may not be employed by or have a financial interest in any entity which is negotiating or has entered into a contract with the MPA or in any entity regulated by the MPA.

A commissioner may not participate in a matter that involves as a party a business entity in which the commissioner or certain relatives have employment, contractual or creditor relationships. Commissioner must disclose any such conflict and may not vote on the matter if a contract with an entity that employs one of the Commissioner's relatives is presented to the MPC for a vote.

Commissioners may not intentionally use the prestige of his or her office for personal gain or that of another. Commissioners may not solicit gifts or accept gifts from an entity doing business or seeking to do business with the MPA.

The State Ethics Commission is the final arbiter of ethical issues.

### INNOVATIVE REUSE OVERVIEW, Holly Miller and Darren Swift

The Dredge Material Management Program (DMMP) was established and enacted in 2001, by the Maryland General Assembly to ensure that federal navigation channels in the Chesapeake Bay and Baltimore Harbor remain open for waterborne commerce

Innovative reuse (IR) and beneficial use is the highest priority dredge material option. The law specifically defined innovative reuse as the use of dredged material in the development or manufacturing of commercial, industrial, horticultural or agricultural or other product uses. Beneficial use is using dredge material for the restoration of islands, underwater grasses, eroding shorelines and the creation or restoration of wetlands and shellfish habitats. While the terms are used interchangeably, they have distinct definitions.

In 2014 the innovative reuse strategy was developed through coordination with DMMP advisory committees. Significant progress was made, including the development of how to safely use dredge materials.

In 2020, the innovative reuse strategy was updated and continues to be used today. The goal is to make long-term, sustainable innovative reuse programs and promote the long-term viability of the POB. Strategies include policy/regulatory, technical, education and stakeholder engagement and program implementation.

In 2022, the Tronox property adjacent to the Cox Creek DMCF was purchased. Thirty acres of the property is being used now for innovative reuse activities; after remediation activity is complete there will be an additional 40 acres available for use for a total of 70 acres. The remediation activity is to start soon, and it is anticipated that within the next two years innovative reuse activity on a large scale will be underway.

There have been eight awards for innovative reuse research and development projects, with the ninth and last award recently issued. Five projects have been completed. These projects evaluate the feasibility of various concepts for innovative reuse, including the scalability of the various products and include a detailed technical report.

Innovative reuse is the future of dredge material management. If the MPA is able reuse millions of cubic yards of dredge material each year, the MPA could potentially not have to build future DMCFs.

In response to Secretary Wiedefeld's question as to whether the State would monetize the innovative reuse production, Mr. Munroe responded that the plan eventually is to evaluate the financial feasibility of such a program.

Mr. Daniels stated that the benefits of innovative reuse are many, including financial, preserving DMCF capacity, and cleaner water, making it a fantastic project to be involved with.

#### **CARGO STATISTICS UPDATE, Dominic Scurti**

Dominic Scurti, Director of Planning, presented cargo and vessel statistics before and after the Key Bridge collapse. The full extent of the cargo and economic losses to the Port resulting from the Key Bridge collapse remain to be determined.

The number of vessels arriving at the Port fell dramatically after the Key Bridge collapse on March 26, 2024. After the temporary restricted 35' channel opened on May 10, 2024, vessel activity resumed though remained below 2023 vessel counts. After the full 50' channel re-opened on June 11, 2024, vessel activity for July and August was close to the counts for those months in the prior year.

After the channel was reopened the imported foreign cargo tons have trended upwards. Exports of foreign cargo tons fell significantly after the bridge collapse. After the channel reopened, the export tonnage for June and July exceeded that for the same months in 2023.

The recovery in the number of containers handled at MPA terminals since the Key bridge collapse has been slow with the TEUs handled in July and August still well below the TEUs handled in 2023.

The number of automobiles handled in July and August 2024 has approached or exceeded the 2023 numbers.

#### **ADJOURNMENT**

There being no further business, a motion to adjourn was made by Commissioner Richardson and seconded by Commissioner Brewer. The motion carried unanimously, and the meeting was adjourned at 10:04 a.m.