

DRAFT

RESOLUTION 20xx-xxx

RESOLUTION ACCEPTING GRANT FUNDS FROM THE STATE OF CALIFORNIA NATURAL RESOURCES AGENCY, DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS (DBW) FOR THE FY24 SURRENDERED AND ABANDONED VESSEL EXCHANGE (SAVE) PROGRAM IN THE AMOUNT OF \$100,000 AND GRANTING INDEMNITY

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I (“Port Act”); and

WHEREAS, the Board of Port Commissioners (BPC) adopted BPC Policy No. 110 to establish a policy governing the processing and administration of public projects, consulting and service agreements, the purchasing of supplies, materials and equipment, and grants; and

WHEREAS, in September 2023, the California State Parks Agency, Division of Boating and Waterways (DBW), announced awards under the FY 2023/2024 Surrendered and Abandoned Vessel Exchange (SAVE) Program; and

WHEREAS, SAVE provides grant funds for the abatement, removal, storage and/or disposal of eligible water hazards and surrendered vessels; and

WHEREAS, the District was awarded \$100,000 in the FY 2023/24 funding round; and

WHEREAS, grant funds are used to reimburse the costs associated with the storage and disposal of marine debris and abandoned vessels; and

WHEREAS, the San Diego Harbor Police removes marine debris or abandoned vessels, which are then transported to a District-owned facility in National City for storage and disposal; and

WHEREAS, this grant will provide unbudgeted, unanticipated funding beyond what is currently budgeted for the removal and disposal of surrendered vessels and other navigational hazards in furtherance of the District’s mission; and

WHEREAS, the SAVE program requires a 10% match and that the District enter into an agreement wherein the District would agree to indemnify DBW and commit to other terms as set forth in the agreement; and

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WHEREAS, staff recommends that the BPC adopt a Resolution authorizing acceptance of grant funds from the DBW for the FY2023/24 SAVE Program in the amount of \$100,000 and grant indemnity to DBW as set forth in the Surrendered and Abandoned Vessel Exchange Grant Agreement; and

WHEREAS, the proposed Board action, including without limitation, the acceptance of grant funds from the DBW for the FY 2023/23 SAVE Program, is a subsequent discretionary approval of a previously approved project pursuant to Section 15378(c) of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, the project was previously determined to be categorically exempt on December 8, 2020 pursuant to CEQA Guidelines Sections 15301 (Existing Facilities) and 15304 (Minor Alterations to Land) of the District's Guidelines for Compliance with CEQA because the project would consist of accepting grant funds for the abatement, removal, storage, and/or disposal of eligible surrendered vessels that pose hazards to navigation that would involve no expansion of use beyond that previously existing; and

WHEREAS, the District has determined none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2); and

WHEREAS, no further action under CEQA is required for the proposed Board action.

NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, that the Executive Director, or their designated representative, is hereby authorized to accept California State Parks Agency, Division of Boating and Waterways (DBW) for the FY2023/24 Surrendered and Abandoned Vessel Exchange (SAVE) Program in the amount of \$100,000 and grant indemnity to DBW as set forth in the Surrendered and Abandoned Vessel Exchange Grant Agreement.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL

By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 14th day of November 2023, by the following vote: