SAN DIEGO UNIFIED PORT DISTRICT

PORT OF SAN DIEGO

STATE OF CALIFORNIA

TARIFF NO. 1-G



NAMING:

RATES, CHARGES, RULES AND REGULATIONS
APPLICABLE TO WATERBORNE COMMERCE
WITHIN THE JURISDICTION OF THE
SAN DIEGO UNIFIED PORT DISTRICT

Effective: December July August 1, 20175

NOTICE TO TARIFF USERS

The official Tariff filing is that contained on the Port of San Diego website.

(Organization No. 01576 Tariff No. 1-G)

Changes in addition to or eliminated from this Tariff will be published at http://www.portofsandiego.org/maritime/tariff-info.html.

(11th-Revised Title Page -- Correction No. 403)

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Issued by:

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Port of San Diego
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Field Code Changed

Field Code Changed

COMMISSIONERS, OFFICERS AND ADMINISTRATIVE STAFF

FMC Subrule: 34.10

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Issued: October 6, 2015 Effective: December 1, 2015

Correction No.: 404

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BOARD OF PORT COMMISSIONERS

Dan Malcolm Robert 'Dukie' Valderrama (Chair)

Rafael Castellanos

Marshall Merrifield (Vice Chairman) Gary Bonelli

Robert 'Dukie' Valderrama (Secretary) Ann Moore

Gary Bonelli

Dan Malcolm

Marshall Merrifield

Bob Nelson

Rafael Castellanos

National City

Imperial Beach

San Diego

<u>Coronado</u>

National City

Chula Vista

Coronado Imperial Beach

San Diego

OFFICERS & ADMINISTRATIVE STAFF

President/CEO (Chief Executive Director)

Port Attorney

Executive Vice President, Administration

Vice President

Vice President

Chief Financial Officer/Treasurer

Chief of Harbor Police / Vice President, Public Safety

Port Auditor Director, Maritime Randa Coniglio

Thomas Russell

Karen Porteous

Bella Heule

T. Scott Edwards

Robert "Bob" DeAngelis

John Bolduc

Robert "Bob" Monson

Joel Valenzuela

TERMINAL OPERATORS / CARGO HANDLERS / CAR LOADERS / CAR UNLOADERS

FMC Subrule: 34.12

19th Revised Page 1

Issued: June 11, 2013 Effective: July 11, 2013 Correction No.: 324

The following are parties to Terminal Operator Agreements with the District:

Metropolitan Stevedoring Services
Pasha Automotive Services
Ports America
Stevedoring Services of America

FMC Subrule: N/A

25thRevised Page 3

Issued: October 6, 2015 Effective: December 1, 2015

Correction No.: 405

Changes in and additions to this Tariff will be made by reprinting the page upon which the change or addition is made, and such page will be designated as revised page and will carry a "Correction" number in the upper right-hand corner.

Upon the receipt of a revised or new page, place a check mark opposite the "Correction" number (shown below), corresponding to the number shown in the upper right-hand corner of the revised pages. They will appear checked off in consecutive order with no omissions. If the check marks indicate that a "Correction" has not been received, a request should be made at once for a copy of the missing page.

Corr. # Rev. # Page # Corr.# Rev. # Page # Corr.# Rev. # Page # Corr. # Rev. # Page # 55D 47A 18A 48A 56A 48B 46A 48C 63A 48D 63B 48B 48C Title Page 48D 54A 40A 54B 43A 54A 55A 55A 55B 43A 55B 55C 46A 55C 55D 55D 47A 46A 56A 56A 48A Title Page 63A 48B 48A Title Page 63B 48C 48B 48D 48C Title Page 48D 52A 54A 54A 54B 43A 7A 54B 55B 55C 55A 55D 46A 55B 55C 56A 17A

Comment [JVB1]: Changes, in line with the FMC Subrules, are to be updated following approval of proposed tariff amendments.

1st Revised Page 4

EXPLANATION OF ABBREVIATIONS CORRECTION NUMBER SELECT AND REFERENCE MARKS

Issued: September 16, 2014 Effective: November 1, 2014 Correction No.: 389

FMC Subrule: 34.15

A.M.	Before Noon	(D)	Deletion
Bbls.	Barrels	(E)	Expiration
B.M.	Board Measure	M	Meters
Cu. Ft.	Cubic Feet	M.T.	Metric Ton
E.G. or e.g.	For Example	No.	Number
Etc.	And so on	N.O.S.	Not Otherwise Specified in this Tariff
Ex.	From	P.M.	After Noon
Ft.	Feet	Viz.	Namely
In.	Inches	W/M	Weight or Measurement
KG (s)	Kilograms	Gals.	Gallons
KM (s)	Kilometers	%	Percentage
KWH	Kilowatt Hour	(R)	Reduction
Lbs.	Pounds	(A)	Addition
LT(s)	Liters	(I)	Increase
<u>LPG</u>	Liquid Petroleum Gas	<u>(C)</u>	No Change in Rate
\$	U.S. Dollars	(C)	Change in wording which results in
		neither increa	ase nor reduction
SU	Set-Up		

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	Issued: October 6, 2015
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	Effective: December 31, 1993
FMC Subrule: 34.20	Correction No.:

Customary international (metric) and U.S. units of weight and measure governing the determination of rates and charges asses under this Tariff are as follows:

ı Acre	43,560	Square Feet
1 Barrel (US 42 Gallons)	158.9873	Liters
6.4 Barrels (US, Bunker Fuel Only)	1,000	Kilograms
1 Bushel Grain (US) 60 Pounds	27.216	Kilograms
1 Cubic Foot	0.0283	Cubic Meter
1 Cubic Meter	35.315	Cubic Feet
1 Cubic Meter	423.792	Ft. Board Measure
1 Foot	0.3048	Meter
1 Gallon	3.7854	Liters
1 Gallon (Fresh Water)	8.34	Pounds
1 Kilogram	2.2046	Pounds
1,000 Kilograms	2,204.62	Pounds (1 Metric Ton)
1 Liter	0.2642	Gallon
1 Long Ton	2,240	Pounds
1 Long Ton	1,016.047	Kilograms
1 Meter	3.2808	Feet
1 Metric Ton (1 Kilo Ton)	1.1023	Short Tons
1 Pound	0.4536	Kilograms
2,000 Pounds	907.1847	Kilograms (1 Short Ton)
1 Short Ton	0.9072	Metric Ton
1,000 Feet Board Measure	83.33	Cubic Feet
1,000 Feet Board Measure	2.36	Cubic Meters
1 LPG Railcar	<u>57.6</u>	Metric Ton

Original Page 5

FMC Subrule: 34.25

Effective: December 31, 1993

Correction No.:

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FMC Subrule: N/A	Issued: September 16, 2015 Effective: November 1, 2015 Correction No.: 390

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TMC Code and a N/A	_
FMC Subrule: N/A	Correction No.: 391

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FMC Subrule: N/A	Correction No.:

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	Issued: February 15, 2002
	Effective: March 1, 2002
FMC Subrule: N/A	Correction No.: 128

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FMC Subrule: N/A	Correction No.: 362

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		Issued: June 13, 2005 Effective: July 1, 2005
l	FMC Subrule: N/A	Correction No.: 257

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FMC Subrule: 34	Correction No.:	
SEE FEDERAL MARITIME COM	MISSION SUBRULES.	
FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE M	IARKS, SEE SUBRULE 34.15	

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SECTION I DEFINITION OF TECHNICAL TERMS

Issued: December 23, 1993 Effective: December 31, 1993

FMC Subrule: 34.A

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE 34.15 $\,$

Correction No.:

			Itama Na	
	DO ADD		Item No.	
	BOARD			
"Board" means the Board of Port Comm	nissioners of the San Diego Ui	nified Port District.	0100	Formatted: Justified
C				
"Cargo Handler" is defined to mean any p	erson, firm or corporation eng	aged in the business of handling		Formatted: Justified
cargo or merchandise on Port District whar	ves and facilities, whether in the	e capacity of stevedores, handlers,	0105	Formatted: Font: 9 pt
car loaders, car unloaders, or vessel operat others.	ors or agents, either for their o	wn account or for the account of		Formatted: Justified
CARGO	O HANDLING PERMIT			
"Cargo Handling Permit" is defined to mea			0110	Formatted: Font: 9 pt
application, to operate upon Port District Port District facilities is prohibited without		t facilities. <u>Cargo Handling upon</u>		
*	RCIAL FISHING VESSE			
COMME	KCIAL FISHING VESSE	LS		
"Commercial Fishing Vessels" are thos		,	0115	Formatted: Justified
Department of Commerce, United Stat		•	0115	
Fish and Game as Commercial Fishing Tariff.	vessels and as further descri	ibed in Item No. 0445 of this		
Tallii.				
	CONTAINER			
"Container" is a single rigid, non-dispo	sable, intermodal dry cargo, i	insulated, refrigerated, flat rack,		Formatted: Justified
liquid tank or open-top container, demountable, of not less than two-hundred twenty five (225)			0120	
cubic feet capacity, furnished or appro	oved by an ocean carrier for	transportation of commodities		
aboard its vessel.				
CORRELATION OF FEDERA	AL MARITIME COMMI	SSION DEFINITIONS		
	For Information Only)			
	,			
Section 515.6(d) or 46 CFR (Code of Fed	deral Regulations) contains d	efinitions of certain terminal		Formatted: Justified
services.				
Pursuant to the provisions of 46 CFR 51	15.6 these definitions are cont	ained in this Tariff as follows:		
and the second s	<i>y.</i>		0125	
<u>Definitions</u>	46 CFR Ref.	Tariff Item		
Dockage	515.6 (d) (1)	0140		
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SECTION I DEFINITION OF TECHNICAL TERMS

Issued: December 23, 1993 Effective: December 31, 1993

Correction No.:

FMC Subrule: 34.A

Item No. DIRECT 0130 "Direct" shall mean a continuous operation between barge, vessel and rail car or truck when performed by vessel's stevedores, pipeline or any mechanical means. DISTRICT "District" means the San Diego Unified Port District and includes authority to implement all items of this Tariff by the Board of Port Commissioners, its executive officers, the Executive Director,-or_ ō135 their duly authorized agents. Properties under jurisdiction of the San Diego Unified Port District_encompass_certain_tideland_areas_within_the_Cities_of_San Diego, National_City, Chula_Vista, Imperial Beach and Coronado, as well as certain navigable waters therein, including without limitation San Diego Bay. DOCKAGE 0140 "Dockage" is the charge assessed against a vessel for berthing at a Port District wharf, pier, slip or bulkhead structure, or for mooring to a vessel so berthed. **FREE TIME** 0145 "Free Time" is the specified number of days during which merchandise may occupy space assigned without being assessed storage, rental or demurrage charges. **HAZARDOUS MATERIALS** "Hazardous Materials", "Hazardous Waste", "Hazardous Substance", and/or "Dangerous Cargoes" are defined as materials which have been designated by the U.S. Environmental Protection Agency (EPA), the International Maritime Organization (IMO), the California Health & Safety Code or the U.S. Coast Guard (USCG), as capable of posing a significant risk to health, safety or property when 0150 transported, stored or released, or which qualify as hazardous by reason of their characteristics pursuant to California Health & Safety Code, Title 22, Division 4.5, Chapter 10, Article 2. Hazardous materials or hazardous wastes include but are not limited to the following: Corrosives (pH less than or equal to 2.5 or pH greater than or equal to 12.5), explosives, oxidizers, poisons, reactives, flammables and combustibles or other federal, state, or local definitions of hazardous waste, substance or toxin.

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SECTION I DEFINITION OF TECHNICAL TERMS

FMC Subrule: 34.A

Issued: September 16, 2014 Effective: November 1, 2014

Correction No.: 363

	Item No.
HOLIDAYS	
"Holiday" shall mean and include the following:	
January 1 New Year's Day	
January, the third Monday	
February, the third Monday Presidents' Day	
March 31 Cesar Chavez Day	
May, the last Monday Memorial Day	
July 4 Independence Day	
September, the first Monday Labor Day	
November 11	0155
November, the fourth Thursday Thanksgiving Day	
November, the fourth Friday Day After Thanksgiving	ļ
December 24 Christmas Eve	
December 25 Christmas Day	
December 31	
Holiday falls on Sunday, the Monday following will be observed as the Holiday. When a designated Holiday falls on Saturday, the Friday preceding will be observed as the Holiday.	
INBOUND MERCHANDISE	
"Inbound Merchandise" means merchandise which is being or has been discharged from a vessel.	0160
IMPORT MERCHANDISE	
"Import Merchandise" is a shipment of goods received from a foreign country.	0161
LOCAL TERRITORY	
"Local Territory" is defined as origins or destinations in the United States located in states west of and including Montana, Wyoming, Utah and Arizona and points in Canada located in and west of the province of Saskatchewan.	0165
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PORT OF SAN DIEGO - TARIFF NO. 1-G SECTION I DEFINITION OF TECHNICAL TERMS FMC Subrule: 34.A Original Page 17A Issued: September 16, 2014 Effective: November 1, 2014 Correction No.: 364

	Item No.		
MERCHANDISE			
"Merchandise" includes, but is not limited to, cargo, commodities, goods, wares, freight, liquids, articles and materials of every kind whatsoever, including bulk materials, containers as described in Item No. 0120, live animals, vessel stores, supplies and bunkers.	0170	← Formatted: Justified	
MERCHANDISE IN BULK			
"Merchandise in Bulk" _shall _be _construed _as _commodities _which,bynatureoftheir unsegregated mass, are usually handled by shovels, scoops, buckets, forks, magnets or mechanized conveyors, and which are carried without wrappers or containers and received and delivered by carrier without transportation mark or count. (Will not apply when subject to a piece count.)	0175	← Formatted: Justified	
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PORT OF SAN DIEGO - TARIFF NO. 1-G SECTION I DEFINITION OF TECHNICAL TERMS FMC Subrule: 34.A PORT OF SAN DIEGO - TARIFF NO. 1-G SECTION I Lissued: September 16, 2014 Effective: November 1, 2014 Correction No.: 365

	Item No.	1
O.C.P. TERRITORY - (OVERLAND COMMON POINTS)		
"O.C.P. Territory" is defined as origins or destinations in the United States located in states east of and including North Dakota, South Dakota, Nebraska, Colorado, New Mexico and points in Canada located in and east of the province of Manitoba.		Formatted: Justified
OUTBOUND MERCHANDISE		
"Outbound Merchandise" is that which is being or has been assembled and is awaiting loading to a vessel.	0185	
EXPORT MERCHANDISE		
"Export Merchandise" is a shipment of goods to a foreign country.	0186	
PERSON		
"Person" shall be construed to include any person, firm, corporation, association, carrier or terminal operator, singular or plural.	0190	
PORT		
"Port" means the San Diego Unified Port District.	0195	
EXECUTIVE DIRECTOR		
The "Executive Director" is the administrative head of the Port of San Diego and shall include his/her duly authorized agent, designee or representative. Whenever this Tariff gives or vests in the Executive Director power or authority to do or perform any act, his/her designee shall have like power and authority, and any action taken by the designee under or pursuant to this Tariff shall be of the same force and effect as if taken by the Executive Director. (NOTE: The title "Executive Director" replaces "Port Director")	0200	Formatted: Justified
TRANSFERRED CARGO		
"Transferred Cargo" means cargo received at a Port of San Diego terminal or wharf premise from rai car, truck or other land vehicle and removed from a Port of San Diego terminal or wharf premise by rail car, truck or other land vehicle.	_	← Formatted: Justified
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PORT OF SAN DIEGO - TARIFF NO. 1-G SECTION I DEFINITION OF TECHNICAL TERMS FMC Subrule: 34.A Original Page 18A Issued: September 16, 2014 Effective: November 1, 2014 Correction No.: 366

FMC Subrule: 34.A	Correction No.: 36	6		
		Item No.	1	
TRANSSHIPPED CARGO				
"Transshipped Cargo" is _cargo _discharged from _a _vessel _at _a _Port _of _Sawharf _premise_ and _then _reloaded_ to_ another _vessel _ from _ the _ same _ or _ Diego terminal or wharf premise.		0210	4-	Formatted: Justified
VESSEL	VESSEL			
"Vessel" _shall _be _deemed _to include _steamboats, _motorboats, _sailing lighters, ferryboats, pleasure craft and any and all other watercraft.	g_vessels, _barges,	0215	4	Formatted: Justified
VESSEL REPAIR PERMIT				
"Vessel Repair Permit" is defined as a privilege granted, by the Port Distriction organizations to supply repair or maintenance services to vessels berthed a facilities.		0220	4	Formatted: Justified
WHARF				
"Wharf" is defined and shall be deemed to include any wharf, pier, quay, which a vessel may make fast or which may be utilized in the transit of merchandise and shall also include all the area between the pierhead and however, such locations as may be designated and set apart as public landing	or handling of goods and bulkhead lines; excepting,		4	- Formatted: Justified
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1st Revised Page 19 PORT OF SAN DIEGO - TARIFF NO. 1-G **SECTION I** Issued: September 16, 2014 **DEFINITION OF TECHNICAL TERMS** Effective: -November 1, 2014 FMC Subrule: 34.A Correction No.: 367 Item No. WHARFAGE "Wharfage" is a charge assessed against merchandise calculated in accordance with the wharfage Formatted: Justified charges named in this Tariff for the passage of that merchandise onto, over, through or under 0230 wharves or wharf premises, or between vessels or overside vessels (to or from barge, lighter or water) when berthed at wharves or wharf premises, or when moored in a slip adjacent to a wharf or wharf premises. Wharfage is solely the charge for use of wharves or wharf premises and does not include charges for any other service or facility. WHARF DEMURRAGE 0235 "Wharf Demurrage" is the charge, calculated in accordance with the Wharf Demurrage rates as Formatted: Justified provided herein, assessed against merchandise which remains on the wharf or wharf premises after the free time allowed. WHARF PREMISES "Wharf Premises" is defined and shall be deemed to mean and include, in addition to the area Formatted: Justified 0240 indicated in the term "Wharf", other Port terminal facility areas, alongside of which vessels may be or which area suitable for and are used in the direct loading, unloading, assembling, distribution or handling or merchandise under, over, onto or through a wharf. WHARF STORAGE "Wharf Storage" is the charge, calculated in accordance with Wharf Storage rates as provided 0245 Formatted: Justified herein, assessed against merchandise which remains on the wharf or wharf premises and has been accepted for storage. RAIL DEMURRAGE 0247 "Rail Demurrage" is the charge, assessed by rail providers, for expenses incurred when rail cars are Formatted: Justified detained on Port terminal facilities beyond a specified period of time allowed by rail provider. INTENTIONALLY LEFT BLANK

1st Revised Page 20

SECTION II RULES & REGULATIONS GENERAL

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE ${\bf 34.15}$

Issued: December 22, 2000 Effective: January 1, 2001 Correction No.: 105

FMC Subrule: 34.B

		Item No.	
	CONSENT TO TERMS OF TARIFF	item ivo.	
inter	use of marine or terminal facilities at the Port of San Diego shall constitute a consent by the ested parties to abide by all the terms, conditions, rules, regulations, rates and charges as set in this Tariff.	0250	← Formatted: Justified
	REQUESTS OR COMPLAINTS BY SHIPPERS		
(a)	All correspondence in connection with requests or complaints concerning matters contained in this Tariff should be directed to the attention of:		
	Director, Maritime San Diego Unified Port District Post Office Box 120488 San Diego, California 92112-0488 MaritimeInfo@portofsandiego.or g	0255	
	Such correspondence _should_ be _forwarded _in _duplicate _and _should _containa _clear _and _concise statement of the type of relief requested or the matter complained of by the shipper.		Formatted: Justified, Indent: Left: 0", Right: 0", Tab stops: 2.86", Left + 6.18", Left
(b)	The Port of San Diego is a member of the California Association of Port Authorities (Association), 1510 14th Street, Sacramento, California 95814. A shipper may refer to the Association any request or complaint not satisfied by the Port of San Diego, by submitting all available data in writing to the Association.		Formatted: Justified, Tab stops: 6.18", Left Formatted: Font: Bold
	CARGO STATEMENTS REQUIRED		
(a)	The owner, agent, master or other person in charge of a vessel or cargo must furnish to the Wharfinger at the wharf where such vessel is discharging or loading, complete and legible copies of the vessel's manifest, showing names of consignees and/or consignors and the weights and measurements of all freight, and the same shall be placed on record or filed as provided by the Board.		Formatted: Justified
(b)	All steamship lines, rail, truck or barge lines, exporters, shippers and/or their agents shall, within five (5) days after the sailing of a vessel or shipment of transferred cargo, as defined in Item No. 0205, off of District premises, furnish the San Diego Unified Port District with legible copies of bills of lading, freight bills, draft surveys, manifests or other such information, data or documents as may be necessary to develop statistical records and ensure the proper assessment of charges.	0260	← Formatted: Justified, Right: 0.2"
(c)	Neglect or refusal to make or deliver legible documents within the time period as provided for in Paragraph (b) of this Item will result in the assessment, to the consignee or consignor, of a penalty charge equal to six one-hundredths of one percent (.06%) per day, for each day the documents are not made available, of the total wharfage charges due subject to a minimum penalty charge of two percent (2%) of the total wharfage charges.		Formatted: Justified Formatted: Justified, Right: 0.2"

1st Revised Page 21

SECTION II RULES & REULATIONS GENERAL

Issued: January 20, 1994 Effective: January 20, 1994 Correction No.: 2

Item No.

FMC Subrule: 34.B

RIGHT TO AUDIT (a) For purposes of an audit, all users of San Diego Unified Port District facilities shall permit access to any records related to transactions covered by this Tariff. Such records shall include, but not be limited to, shipping, receiving, accounts payable and receivable documents, and other accounting records. All users of Port District facilities agree to fully cooperate with any such audits. In the event that a user's business operations conducted within or from Port District 0265 premises are part of a larger business operation of the user, and that any part of the user's required records are prepared only for the larger operation and not solely for the business operations on Port District premises, then the District shall have the right to examine and audit that portion of said records of the larger business operation. In the event such records are not available within the limits of San Diego County, users agree to pay all necessary travel expenses incurred by the District in conducting audits at locations where said records are maintained. UNLAWFUL REMUNERATION 0270 Users of Port District facilities shall not pay or give any unlawful remuneration to any employee or officer of the District. RIGHT TO REFUSE CARGO 0275 The San Diego Unified Port District reserves the right to refuse to handle any commodity which, in its opinion, is not suitable for handling on, over, under or through a Port District facility. NON-LIABILITY OF DISTRICT FOR LOSS OR DAMAGE (a) The District shall not be liable for loss or damage to any merchandise in or upon, or moving or being moved over, in, through or under any wharf or other structure or property owned, controlled or operated by the District, resulting from any cause whatsoever, including the loss or damage which in any manner is caused by or results from the following: pilferage; animals, including rats, mice and other rodents; insects, including moths and weevils; shrinkage; wastage; decay; seepage; leaky containers; heating; evaporation; fire or extinguishment thereof; explosion; leakage; discharge from 0280 fire protection systems; dampness; rain, floods; freezing, frost or other action of the elements; collapse of wharves, piers, or other structures; breakdown of plant, machinery or equipment; floats, logs, or pilings required to break vessels away from wharves; combinations; sabotage; insurrection; revolution; war; riots; strikes; or any act of God. (b) Nothing in this Tariff shall be deemed to relieve the San Diego Unified Port District from liability for loss or damage to goods or property it may have by law as the result of its own negligence.

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PORT OF SAN DIEGO - TARIFF NO. 1-G SECTION II RULES & REGULATIONS GENERAL FMC Subrule: 34.B 1st Revised Page 22 Issued: January 20, 1994 Effective: January 20, 1994 Correction No.: 3

Item No. RESPONSIBILITY FOR DELAYS The San Diego Unified Port District will not be responsible for delays to vessels docked at or Formatted: Justified, Indent: Left: 0.12", 0285 Right: 0.1" seeking berths at any Port facility regardless of the cause. This provision is subject to Item_No._o28o, Paragraph (b). **BUSINESS AND COMMERCIAL ACTIVITIES REGULATED** 0290 It shall be unlawful for any person to engage in any business or commercial activity on the tidelands Formatted: Justified, Indent: Left: 0.1", Hanging: 0.02", Right: 0.1" or submerged lands of San Diego Bay, except as authorized by valid grant, franchise, lease or permit. **AUTHORITY FOR ADDITIONAL RULES AND REGULATIONS** The Board of Port Commissioners by resolution or ordinance may from time to time adopt Formatted: Justified additional rules and regulations supplementary to the general rules and regulations contained 0295 herein and when so adopted they shall have the same force and effect as though expressly set forth in this Tariff. COURT ACTION FOR VIOLATION The San Diego Unified Port District may institute legal action in any court of competent Formatted: Indent: Left: 0.1", Right: 0.1" jurisdiction against any person who violates any of the provisions as set forth in the Tariff published by the San Diego Unified Port District. Any person who violates any provisions of this Tariff shall be guilty of a misdemeanor. Formatted: Indent: Left: 0.1", Right: 0.1", 0300 Space Before: 0 pt, Line spacing: single Misdemeanor convictions are punishable by a fine of not more than one-thousand Formatted: Indent: Left: 0.1" dollars (\$1,000.00) or by imprisonment for a period of not more than six (6) months, or by both fine and imprisonment. INTENTIONALLY LEFT BLANK

Original Page 23

SECTION II RULES & REGULATIONS GENERAL

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE 34.15

Issued: December 23, 1993 Effective: December 31, 1993

FMC Subrule: 34.B

Correction No.:

