

DSPC MINUTES OF BOARD MEETING

Public Session

August 26, 2025, at 2:00 p.m.
Buena Vista, 661 S. Dupont Hwy, New Castle, DE
And Virtual

DSPC Board of Directors:

Charuni Patibanda-Sanchez	Chair	Present
Fred Sears, II	Vice Chair	Present
Karen Bifferato	Director	Present*
Darius Brown	Director	Present*
David Burt	Director	Present
Joshua Bushweller	Director	Present*
Douglas Catts	Director	Not Present*
Ronald “Kimoko” Harris	Director	Present
Shante Hastings	Director	Present*
Debra Heffernan	Director	Present*
Robert “Jerry” Medd	Director	Not Present
Ruth Ann Miller	Director	Present*
Michael Smith	Director	Not Present
Marietta “Peaches” Whalen	Director	Present

Also Present:

Katherine Betterly, Morris Nichols
Bobbi DiVirgilio, DSPC Secretary
Joel Heller, DSPC Treasurer
Tom McGonigle, Barnes & Thornburg
Alex Venti, Auditor of Accounts*
Andrew Saunders*
Angela Harris*
Brian Midlick*
Carter Dillon, Auditor of Accounts*
Coral Haven*
D. Backus*
Eugene Young, Enstructure*

Jordan Seemans, Harvey Hanna & Assoc.*
Karl Baker, Spotlight Delaware
Laurie Stovall*
Michael Evanko, Enstructure*
Quinn Johnson
Sara Petrowich
Simeon Hahn*
Steve Stegg*
Taylor Trapp*
Verity Watson*
William Ashe, ILA
Zoom User Identified as “jgrah” *

**Attended Virtually*

I. Chair Welcome

The meeting was called to order at 2:02 p.m. with Charuni Patibanda-Sanchez, Chair of the Board presiding. The Chair welcomed everyone to the public session and each of the Board of Directors introduced themselves.

II. Executive Session

A motion was made and seconded at 2:05 p.m. to go into executive session to discuss strategy sessions involving legal advice and to discuss the content of documents excluded from the definition of public record in §10002 of Title 29.

III. Public Session

At 3:24 p.m. the meeting returned to Public Session. The Chair welcomed everyone back to the public session.

IV. Consideration of Public Session Minutes of the July 28, 2025, Meeting

The Chair asked if all the members received and reviewed the minutes from the July 28, 2025, public session. **The Vice Chair made a motion to approve the public session minutes and Board Director Peaches Whalen seconded the motion. With no opposition, the motion was carried unanimously.**

V. Consideration of the Executive Session Minutes of the July 28, 2025, Meeting

The Chair asked if all the members received and reviewed the minutes from the July 28, 2025, executive session. **Board Director Peaches Whalen made a motion to approve the executive session minutes, and the Vice Chair seconded the motion. With no opposition, the motion was carried unanimously.**

VI. DSPC Update

The Chair commented that during her confirmation as Chair of this Board, one of the drivers for her asking for the consent to confirm her in this role was for the jobs that would be created with the expansion. She added that in her past employment she had the opportunity to work with communities that have surrounded ports and has seen how a port can change the dynamic of a family, giving an opportunity to have a career. Also, as a member of the Board of Pardons, it is also a place where people can go to have a second chance. Chair Patibanda-Sachez concluded by stating that job creation at the port can change families. Board Director Harris commented that this is why we cannot have an automated port, which would eliminate thousands of jobs.

VII. Enstructure/Port Wilmington Update

The Chair welcomed Michael Evanko, Chief Commercial Officer and Eugene Young, Senior Vice President of Enstructure to the meeting and asked that they provide an update on the Port.

Mr. Evanko began by stating that they are continuing to increase job opportunities in the existing Port by adding volume. He then provided a commercial update noting that the forest projects continue to grow. Wood Pulp volume is improving with 2025 volume nearly 50% higher than Enstructure originally anticipated. Enstructure has also expanded their secure facilities (i.e., bonded warehouse/foreign trade zone) to enhance supply chain flexibility for US East Coast and Canadian cargo. They have offloaded 4 vessels totaling 30,000 MT of product to date. He also provided an operational update noting that the Bulk Tonnage is up 22% and the Breakbulk Tonnage is up 1,874%, with overall labor hours being up by 24%.

The Chair asked Mr. Evanko to provide an explanation of the labor hours. Mr. Evanko provided that net hours (excluding hours solely arising from the Francis Key Bridge collapse) were up by 25% from this

time last year and that dollars were up because of a combination of the work that is being done including overtime and because of increases that were part of the recent negotiations.

