

SAN DIEGO UNIFIED PORT DISTRICT

MEMORANDUM

**Date:** September 5, 2019

**To:** Board of Port Commissioners

**Via:** Jason H. Giffen  
Assistant Vice President, Planning & Green Port  
[jgiffen@portofsandiego.org](mailto:jgiffen@portofsandiego.org)

**From:** Kelly Tait  
Program Manager, Environmental Protection  
[ktait@portofsandiego.org](mailto:ktait@portofsandiego.org)

**Subject:** Notification of Administrative Review of SDUPD Ordinance No. 2681 (Regulation of In-Water Hull Cleaning), the In-Water Hull Cleaning Permit, and Associated Best Management Practices Requirements

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The purpose of this memo is to inform the Board that staff has initiated an administrative review of San Diego Unified Port District Ordinance 2681 *Ordinance Amending Unified Port District Code Section 4.14, Regulation of In-Water Hull Cleaning*, as well as a review of the In-Water Hull Cleaning Permit and associated Best Management Practices requirements.

This administrative review is being initiated as a result of direction given to staff at the June 2019 Board of Port Commissioners Meeting at which time the Board requested that staff further evaluate policy initiatives that reduce loading of copper into San Diego Bay, including those policies related to in-water hull cleaning. Additional direct loading reductions are needed in Shelter Island Yacht Basin to meet Total Maximum Daily Load requirements by 2022.

A letter has been sent to all In-Water Hull Cleaning companies that currently possess an active in-water hull cleaning permit to notify them of the administrative review (Attachment A). This letter was also distributed to all San Diego Bay marinas, yacht clubs and boatyards, as well as to the San Diego Port Tenants Association for further distribution. It will also be posted on the Port's website.

As stated in the letter, all District-issued In-Water Hull Cleaning Permits will remain in full effect and any permit expiring after September 5, 2019 will be automatically extended for the duration of time until the review is complete and any updates deemed necessary receive Board approval. In addition, no new permits will be issued during the review

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process until the District provides a new notice with instructions on how to apply for a new permit.

Staff will be conducting outreach to interested parties regarding the administrative review and obtain input on some of the salient points related to Best Management Practices, insurance requirements, and enforcement.

Staff also will be returning to the Board in October to provide an overview of this review process as one part of a comprehensive agenda item related to copper reduction policy initiatives.

If you have any questions, contact Kelly Tait at (619) 686-6372 or via email at [ktait@portofsandiego.org](mailto:ktait@portofsandiego.org), or Jason Giffen at (619) 686-6473 or via email at [jgiffen@portofsandiego.org](mailto:jgiffen@portofsandiego.org).

Attachment:

Attachment A – September 5, 2019 Correspondence to In-Water Hull Cleaning Companies Providing Notification of Upcoming Administrative Review



September 5, 2019

**Subject:** Notification of Administrative Review of the San Diego Unified Port District's In-Water Hull Cleaning Ordinance, In-Water Hull Cleaning Permit, and Best Management Practice Requirements

Dear Interested Party:

This letter is to inform you that the San Diego Unified Port District (District) will be conducting an administrative review of its In-Water Hull Cleaning Ordinance, as well as a review of the In-Water Hull Cleaning Permit and associated Best Management Practices requirements over the coming months. Upon completion of this process, updates may be deemed necessary, which may ultimately require the approval of the Board of Port Commissioners.

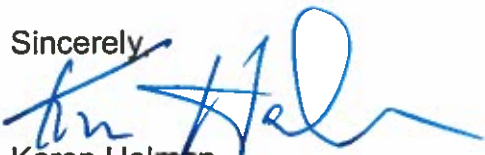
During this review and update process, all permits active as of September 5, 2019 will remain in full effect. Any permit expiring after September 5, 2019 will be automatically extended, at no additional cost, for the duration of time until the District provides a new notice with instructions on how to apply for a new permit.

In addition, the District will not be issuing any additional permits as of September 5, 2019 until the District provides a new notice with instructions on how to apply for a new permit.

The administrative review and update is anticipated to take approximately 2 months, after which District staff will be providing the Board draft updates for consideration.

Interested persons will be invited to provide comments during the review process, and on the draft documents prior to Board consideration. The District will be holding outreach meetings and disseminating information via email and on the website at <https://www.portofsandiego.org/environment/environmental-protection/copper-reduction-program>. If you are interested in receiving further updates and information on this process, please email District staff at [hullcleaning@portofsandiego.org](mailto:hullcleaning@portofsandiego.org) and your email will be included on the distribution list.

Please direct any questions about this process to District staff at [hullcleaning@portofsandiego.org](mailto:hullcleaning@portofsandiego.org).

Sincerely,  
  
Karen Holman  
Director, Environmental Protection  
San Diego Unified Port District