

**DRAFT**

**RESOLUTION 20xx-xxx**

**RESOLUTION AUTHORIZING BLUE ECONOMY  
INCUBATOR AGREEMENT WITH PACIFIC OCEAN  
AQUAFARMS, LLC (POA) FOR DISTRICT TO  
COOPERATE IN POA'S FEDERAL PERMIT  
APPLICATION AND NATIONAL ENVIRONMENTAL  
PROTECTION ACT (NEPA) REVIEW PROCESSES  
FOR POA'S PROPOSED PROJECT  
DEMONSTRATING SUSTAINABLE OFFSHORE  
AQUACULTURE IN FEDERAL WATERS**

**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 1, (Port Act); and

**WHEREAS**, on October 10, 2017, the Board of Port Commissioners (BPC) directed staff to begin negotiating agreements for the second round of proposals under the District's Blue Economy incubator contingent on further due diligence; and

**WHEREAS**, of the four proposals presented to the BPC, an agreement with Zephyr Marine Debris Removal LLC for a pilot project for marine debris removal was subsequently approved on January 8, 2018 (Resolution 2017-0628) and, based on further due diligence, staff has not recommended agreements for the proposals related to sensor technology to prevent oil spills from vessels and real-time ocean monitoring technology for recreational maritime applications; and

**WHEREAS**, the fourth proposal presented to the BPC in October 2017 was related to a proposed project to demonstrate sustainable offshore aquaculture in federal waters by Rose Canyon Fisheries, Inc., an entity partially owned by Hubbs-SeaWorld Research Institute; and

**WHEREAS**, since then, Hubbs-SeaWorld Research Institute has joined with new partners and has continued its same proposal under a new entity, Pacific Ocean Aquafarms, LLC (POA); and

**WHEREAS**, staff has negotiated a proposed agreement with POA, and recommends the BPC authorize an agreement for District to cooperate in POA's federal permit application and National Environmental Protection Act review processes for POA's proposed project demonstrating sustainable offshore aquaculture in federal waters, and, if such federal permits are granted, allow POA to use the District's Tenth Avenue Marine Terminal for loading and

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offloading of fish and other materials for the project in exchange for a certain share of POA's revenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Port Commissioners of the San Diego Unified Port District (District), as follows:

That the Executive Director or her designated representative is hereby authorized and directed on behalf of the District to enter into an agreement with Pacific Ocean Aquafarms, LLC, for the District to cooperate in POA's federal permit application and National Environmental Protection Act review processes for POA's proposed project demonstrating sustainable offshore aquaculture in federal waters, and, if such federal permits are granted, allow POA to use the District's Tenth Avenue Marine Terminal for loading and offloading of fish and other materials for the project in exchange for a certain share of POA's revenue.

APPROVED AS TO FORM AND LEGALITY:  
GENERAL COUNSEL

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By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 12<sup>th</sup> day of September 2018, by the following vote: