

# Port, boat owner spar over unpaid moorage

**Tomingas may owe \$10,000**

By EDWARD STRATTON  
The Daily Astorian

The Port of Astoria is headed to arbitration with a charter boat owner the agency is suing for

unpaid moorage. The Port in August sued Henry Tomingas, owner of the passenger ship Wilderness Explorer, for \$10,000 in overdue moorage. Tomingas is listed as the owner of Ocean Adventures, an inactive Alaskan company that charters vessels. The Port claims Tomingas agreed to pay \$936 a month in moorage in

November 2015; but since September 2016 has refused to pay \$10,000 worth of moorage fees. The agency is seeking \$10,000 in economic damages, attorney fees and pre and post-judgment interest. Tomingas, who lives in Girdwood, Alaska, responded this week, arguing the Wilderness Explorer was on a bareboat charter with Califor-

nia-based education and science nonprofit Mountain and Sea. A bareboat charter is an arrangement in which the lessee is responsible for a vessel's crew and provisions. Tomingas claims the nonprofit was responsible for all costs associated with the vessel. He also blamed the run-down conditions at North Tongue Point for damage to the Wil-

derness Explorer. "The Port of Astoria is negligent in providing substandard wharfage with damaged and broken off piling with no warning posted," Tomingas wrote. "The defendant's boat was damaged by broken piling and iron rods exposed." A judge has assigned the case to arbitration.

# Marina: 'We're responsible for seven boats that aren't ours'

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But the Oregon State Marine Board says more and more of that money is going toward the cleanup of former commercial vessels instead — everything from tugs to salmon trollers. Bigger and heavier, these boats are much more expensive to deal with.

"When we look at the state fund, we spend a disproportionate amount of money on removing former commercial vessels," said Rachel Graham, the marine board's interim director. "It's an equity issue."

But for public marinas and ports, derelict commercial boats are the problem at hand.

## Boat dreams

The Abandoned/Derelict Commercial Vessel Task Force, a shifting group that includes representatives from ports, public marinas, sheriff's offices, state agencies and salvage companies, was created early last year to try to answer questions and gather information around the issues of commercial boats that have been dropped at ports and marinas or left in state waterways. They hope to release a paper with their findings by the end of the year.

Even getting a good sense



Colin Murphey/The Daily Astorian

**A damaged boat sits idle in the Warrenton Marina on Tuesday as the marina attempts to contact owners about removing their property from the facility.**

of how many commercial vessels are in the state was challenging, said Graham. No one agency interacts with or records all commercial vessels. But the big hurdle still in their way is the question of money.

The state's derelict boat fund provides \$150,000 per biennium for the removal of abandoned or derelict boats up to 200 gross pounds or, to use a different measurement, up to about 100 feet in length.

"If we were just focus-

ing on recreational boats our \$150,000 would probably be sufficient for what we get, but when we agree to participate in assisting in removing commercial boats, we deplete our fund pretty quickly," Graham said.

Last biennium, the state agreed to put funds toward removing three commercial vessels. A federal grant and a boost from the Oregon Department of State Lands offset some of the cost, but "with three boats we almost used all

of our money," Graham said.

For salvage companies, it's difficult to build a good business plan around removing derelict boats in Oregon. The work they do for the state or ports and marinas are "one off" jobs and the costs to boat owners are steep. So the dilemma remains: "How do you make owners pay to recycle their boats?" Graham said.

"The easier option for many is to sell it to someone else who has boat dreams ... and it just keeps getting passed

down and down."

## Revenue loss

This year, for the first time in 12 years, all the vessels at the Warrenton Marina's commercial docks are working boats.

"Every single one of them," said Harbormaster Jane Sweet. "That in itself is a huge achievement. ... and I want to keep it that way."

The seven derelict boats on her list right now have been moved elsewhere in the marina to open up space.

Such boats represent a loss of revenue in more ways than one. They camp in slips a working boat, with owners who pay moorage fees and look after their property, could occupy. Without an active owner attached, marina staff take on a babysitting role. They check the boats after storms hit the area. Many of the vessels require pumps running day and night to keep them afloat, another task and cost that fall on the shoulders of marina staff.

When Western Skies sank at the docks in July and began leaking fuel, the incident consumed Sweet's time. She and her staff had to act quickly to keep a bad situation from getting worse, coordinate

with the U.S. Coast Guard, figure out how to contain the leaks, get the boat floating again and keep it afloat. When power went out for nearly half an hour during a weekend storm this month, staff raced to the marina keep an eye on Western Skies and the other abandoned boats.