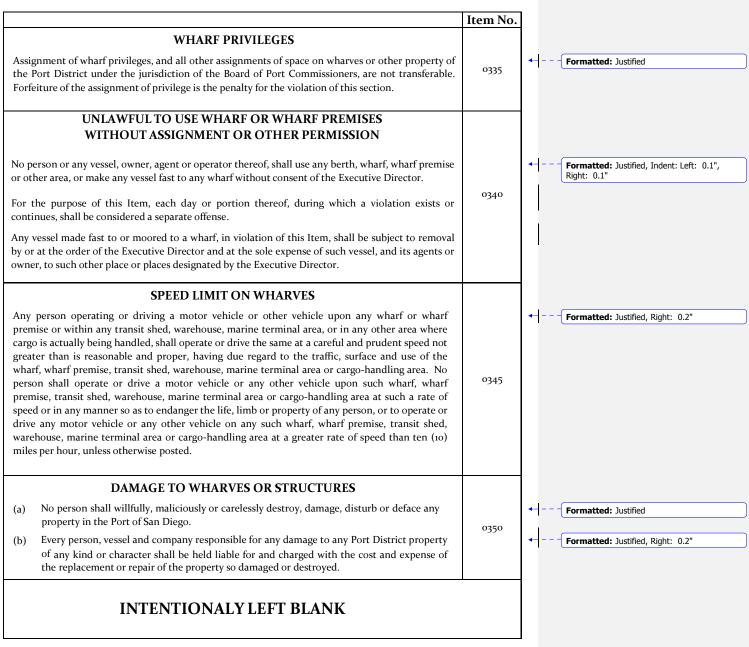
Item No. APPLICATION OF RATES, RULES AND REGULATIONS 0305 Except as otherwise provided in individual items, the applicable rates, charges, rules and Formatted: Justified regulations under this Tariff shall be those in effect at the time the charges accrue. APPLICABILITY OF RATES, RULES AND REGULATIONS The Executive Director reserves the right to interpret and determine the applicability of any of the Formatted: Justified, Indent: Left: 0.1", rates provided for herein and in writing assess charges or fees in accordance with any such 0310 interpretation and determination, and the Executive Director reserves the right to determine the applicability of any rule or regulation as provided herein and in writing enforce any such rule or regulation in accordance with any such interpretation or determination. RIGHT OF INSPECTION The Executive Director, and his/her duly authorized agents, are hereby authorized and Formatted: Justified, Indent: Left: 0.11", Right: 0.2" empowered to enter and inspect any vessel to ascertain the kind and character of merchandise or cargo thereon; or to determine compliance with environmental regulations; or verify its condition 0315 in any respect; and are also authorized and empowered to enter and inspect any wharf, warehouse or other industry or establishment situated in territory within the jurisdiction of the Port District for the purpose of carrying out the powers and duties imposed upon the Port District by law; and it shall be unlawful for any person to hinder or molest any such officer or agent or refuse to allow him/her to enter such vessel or other premises for any of the purposes herein specified. COMPLIANCE WITH GOVERNMENT REGULATIONS Any users of Port District property or facilities shall at all times, at their own expense, maintain Formatted: Justified, Right: 0.2" Port District premises in a sanitary condition and in compliance with all current and future laws, 0320 ordinances or regulations related to sanitation, management of hazardous materials, hazardous substances, or hazardous waste, or public health, safety or welfare, and shall obey and comply with all applicable civil environmental laws, rules and regulations adopted by federal, state, District and other local governmental bodies. INTENTIONALLY LEFT BLANK

PORT OF SAN DIEGO - TARIFF NO. 1-G SECTION II RULES & REGULATIONS GENERAL FMC Subrule: 34.B Original Page 24 Issued: December 23, 1993 Effective: December 31, 1993 Correction No.:

FMC Subrule: 34.B	Correction No.:)-/ -///		
		Item No.		
REMOVAL OF PERISHABLE OR UNDESIRABLE CARGO	OR MATERIALS			
 (a) The Executive Director may, at his/her discretion, cause the remove which is liable to damage other cargo, bulky freight or other undesir with or without notice, to another location within the terminal of facilities at the sole risk and expense of the owner. (b) Rubbish or any other substance on which no wharfage is charged shwharf by the person or persons placing it there; upon failure to do so direction of the Executive Director at such person or persons' sole expenses. 	rable cargo or material, r facility or to private all be removed from the p, it shall be removed by	0325	4	Formatted: Justified
ESTIMATED WEIGHTS - PETROLEUM AND PETROLEU	M PRODUCTS			
When not shipped in containers, and when actual weight or specific gr kerosene and lighter petroleum products shall be subject to an six_and_six_tenths (6.6) pounds per gallon; liquefied petroleum gases shall be weight of four and one half (4.5) pounds per gallon; all other petroleum producestimated weight of seven and four tenths (7.4) pounds per gallon.	estimated weight of be subject to an estimated	0330	•	Formatted: Justified, Indent: Left: 0.1", Right: 0.1"

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PORT OF SAN DIEGO - TARIFF NO. 1-G SECTION III RULES & REGULATIONS WHARVES Effective: December 23, 1993 Effective: December 31, 1993 Correction No.: Item No. WHARF PRIVILEGES Assignment of wharf privileges, and all other assignments of space on wharves or other property of the Port District under the jurisdiction of the Board of Port Commissioners, are not transferable. Original Page 25 Issued: December 23, 1993 Effective: December 31, 1993 Correction No.:



PORT OF SAN DIEGO - TARIFF NO. 1-G SECTION III RULES & REGULATIONS WHARVES Original Page 26 Issued: December 23, 1993 Effective: December 31, 1993

FMC Subrule: 34.C

Item No. DAMAGE TO WHARVES OR STRUCTURES (CONTINUED) (c) In the event any damage is done to any wharf, wharf premise, facility or other property, the Formatted: Justified, Indent: Hanging: 0.32", Right: 0.2", Tab stops: 0.5", Left person or persons causing, responsible for, or in any way connected with such damage, and the person or persons to whom the wharf, wharf premise, facility or other property may be assigned, or by whom it is being used, and the master, owner, operator, or agent of any vessel, vehicle or other instrumentality involved in such damage, shall promptly give a full report on_a Port District originated form to the Executive Director, giving the date and hour the damage occurred, the names and addresses or, if unknown, a description of witnesses and other persons, vessels or instrumentalities involved in the damage, as well as all other pertinent facts and information that may be available. No person shall refuse, 0350 neglect or fail to make or give any such report in the form and manner aforesaid, and in addition to the general penalties prescribed herein, any such person who so refuses, neglects or fails, may be refused the use of any wharf or other facility until the Port District has been fully reimbursed for any such damage. Formatted: Justified, Right: 0.2" Persons, vessels or companies responsible for damage to Port District property may, at the concurrence of the Executive Director, perform necessary repairs or replacement of damaged property to the satisfaction of the Executive Director. Persons, vessels or companies not desiring or denied this option will be held responsible for all expenses of property repair or replacement. Formatted Table REMOVAL OF STEVEDORING EQUIPMENT FROM WHARVES a) All stevedoring equipment, tools, vehicles or any other materials or objects, which are not Formatted: Indent: Left: 0.25" part of any cargo, must be removed from piers or wharves within twenty-four (24) hours of a vessel's departure. Placement of equipment on piers or wharves prior to forty-eight (48) hours before a vessel's arrival is prohibited unless permitted by the Executive 0355 Formatted: Indent: Left: 0.35" b) At any time, if so directed by the Executive Director, all stevedoring equipment must be Formatted: Indent: Left: 0.25" removed from the wharf premises. Formatted: Indent: Left: 0.35" Any equipment, material or objects not removed will be assessed charges under the Space Formatted: Indent: Left: 0.25" Occupancy provisions in this Tariff. The Executive Director is, at his/her discretion, permitted to allow storage of stevedoring equipment in designated storage areas on terminal facilities. Formatted: Font: (Default) Constantia, 10 pt WEIGHT ON WHARVES Loading factors on wharves and wharf aprons vary according to terminal and berths. Loadings Formatted: Justified 0360 which are categorized as heavy lifts may be allowed only by permission of the Executive Director and in compliance with any such conditions as may be imposed. INTENTIONALLY LEFT BLANK