Mr. Evanko turned the presentation over to Mr. Young who provided details on the upcoming Job Fair and Career Expo being held on September 24, 2025, at the DelTech Wilmington Campus. Mr. Young stated that they will have representatives from the local ILA, building trades, and state agencies.

VIII. Edgemoor Expansion Updates

The Chair invited Enstructure to proceed with its presentation to provide an update on the expansion project.

Mr. Evanko reported that the project remains on schedule regarding both Delaware Container Terminal (DCT) development and equipment procurement under the grant. Significant progress is being made, including advanced drone surveys to detect underground infrastructure, reducing uncertainty during the design phase. Similar exploratory efforts are underway on the maritime side to help define the final project scope. The team is also preparing to issue the procurement RFP for the crane early next month. Currently, negotiations for equipment purchase agreements under the Clean Port grant are in progress.

There being no further questions or discussion, Mr. Evanko and Mr. Young thanked DSPC for their continued support.

The Chair asked Mr. McGonigle to provide a summary of the mitigation plans in place relating to the Edgemoor permitting matters. Mr. McGonigle began by stating there is a State Compensatory Mitigation Plan and a Federal Compensation Mitigation Plan. Both plans are available on DSPC's website.

The Federal Compensatory Mitigation Plan includes analysis of the adverse impacts not included in the initial project plan. He went on to add that six different sites were considered: Existing Port A, Existing Port B, Expand Port via WHS B, Expand Port via WHS C, Riveredge and Edgemoor. Mr. McGonigle provided that after reviewing each of these sites, the first five had environmental, technical and engineering constraints (e.g., dredging of the Wilmington Harbor to 45 feet was not viable due to major environmental impacts). Wilmington Harbor South, which is owned by USACE, faced significant challenges, including wetlands mitigation, shading impacts and the need for a new disposal facility. Riveredge required much more dredging than the proposed project. Therefore, it was determined that the Edgemoor site had the least environmental impact and otherwise met the engineering and operational needs identified.

Mr. McGonigle went on to provide the Mitigation Team ("Team") was created and led by USACE which included representatives from the following resource agencies:

- National Oceanic and Atmospheric Administration (NOAA)
- US Fish and Wildlife Services
- US Environmental Protection Agency
- National Park Service
- Delaware River Basin Commission
- DNREC

This Team considered nine potential plans, each comprising of various components, as part of the mitigation selection process. In evaluating these options, the Team focused on several key factors, including maximizing the overall impact of the project, minimizing risks during implementation, ensuring

a high likelihood of success and maintaining a strong connection to both the project's objectives and the surrounding community.

Mr. McGonigle added that the Mitigation Projects include:

- Brandywine and Dam #1: Addresses the goal of restoring access to the Brandywine. By doing so, it would provide a natural fish gateway for fish to make their way up the Brandywine.
- Fox Point State Park: This would improve community access to the park, by removing invasive vegetation and restore the view of the river, made ADA accessible boardwalk and walking paths, and elevate observation platforms.

Mr. McGonigle also outlined the Environmental DNA ("eDNA") Monitoring & Research Program, which is part of the mitigation plans. With this equipment, a more sophisticated sampling mechanism is enabled where a simple water sample can detect the existence or absence of certain species. It is cost effective, non-evasive and safe, which is something the environmental community is in support of. Initially the program will be used to monitor around the Edgemoor site and dredge, then ultimately once the site is built it can be utilized in other capacities and will be administered by the Division of Fish and Wildlife and Division of Water within DNREC.

The Chair thanked Mr. McGonigle for the update, stating this is a collaboration between DSPC and DNREC.

IX. General Public Comment

Being no further questions or comments from the Board, the Chair opened the meeting for public comments. The following public comments were made:

- William Ashe, Jr.: Expressed his concern that DSPC does not seem want to move forward with the Delaware Container Terminal. Therefore, he plans on speaking with his offices in NJ and NY and try to get them to go to Salem. Mr. Ashe noted that this project has been going for almost ten years, but it seemed to be still in the same place.
- Simeon Hahn: Mr. Hahn asked if the presentation would be made available online. He then added that there are miles of shoreline habitat that will be lost associated with the dredging and that the public needed more information on the scaling of the impacts relative to the restoration.

No further public comments were made.

With there being no further questions or comments, the Chair thanked all for attending. **The Board Director Peaches Whalen made a motion to adjourn, and the Vice Chair seconded the motion. With no opposition, the meeting was adjourned at 4:03 p.m.**

Minutes Respectfully Submitted by Bobbi DiVirgilio