Warrenton faces a growing demand for slips and Sweet is increasing efforts to deal with problem boats. To stem the flow of abandoned vessels into the marina, she now requires people to provide proof of insurance and current documentation and registration. Marina staff are being proactive about the seizure process. But only one owner of a derelict boat in recent years has cleared his account with the marina. Warrenton's seizure notices went out as certified mail. Most came back unaccepted.

If no owners step up before the deadlines in the seizure process run out, the marina could sell the vessels for parts. It's possible some money from the marina board could also come Warrenton's way. Sweet isn't sure yet what they'll do.

For now, and perhaps for the foreseeable future, she said, "We're responsible for seven boats that aren't ours."

## SCHOOLS SEEK CHILDREN WITH DISABILITIES

Local school districts and the Northwest Regional Education Service District (NWRES D) seek assistance in locating children from birth through age 21 with disabilities who have not graduated from high school and are not attending nor receiving other special-education services from public schools.

Oregon and federal law mandate appropriate educational services for children with disabilities. NWRES D provides educational services for eligible children from birth to kindergarten. Local school districts provide educational programs and services for eligible children from kindergarten through high school. These services are provided as appropriate to each child's needs and disability.

Parents, guardians, and others who know of a child aged 5 through 21 with a disability who is not currently receiving educational services are asked to notify the special-education contact for their home district, including:

DISTRICT	TELEPHONE
Astoria	503-325-0476
Jewell	503-755-2451 ext. 2470
Knappa	503-458-6162 option 2
Seaside	503-738-5591
Warrenton-Hammond	503-861-3376

For children younger than kindergarten age, call the NWRES D's Clatsop Service Center at 503-325-2862.

## LOS DISTRITOS ESCOLARES BUSCAN IDENTIFICAR A LOS NIÑOS CON DISCAPACIDADES QUE NO SE ENCUENTREN RECIBIENDO SERVICIOS

Distrito de Servicio Educativo de la Región Noroeste (NWRES D) y los distritos escolares del Condado de Clatsop desean ayudar a ubicar a niños con discapacidades (recién nacidos hasta la edad de 21 años) que no say hayan graduado de la enseñanza preparatoria (educación media superior) y que actualmente no se encuentren recibiendo otros servicios de educación especial en las escuelas publicas.

El Ley de Oregon y la Ley Federal ordenan que se provea servicios educativos apropiados para niños con discapacidades. El NWRES D proporciona servicios educativos desde el nacimiento hasta el kindergarten para los niños que sean elegibles. Los distritos educativos locales proven programas educativos y servicios para los niños elegibles desde el Kindergarten hasta la Enseñanza Media Superior (Preparatoria). Estos servicios son proporcionados de acuerdo con las necesidades de cada niño y su discapacidad.

Se solicita a los padres, tutores legales, u otras personas que conocen a algun niño (en edad de cinco a 21 años\*) con alguna discapacidad y que no se encuentre recibiendo servicios educativos, que contacten al distrito escolar de su localidad abajo enlistados.

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\*Para niños menores de cinco años, favor de contactar al NWRES D al 503-338-3368 si habla ingles y Juliana West a (503) 325-7351 si habla español.