Correction No.:

1st Revised Page 27

SECTION III RULES & REGULATIONS WHARVES

Issued: April 1, 1994 Effective: April 1, 1994

FMC Subrule: 34.C

ule: 34.C Correction No.: 8

Item No. MOTOR VEHICLES Formatted: Justified (a) Entry to Marine Terminal facilities is restricted to vehicles with valid permits, passes or by permission of the Executive Director. Formatted: Justified, Indent: Left: 0.17", (b) It shall be unlawful for any person to drive or operate, or to cause or permit to be driven or Hanging: 0.34", Right: 0.1" operated, any motor vehicle onto or upon any wharf or within the Port area except for the purpose of loading or discharging freight or passengers, or while actually engaged in the performance of necessary duties which require the presence of such vehicle on such wharf or pier. Any such vehicle while on such wharf or pier shall be subject to these rules and regulations and shall be under the constant attendance of the operator thereof. It shall be the duty of such operator to immediately remove such vehicle from such wharf or pier upon the completion of the transaction of necessary business thereon. It shall be the duty of the Executive Director to take charge of and remove any vehicle left upon any wharf or landing in violation of this rule, and to care for the same wholly at the sole expense of the owner 0365 thereof. Any person violating the foregoing rule, shall, in addition to the pecuniary penalties provided by these rules and regulations, be refused further access to any wharf without first obtaining special permission from the Executive Director. Formatted: Justified (c) It shall be unlawful for any person to drive or operate, or to cause or permit to be driven or operated within the Port area, any motor vehicle, trailer or semi-trailer from which any gasoline, oil or other liquid is dripping. (d) It shall be unlawful for any person to fill the fuel tank of any motor vehicle with gasoline, or other petroleum product, or to extract the same therefrom, while such motor vehicle is on any wharf apron or in any active cargo handling area except at such places as the Executive Director may designate therefore. It shall be unlawful for any motor vehicle to be stored on any wharf unless such vehicle shall first have been drained of all gasoline or other liquid petroleum products, except at such places as the Executive Director may designate. PARKING It shall be unlawful for any person to leave parked or to cause or permit to be left parked, any Formatted: Justified, Indent: Left: 0.12", motor vehicle or other vehicle, upon any wharf or such portion of any wharf in the Port area upon which the Executive Director shall erect and maintain a sign or signs giving notice that no parking is allowed upon such wharf or such portion thereof. Formatted: Justified, Right: 0.1" Parking of motor vehicles (other than motor vehicles that are cargo) shall be permitted only in those areas designated for such parking. (b) Parking of motor vehicles in areas designated for parking shall be for the time limits 0370 specified for such parking areas. Formatted: Justified, Indent: Left: 0.18", The parking of motor vehicles in areas in which parking is prohibited or the parking of motor Hanging: 0.33", Right: 0.1" vehicles in areas designated for parking beyond the time limits specified therefore is an infraction for which a citation may be issued in accordance with applicable law. Motor vehicles parking in areas in which parking is prohibited or beyond the time limits specified in designated parking areas may be towed from such areas at the owner's sole expense in the manner prescribed by law.

PORT OF SAN DIEGO - TARIFF NO. 1-G SECTION III RULES & REGULATIONS WHARVES FMC Subrule: 34.C SECTION III RULES & REGULATIONS Effective: July 11, 2013 Correction No.: 327

Twe bublue, 34.c	.cuon 110 32/		
	Item N	Э.	
WHARF CLEANUP			
All cargo handling permittees are responsible to clean up wharves, docks, and ass used by them, in their operation, within twenty-four (24) hours after complet operation, and within six (6) hours after completion of a cruise ship operation.	0 1 03/3	4	Formatted: Justified, Indent: Left: 0.1", Right: 0.1"
WHARVES AND WHARF PREMISES IN DANGEROUS COND	ITION		
Whenever any wharf, wharf premise, property or any portion thereof located in to Diego is in such defective or damaged condition as to be unsafe or dangerous property on or near the same, it shall be the duty of the owner, agent or person in chimmediately advise the Executive Director of said damage or dangerous condition. I interfere with, remove or disturb in any manner any warnings, fences or other barribeen erected or set in place as protection or warnings against a dangerous condition	to persons or narge thereof to No person shall lers which have	*	Formatted: Justified, Indent: Left: 0.12", Right: 0.1"
CLEAN TRUCK PROGRAM			
Effective January 1, 2011, no access onto Port District property shall be permitted to a that does not meet the California Air Resources Board (CARB) Drayage Truck Regula	, 0		Formatted: Justified, Right: 0.1"
(See Title 13 of the California Code of Regulations, Section 2027, as it may be amen	ded)		
 Port District property means maritime cargo facilities on Port Tidelands, inclu Avenue Marine Terminal, National City Marine Terminal and non-contig cargo transshipment facilities. 			
(2) Drayage Truck means any on-road diesel-fueled heavy-duty class 7 or class 8 gross vehicle weight rating (GVWR) greater than 26,000 lbs. transporting ca California ports or intermodal rail yards.			
(3) For information on the regulation and its requirements, visit the California Board (CARB) website at www.arb.ca.gov/msprog/onroad/porttruck/po			Formatted: Not Highlight
contact CARB staff at 1.800.247.4821 or via e-mail to drayage@arb.ca.gov.			Field Code Changed
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EXCEPTION 1:		`1	Formatted: Justified, Right: 0.1"
The Port's Executive Director is authorized to grant exceptions on a limited	Dasis.		
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3rd Revised Page 29

