

Maryland Port Commission
Open Session Minutes
May 4, 2021

The Three Hundred and Seventy Sixth Session of the Maryland Port Commission was called to order at 9:02 am by Secretary Gregory Slater via teleconferencing. The Commission met in Open Session from 9:02 am until 9:46 am.

Present: Secretary Slater and Commissioners Dandy, Dean, Huber, Lunn, McDonald, and Richardson.

Staff: William Doyle (Executive Director), Brian Miller (Deputy Executive Director), Bob Munroe (MPA Principal Counsel), Christina Nichols (Chief of Staff), Richard Scher (Director of Communications), Rick Powers (Director of Marketing), Kristen Fidler (Director of Harbor Development), David Espie (Director of Security), Ryan Barry (Director of Operations), Dominic Scurti (Director of Planning), Steve Johnson (Director of Engineering), Brad Smith (General Manager of Strategic Initiatives), Jennifer Guthrie (Legislative Manager), and John Thornton (Manager of Procurement).

Minutes of the Three Hundred and Seventy Fifth Open Session Meeting

Commissioner McDonald moved to approve the Open Session Minutes of the Three Hundred and Seventy Fifth Port Commission with an amendment to change pm to am on page three. Commissioner Richardson seconded the motion. The minutes were approved unanimously without discussion.

Business Update, William P. Doyle, Executive Director

Mr. Doyle provided an update on the following:

Seagirt Berth three project dredging is complete and 465,000 cubic yards of sediment has been removed and taken to Masonville. The neo-panamax canes are scheduled to be delivered this summer and the berth will be operational later this year. The Port of Baltimore will be able to handle two supersized ships at once for the first time. The berth project is part of a \$122 million dollar investment with \$105 million coming from Ports America Chesapeake (PAC), \$10.5 million from state funding and \$6.6 million from federal funding. PAC is investing an additional \$61 million into Seagirt marine Terminal for equipment, infrastructure enhancements, and technology upgrades.

Cargo Update:

- Autos and light trucks up 229% in March compared to lows of May 2020.
 - Also posted a month-over-month increase of 102.8% over February 2021, and a year-over-year increase of 13.6% from March 2020.
- Ro/Ro up 97.6% in March compared to its low point in June 2020.
 - Ro/Ro up 20% year over year March 2020.

- Containers up 3% in from February 2021 and 5% over COVID low in June 2020.
- General Cargo up 34.1% in March as compared to the lows of June 2020 and up 21% over February 2021.

Environment

Mr. Doyle reported that the goal to replace 20 dray trucks by Earth Day had been achieved and marked the most successful quarter for the program since its inception in 2008. Reaching the goal of 20 dray truck upgrades means a reduction of more than 6.6 tons of nitrogen oxides and nearly half a ton of fine particulate matter over the lifetime of the replacement trucks. There are six more trucks that are scheduled to be replaced in the coming weeks resulting in additional emission reductions. “Dollars For Drays” helps truck owners pay for new trucks and remove older diesel models from service. Qualifying truck owners are offered a rebate of 50% (up to a maximum of \$30,000) toward the cost of a newer, cleaner truck. Funding comes from the U.S. Environmental Protection Agency’s Diesel Emissions Reduction Act Program, and from Maryland’s Volkswagen mitigation agreement in coordination with the Maryland Department of the Environment. To date, 255 trucks have been replaced through this program. In addition, about 100 pieces of diesel cargo-handling equipment such as forklifts, top loaders, locomotives and tugs have been replaced or retrofitted. These efforts have helped lessen air pollution emissions at the Port of Baltimore by 5,100 tons since 2008.

Cruise

Mr. Doyle informed the commission of a Baltimore specific conference call MPA staff held with the Center for Disease Control (CDC) on April 27, 2021. CDC staff included the Maritime Unit Lead, Co-Lead and Maritime Unit Deputy. The purpose of the call was to get clarification on five areas concerning the existing Conditional Sailing Order. Those conditions included:

- Ships with 98% of crew and 95% of passengers fully vaccinated can bypass the simulated voyages and start with revenue cruises.
- The response time to review applications for simulated cruises will be reduced from 60 days to 5 days.
- Testing for fully vaccinated passengers can now be the viral test (NAA or antigen) instead of the NAAT test upon embarkation. This change is for the restricted revenue sailings in Phase 4 of the CSO.
- Cruise lines can now have a multi-port agreement (as opposed to a single port agreement). This will be helpful for ports that can't support the medical or housing requirements for passengers with COVID. The cruise line will be able to take the ship to a nearby port that has the capabilities.
- Passengers that require quarantine can now drive home. CDC also removed the requirement to have a separate ventilation system in hotels where passengers will stay when they drive home.

Employees

Mr. Doyle informed the Commission that MPA management is currently preparing a response to the Maryland Department of Budget and Management (DBM) for a July 1, 2021 return to work plan. This will include all MPA employees and list telework vs. in office days vs. hybrid schedules. These plans will be based upon the direction provided by DBM and the MDOT Secretary's Office.