THE DAILY ASTORIAN



# TV SCHEDULE

Evening listings  
THURSDAY

THURSDAY EVENING												OCTOBER 26	
A	L	6 PM	6:30	7 PM	7:30	8 PM	8:30	9 PM	9:30	10 PM	10:30	11 PM	11:30
2	KATU	(2) KATU News at 6 (N)		Jeopardy! (N)	Wheel Fortune (N)	Grey's Anatomy "Danger Zone" (N)	Scandal "Lost Girls" (N)	Away With Murder "I Love Her" (N)	KATU News (N)	(35) Jimmy Kimmel			
3	KOMO	(4) KOMO 4 News (N)		Wheel of Fortune	Jeopardy!	Grey's Anatomy "Danger Zone" (N)	Scandal "Lost Girls" (N)	Away With Murder "I Love Her" (N)	KOMO 4 News (N)	(35) Jimmy Kimmel			
5	KING	(5) NBC News (N)	KING 5 News (N)	KING 5 News (N)	Evening	Superstore (N)	Will & Grace (N)	Great News (N)	Chicago Fire "Devil's Bargain" (N)	KING 5 News (N)	(35) Tonight Show		
6	KOIN	(6) (5:25) NFL Football Miami Dolphins at Baltimore Ravens (L)				(15) KOIN Local 6			Extra	Ent. Tonight	KOIN 6 News (N)	(35) Colbert	
7	KIRO	(7) (5:25) NFL Football Miami Dolphins at Baltimore Ravens (L)				(15) KIRO 7 Game Day		KIRO 7 News (N)	Steve Raible's Scouting Report (L)	KIRO News (N)	(35) Colbert		
8	KGW	(8) KGW News at 6:00 p.m. (N)		Live at 7 (N)	Inside Edition	Superstore (N)	GoodPlace (N)	Will & Grace (N)	Great News (N)	Chicago Fire "Devil's Bargain" (N)	KGW News (N)	(35) Tonight Show	
9	KRCW	(9) Modern Family	Modern Family	The Goldbergs	The Goldbergs	Supernatural "Patience" (N)		Arrow "Next of Kin" (N)		News at 10 (N)	Mom	Two and a Half	Two and a Half
10	KOPB	(10) Mickela Mallozi	Business (N)		PBS NewsHour (N)	Art Beat (N)	Oregon Guide (N)	Midsomer M.	(50) Midsomer "The Axeman Cometh"	(35) Masterpiece Mystery!	Sherlock: The Six Thatchers"		
12	KPTV	(12) 6 O'Clock News (N)		Family Feud	Family Feud	Gotham "Hog Day Afternoon" (N)		The Orville "Majority Rule" (N)		10 O'Clock News (N)	News (N)	Page Six TV	
13	KPDx	(13) Mike & Molly	Mike & Molly	Big Bang Theory	Big Bang Theory	FOX 12's News (N)		9 O'Clock News (N)		Family Guy	American Dad!	The Game	The Game
13	KCPQ	(13) Modern Family	Modern Family	Big Bang Theory	Big Bang Theory	Gotham "Hog Day Afternoon" (N)		The Orville "Majority Rule" (N)		Q13 News at 10 (N)	Q13 News (N)	The Simpsons	
20	TBS	(20) Family Guy	Family Guy	Seinfeld	Seinfeld	Seinfeld	Seinfeld	Big Bang Theory	Big Bang Theory	Big Bang Theory	Big Bang Theory	Conan (N)	
22	KZJO	(22) Friends	Friends	The Goldbergs	The Goldbergs	Modern Family	Modern Family	Q13 News at 9 (N)		Big Bang Theory	Big Bang Theory	Two and a Half	Two and a Half
29	ESPN	(29) NCAA Football Stanford at Oregon State Site: Reser Stadium -- Corvallis, Ore. (L)				SportsCenter (N)		SportsCenter With Scott Van Pelt (N)		SportsCenter (N)	SportsCenter (N)	SportsCenter (N)	
30	ESPN2	(30) MLS Soccer Playoffs (L)				SportsCenter (N)		Nación ESPN (L)		APGC Golf Asia-Pacific Amateur Championship Round 2			
31	NICK	(31) The Loud House	Henry Danger	Henry Danger	The Thundermans	To Be Announced					Nashville		
32	DISN	(32) Jessie	Jessie	Bunk'd	Bunk'd	Andi Mack	Stuck in Middle	Bizaardvark	Raven's Home	K.C. Undercover	Liv and Maddie	Bizaardvark	Raven's Home
34	FAM	(34) (05) *** Men in Black ('97) Tommy Lee Jones, Vincent D'Onofrio, Will Smith.				(20) *** Dark Shadows (2012, Fantasy) Michelle Pfeiffer, Eve Green, Johnny Depp.						The 700 Club	
35	FMC	(35) (55) Paul Blart: Mall Cop 2 ('15) Kevin James.				(50) FXM Presents				(50) FXM Presents		Devil's Due (2014, Horror) Zach Gilford.	
36	LIFE	(36) A.BeautyStar "Emergency Makeover"		Project Runway "A Little' Avant Garde"		Runway (N)	(50) P.Runway (N)	Project Runway "Warrior Fashion" (N)		Am. Beauty Star	Rock the Catwalk" (N)	To Be Announced	
39	ROOT	(39) (4:30) Tennis	In the Spotlight	Uneniable Joe Buck "Ray Leonard"		Fantasy Football Hour (N)		Press Pass (N)	Press Pass	AMA Supercross			
39	FS1	(39) (4:30) To Be Announced		Springfield of Dream		Speak for Yourself		Skip and Shannon: Undisputed Opinions on the biggest sports topics of the day.				NASCAR Race Hub	