SECTION IV RULES & REGULATIONS VESSELS

Issued: September 16, 2014 Effective: November 1, 2014

FMC Subrule: 34.D

Correction No.: 368

	Item No.		
BERTHING			
Vessels berthing at any District wharf, pier or bulkhead will be governed by instructions received from the Executive Director.			
BERTHING ARRANGEMENTS			
(a) All vessels desiring to berth at Port of San Diego facilities shall, by their owners charterers and as far in advance as possible, is required not less than seventy-two prior to docking, complete an application (Port form provided) to the Marin Supervisor of Maritime Operations and specify the date of docking, sailing, typ nature of port activity, and nature and quantity of cargo to be handled. Berths are a non-preferential basis depending upon space availability at time of arrival.	o (72) hours he Terminal he of vessel,		
(b) Any vessel that docks at facilities under the jurisdiction of the Port of San Die having a completed application, or any vessel that docks at a berth that was not such vessel, shall be subject to dockage at a rate three (3) times the dockage c would otherwise apply under Item No. 0575 of this Tariff.	assigned to		
(c) A vessel captain or operator using a facility of the Port of San Diego, without an a or having taken shelter at a facility due to extreme conditions of weather or district so at his/her own risk and will immediately notify the Executive Director of the sittle discretion of the Executive Director, the vessel, its owner(s), agent(s), and of may be held responsible for any and all charges, damages, and losses of whatsoever that result from taking and using such facility. Upon alleviation weather conditions or distress conditions, vessel shall immediately vacate Port of facilities. If vessel repair is necessary, prompt and immediate repair of vessel shall written proof of due diligence concerning the repair of vessel, such as job purchase orders shall be submitted to the Executive Director upon request.	ress, will do ituation. At charterer(s) any nature of extreme f San Diego l occur and		
(d) Any vessel that occupies a berth in violation of this section may, after a twenty-for written notice period, immediately be impounded and shifted, towed or haule storage area or lay berth at the owner's sole expense upon direction of the Director.	ed out to a		
(e) Any condition aboard or around any vessel, berth or pier caused by the vesse operator, which, in the opinion of the Executive Director constitutes a fire haz menace, environmental or any other danger to public safety, shall be corrected immediately to the satisfaction of the Executive Director. In the event of the neglect of the vessel owner or operator to remedy the aforesaid condition, the P may remove the cause of the complaint and assess such vessel owner or operator costs.	zard, health or removed e refusal or Port District		
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1st Revised Page 30 PORT OF SAN DIEGO - TARIFF NO. 1-G **SECTION IV RULES & REGULATIONS** Issued: September 16, 2014 VESSELS Effective: November 1, 2014 FMC Subrule: 34.D Correction No.: 369 Item No. **BERTH UTILIZATION** (a) Port District commercial berthing facilities will not be assigned for regularly scheduled crew-Formatted: Right: 0.1" change operations, daily support service functions, or other uses that could be construed as a company base of operations or proprietary assignment. Formatted: Justified, Right: 0.1" Vessels supporting District contractors will be approved for berthing when District contract 0395 obligates the District to provide berthing space. Non-District contractors' berthing space will only be assigned at the sole discretion of the Executive Director to load materials, and only if the contract site is not suitable to load job related materials, equipment and employees. All berth assignments will be for a specified length of time as determined by the Executive Director. **AUTHORITY OVER HANDLING OF VESSELS** Whenever the master or any person in charge of any vessel or other watercraft, in the Harbor of Formatted: Justified, Indent: Left: 0.12", San Diego shall fail or refuse to change the position of such vessel or other watercraft, as directed by the Executive Director in accordance with the provision of these Rules, it shall be the duty of the 0400 Executive Director to forthwith board such vessel or other watercraft, with such assistance as may be necessary, and to change the position of such vessel or other watercraft. The expense of changing the position of such vessel or other watercraft may be recovered from such vessel or other craft by a suit in the name of the San Diego Unified Port District. **Formatted Table** SPEED RESTRICTIONS OF VESSELS A vessel navigating any portion of the Harbor of San Diego at an excessive rate of speed will be held Formatted: Justified, Indent: Left: 0.12", 0405 responsible for any damage sustained on account of such action. For this purpose a rate of speed greater than ten (10) nautical miles per hour from a point abreast of Ballast Point Light bayward shall be deemed excessive. Vessels navigating any portion of the Harbor of San Diego shall comply with speed restrictions according to federal, state, District and local governmental law. **CHANGE OF MOORING OF VESSELS** Formatted: Justified, Right: 0.1" If any vessel or other watercraft, arriving and anchoring, or being moored or fastened to any wharf, pier or bulkhead, or to any other vessel in the Port of San Diego, shall be so moored or placed as to be unsafe or dangerous to any other vessel or watercraft previously lying at anchor in said Harbor, 0410 or moored or fastened as aforesaid, the Executive Director is hereby authorized to forthwith order and direct the situation of said vessel or other watercraft to be changed in such manner as to prevent such insecurity or danger; and the master, or any other person having charge of such vessel or other watercraft to be changed shall comply with such orders or directions as may be issued by the Executive Director **LIGHTS AT NIGHT**

All vessels, barges, cranes and other equipment, while anchored, moored or installed at the Port,

must show lights in accordance with applicable federal, state and municipal laws, rules and

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE 34.15

regulations.

1st Revised Page 31

SECTION IV RULES & REGULATIONS VESSELS

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE 34.15

Issued: February 15, 2002 Effective: March 1, 2002 Correction No.: 131

FMC Subrule: 34.D

Item No. **VACATING OF BERTH** When a berth, dock, pier or other District facility is declared by the Executive Director to be Formatted: Justified, Right: 0.1" threatened with congestion, vessels shall be required to work continuously (including overtime) at their own expense. Any vessel on berth which refuses to work overtime shall vacate the berth upon orders of the Executive Director. When a vessel loses its right to a berth by refusing to work overtime, such vessel shall forfeit her position and go to the bottom of the list of vessels which are 0420 awaiting berth. Any and all vessels berthed at a District facility upon completion of loading or unloading shall be required to vacate the berth. However, at the discretion of the Executive Director, and when no other vessel is awaiting the berth, a vessel may be allowed to remain on berth. Should any vessel fail to vacate the berth under the above conditions, the Executive Director shall have the right, authority and privilege to move the vessel at the vessel's own risk and sole expense. VESSELS EXTENDING BEYOND PIER OR OCCUPYING OUTSIDE BERTH Every vessel lying at any pier or wharf whose stern or bow extends beyond the edge or end of any Formatted: Justified, Indent: Left: 0.12", 0425 pier or wharf, and every vessel lying alongside another vessel berthed at a wharf (outside berth) shall, while occupying such position, be responsible for any and all damage to itself and to any other vessel. PERSONS ON BOARD TO ACT ON ORDERS OF EXECUTIVE DIRECTOR (a) Vessels must at all times have on board at least one person in charge with authority to take Formatted: Font: 10 pt such action in any emergency as may be deemed necessary by the Executive Director. Formatted: Indent: Left: 0.18", Hanging: A vessel must shift or go into the stream at its own expense when so ordered by the Executive 0430 Director, who shall have the power to enforce removal at the sole expense of the vessel. The master, agent or owner of a vessel refusing or neglecting to obey the orders of the Executive Director in any manner pertaining to the regulation of the harbor, or removal or stationing of such vessel, is guilty of a misdemeanor, and is liable to a fine or imprisonment or both. REPAIR OF VESSELS AT DISTRICT FACILITIES Repairs to vessels moored at Port District facilities are prohibited except for those performed in Formatted: Indent: Left: 0.12", Right: 0.1" 0435 compliance with Item No. 0765 or any other provisions of this Tariff or other applicable District regulations and minor incidental repairs performed while loading or discharging cargo or while embarking or disembarking passengers. INTENTIONALLY LEFT BLANK

Original Page 32

SECTION IV RULES & REGULATIONS VESSELS

Issued: December 23, 1993 Effective: December 31, 1993

FMC Subrule: 34.D Correction No.:

Item No. REMOVAL OF WRECKED OR SUNKEN VESSELS When a vessel or any other type craft sinks or is wrecked within the Port's jurisdiction and fouls a Port berth or constitutes a navigational hazard, it shall be the owner's responsibility to mark its 0440 position and provide for the immediate raising and disposition of such vessel or craft and assume all liability for damage to Port District property or other vessels as a result of said wrecking, sinking, raising or disposition. If the owner fails to promptly remove or dispose of said craft, all costs for its raising and disposition will be at the sole expense of the owner. INTENTIONALLY LEFT BLANK

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FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE 34.15 $\,$

1st Revised Page

SECTION V RULES & REGULATIONS COMMERCIAL FISHING VESSELS

Issued: September 16, 2014 Effective: November 1, 2014

FMC Subrule: 34.E Correction No.: 370

Item No.