Governor Hogan has issued a vaccine financial incentive program to all state employees that receive the vaccination. In order to qualify for the \$100 bonus, the employee is asked to provide a copy of their vaccination card and agree to receive the CDC recommended booster shot in 18 months.

Howard Street Tunnel Expansion, Brad Smith, General Manager of Strategic Initiatives

Mr. Smith provided an update on the Howard Street Tunnel project. Highlights of his presentation included:

- On March 1, 2021, the project team launched a robust public outreach plan regarding the Environmental Assessment (EA) and 30-day comment period.
 - Website, outreach video, e-blast, press release, social media and direct notification to elected officials and community groups.
 - The video received 800 views.
- The EA comment period which was originally scheduled to end on 3/3/21 was extended until 04/13/21 at the request of a community group. Nineteen (19) total comments were received, ranging from total support of the project to questions regarding temporary impacts during construction.
- Next Steps
 - Responses to all comments will be included in the final National Environmental Policy Act (NEPA) – Finding of No Significant Impact (FONSI).
 - The project team must complete historic properties coordination prior to NEPA approval.
 - Memorandum of Agreement following NEPA approval for historic properties impacts is in the final stages of approval
 - MPA expects the Federal Railroad Administration (FRA) to approve the FONSI in late May/early June.
- Following NEPA approval, MPA will be able to execute a grant agreement with MDOT and FRA, and a sub-recipient agreement with CSX. The target date for agreement execution is July 1, 2021.
- After execution of the grant and sub-recipient agreements, CSX will finalize engineering, obtain permits, and then begin construction.
- CSX plans to break the project into smaller contracts for construction with track lowering to advance first, followed by bridge and tunnel work. CSX expects track lowering to begin later in 2021.

MPA Legislative Update, Jennifer Guthrie, Legislative Manager

Ms. Guthrie reported the Maryland General Assembly (MGA) 2021 legislative session adjourned on April 12, 2021. Session 2021 was an entirely different environment due to teleworking and zoom calls. While there were many changes this year in Annapolis, the MPA remained active and engaged and maintained a thriving and strong relationship with our state legislature. Highlights of Ms. Guthrie's presentation included:

- State

Senate Bill 230 - MPA Land Acquisition, did not move out of committee, this bill would have changed the process by which the MPA requests approval to acquire property.

House Bill 492: Railroad Company – Movement of Freight – Required Crew passed the House but did not move out of the Senate Committee.

Senate Bill 107: Labor and Employment Wage Act passed the legislature. The Port was struck from the bill, the MPA will conduct a study comparing wages from certain Port employees from Norfolk and Philadelphia this summer and will be seeking clarification on which jobs and locations within the Port of Baltimore should be included.

The MGA included budget language requesting the Maryland Transportation Authority (MdTA) and the MPA to jointly study the number of truck drivers traveling from Seagirt to Trade Point Atlantic using the toll road but do not pass over the Francis Scott Key bridge^[RM1].

- Local

MPA Bill to rezone the Point Breeze property continues to move through the Baltimore City Council. This Bill expands the Maritime Industrial Zoning District (MIZOD) by rezoning the Point Breeze Business Center from Office Industrial Campus to Maritime Industrial. This Bill has the support of our private sector partners as well as the support of our neighboring communities and citizens groups.

Community outreach and stakeholder engagement efforts continue on the Mid-Chesapeake Bay Island Project.

- Federal

The Mid-Bay project is our TOP priority this year. This is our Delegation's #1 project for the Port and we are laser-focused on securing federal construction funding.

The MPA will be taking every opportunity to go after federal discretionary grant programs like the Port Infrastructure Development Program and Rebuilding American Infrastructure with Sustainability and Equity (known as RAISE).

The Biden Administration released the American Jobs Plan, a \$2.3M infrastructure plan at the end of March, which included \$17B for ports and waterways.

The MPA will receive, from the Corps of Engineers FY2021 Work Plan^{RM2}, \$382,000 for Mid-Bay pre-construction engineering and design, an additional \$22.85M for general channel dredging, and \$4.95M in energy transfer port funding.

Contracts for Approval, John Thornton, Manager of Procurement

Contracts 217045A-IT and 217045B-IT – Geographical Information Systems Services, Renewal No. 2; Johnson, Mirmiran & Thompson, Inc. and Rummel, Klepper & Kahl, LLP; Term: 01/08/2022 – 01/07/2023; \$500,000 each.

Motion to approve made by Commissioner Richardson, seconded by Commissioner Dean, and approved unanimously by the Commission.

Adjournment

There being no further business, a motion to adjourn was made by Commissioner McDonald and seconded by Commissioner Richardson. The motion carried unanimously. The meeting adjourned at 9:46 am.