43	SPIKE	(43) Friends	Friends	Friends	Friends	Friends	Friends	** Mr. and Mrs. Smith (2005, Action) Angelina Jolie, Vince Vaughn, Brad Pitt.					
44	COM	(44) Futurama	Futurama	Futurama	Futurama	South Park	South Park	Tosh.0	Tosh.0	Nathan for You (N)	Pres. Show (N)	The Daily Show (N)	The Opposition (N)
45	HIST	(45) Forged in Fire "The Roman Gladiator"		Forged in Fire "Zulu Ikwa"		(55) Forged in Fire: Cutting Deeper	The Ottoman Empire" (N)			Ice Road Truckers "The Big Skid" (N)	(05) Ice Road Truckers "The Big Skid"		
46	A&E	(46) The First 48		The First 48	Blood on Bourbon"	The First 48 "Revenge Kills (N)		The First 48 "Runner Runner" (N)		The Eleven "Motel Murder"	(05) The First 48		
47	TLC	(47) Say Yes-Dress	Say Yes-Dress	My 600-lb Life "Cynthia's Story"	Cynthia is a 610-lb single mother raising five kids.	My 600-lb Life "Gideon's Story"		My 600-lb Life "Dottie's Story"		My 600-lb Life "Dottie's Story"		My 600-lb Life "Cynthia's Story"	
48	DISC	(48) Alaska: The Last Frontier		Alaska: The Last Frontier		Alaska: The Last Frontier	The Day the Ice Road Shattered/ Homestead Caught Fire/	Cattle Swam" (N)				Edge of Alaska "No Surrender"	
49	NGEO	(49) Live Free or Die "Builds and Bees"		Live Free or Die "Tony and Amelia"		Life Below Zero "Primitive Ways"		Running Wild "Shaquille O'Neal"		Running Wild "Channing Tatum"		Running Wild "Shaquille O'Neal"	
50	TNT	(50) (5:00) NBA Basketball Boston Celtics at Milwaukee Bucks (L)		NBA Basketball New Orleans Pelicans at Sacramento Kings Site: Golden 1 Center -- Sacramento, Calif. (L)		Inside the NBA						NBA Basketball Boston vs Milwaukee	
51	AMC	(51) (5:00) *** Predator 2 ('90, Sci-Fi) Gary Busey, Maria Conchita Alonso, Danny Glover.		** Jeepers Creepers (2001, Horror) Justin Long, Jonathan Breck, Gina Philips.									
52	USA	(52) Law&Order: SVU "Star-Struck Victims"		Law & Order: S.V.U. "Rape Interrupted"		Law & Order: S.V.U. "Chasing Theo"		Law & Order: S.V.U. "Decline and Fall"		Chicago P.D. "Push the Pain Away"		Chicago P.D. "Born Into Bad News"	
53	FOOD	(53) Beat Bobby Play	Beat Bobby Play	Chopped "Oktoberfest!"		Chopped "Whiskey and Wings"		Chopped "Gimme Gator" (N)		Beat Play (N)	Beat Bobby Play	Beat Bobby Play	Beat Bobby Play
54	HGTV	(54) Desert Flippers	Desert Flippers	Desert Flippers	Desert Flippers	Flip or Flop	Flip or Flop	FlipFloVegas (N)	Flip or Flop	House Hunters (N)	House Hunters (N)	House Hunters (N)	House Hunters (N)
56	FX	(56) (5:00) Hansel & Gretel: Witch Hunters		** Snow White and the Huntsman (2012, Action) Chris Hemsworth, Charlize Theron, Kristen Stewart.						Better Things (N)	Better Things	Better Things	Movie
57	CNN	(57) Anderson Cooper 360		CNN Tonight With Don Lemon		CNN Tonight With Don Lemon		Anderson Cooper 360		Anderson Cooper 360		CNN Tonight With Don Lemon	
58	FNC	(58) Hannity		Fox News Tonight		Tucker Carlson Tonight		Hannity		Fox News Tonight		Tucker Carlson Tonight	
61	CNBC	(61) Shark Tank		Lives-Super Rich	Lives-Super Rich	Lives-Super Rich	Lives-Super Rich	Lives-Super Rich	Lives-Super Rich	Lives-Super Rich	Lives-Super Rich	Lives-Super Rich	Paid Program
63	BRV	(63) Top Chef "Comida Final"		Top Chef Jr. "Food Truck Frenzy" (N)		To Be Announced				Real Estate "Commission Control" (N)		WatchWhat (N)	Real Housewives
64	TCM	(64) (5:00) Omega Man ('71) Charlton Heston.		** Logan's Run (1976, Sci-Fi) Richard Jordan, Jenny Agutter, Michael York.				(15) ** THX 1138 (1971, Sci-Fi) Donald Pleasence, Maggie McOmie, Robert Duvall.				A Clockwork Orange	
65	SYFY	(65) (4:00) What Lies Beneath		** G.I. Joe: Retaliation ('13) Dwayne Johnson, Adrianne Palicki, Channing Tatum.				Van Helsing "A Home" (N)		Ghost Wars (N)		Superstition "Pilot"	
162	RFD	(162) (4:30) FFA Con.	(45) FFA Report	Rural America "Live"		Steve Lantvit	Rural Eve. News	Market Journal	GA Farm Monitor	SF Machinery	Small Town	Time Life Library	