0445

0450

COMMERCIAL FISHING VESSEL DEFINED

For the purpose of Section V, "Commercial Fishing Vessel" shall mean a vessel that, (a) is documented or licensed by the United States Department of Commerce, United States Coast Guard and the State of California Department of Fish and Game as a commercial fishing vessel; (b) is self- propelled; (c) was designed and is primarily used for catching fish or which has been converted into a vessel which is primarily used for catching fish, and subsequently sells or delivers said fish to a cannery, processing plant or wholesale fish market; and (d) during the preceding twelve (12)-month period has complied with one of the following:

- (1) Provide documentation in the form of a completed and accurate Fish and Game receipts, which shall be legible and in a form verifiable by the California Department of Fish and Game, that said vessel was used to catch ten (10) metric tons of fish; or
- (2) Provide documentation satisfactory to the District that, said vessel was used to catch fish with a commercial value of at least \$5,000.00, if vessel is less than thirty (30) feet in length or at least \$10,000.00, if vessel is greater than thirty (30) feet in length; or
- (3) Upon application, the Executive Director may, at his/her sole discretion, find that unavoidable accident, unusual occurrences including but not limited to medical incapacity of the operator, temporary inoperability of the vessel, or other unusual circumstances may relieve the boat owner/operator from the active fishing vessel proof requirements. In such cases, a temporary permit may be issued on a month-to-month basis during the continuation of such unusual circumstances, for a total period not to exceed six (6) months.

EXCEPTION:

Vessels mooring at the "G" Street slips are defined and regulated by SDUPD Code (Section 4.09).

BERTH ASSIGNMENTS

- (a) Application for a berth (Port form provided) is required and must be made to, and approved by the Executive Director as far in advance as possible but not less than seventy-two (72) hours prior to berthing. Berths are granted on a non-preferential basis depending upon space availability.
- (b) All berth assignments are subject to the provisions of this Tariff, to the charges, rates, rules and regulations applicable thereto, and to all terms, conditions and provisions contained in any such assignment.
- (c) During the month of April of each year or at any other time upon the request of the Executive Director, every boat owner must provide written documentation of current ownership, and of a current California Department of Fish and Game boat license.
- d) The Executive Director may disapprove any berth assignment for failure to comply with the terms of this Tariff, for an unseaworthy boat, for non-payment of charges or if the berth available is not suited for the intended boat.

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FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE 34.15

PORT OF SAN DIEGO - TARIFF NO. 1-G SECTION V RULES & REGULATIONS COMMERCIAL FISHING VESSELS FMC Subrule: 34.E Original Page 34 Issued: December 23, 1993 Effective: December 31, 1993 Correction No.:

		Item No.
	HAZARDOUS OBSTRUCTIONS PROHIBITED	
(a)	All berths, piers, floats and gangways are to be kept clear at all times of skiffs, booms, blocks or any other gear related to fishing or the vessel's operation.	0455
(b)	Net work and storage, on any berth, is permitted only after application to and approval from the Executive Director.	
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PORT OF SAN DIEGO - TARIFF NO. 1-G SECTION VI RULES & REGULATIONS HAZARDOUS MATERIALS 1st Revised Page 1st Revised Page 1st Revised Page 1st Revised Page

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE 34.15

FMC Subrule: 34.F

Item No. RIGHT OF REFUSAL (a) The Executive Director of the San Diego Unified Port District is hereby authorized and Formatted: Justified, Indent: Left: 0.18", Right: 0.1" empowered to refuse permission to any person, vessel or firm transporting hazardous materials or other dangerous cargo to berth at any dock, wharf, bulkhead area or alongside 0460 any transit shed; or to store such materials at any dock, wharf, bulkhead area or in any transit shed on Port District property. (b) The Executive Director may, at any time, cause any hazardous materials or dangerous cargoes to be removed at the sole expense of the vessel, cargo owner or assignee. HAZARDOUS AND DANGEROUS CARGO-PERMIT REQUIRED Formatted: Font: 5 pt (a) It shall be unlawful for any person, vessel, or firm, to handle, transport, load, discharge or store Formatted: Font: 9 pt any hazardous materials or dangerous cargo, as defined in Item No. 0150, on any vessel, lighter, barge or other conveyance at any dock, wharf, bulkhead area or in any transit shed or warehouse Formatted: Justified, Right: 0.1" on Port District property unless an approved permit to handle hazardous materials has been Formatted: Font: 9.5 pt obtained by the United States Coast Guard and later reviewed and approved by the Executive Formatted: Font: Constantia, 9.5 pt, Not Director. All such hazardous and dangerous cargo must be handled, stored, or transported Highlight according to federal, state, District and local governmental law. a special permit has been Formatted: Font: 9.5 pt obtained from the Executive Director and such materials are handled, stored, or transported according to federal, state, District and local governmental law. 0465 Formatted: Font: Constantia, 9.5 pt (b) Hazardous and dangerous cargoes which are permitted to enter Port of San Diego Marine Formatted: Font: 9.5 pt Terminal facilities must be prepared for shipment in accordance with the applicable U.S. Department of Transportation regulations contained within 49 CFR 100-199. Formatted: Font: Constantia, 9.5 pt (c) All shipping documents required by 49 CFR for the shipment of hazardous and dangerous cargoes Formatted: Font: 9.5 pt must be submitted to the Marine Terminal Supervisor of Maritime Operations prior to the cargo's arrival. (d) All hazardous and dangerous cargoes stored at Port of San Diego Marine Terminal facilities must be placed in designated areas which conform to regulations as prescribed in "Handling of Explosives or other Dangerous Cargoes within or Contiguous to Waterfront Facilities" (33 CFR 126) and the applicable Uniform Fire Code. Formatted: Font: 9.5 pt CARGO HANDLING REQUIREMENTS (a) When any cargo, merchandise, substance or matter of any kind is being loaded or discharged Formatted: Indent: Left: 0.18", Right: 0.1" to or from a vessel or being handled in any manner, precautions must be taken to prevent 0470 any material from entering the waters of San Diego Bay. When any cargo is being handled to or from a vessel, operators of said cargo must meet all requirements of the Clean Air Act and its State equivalent established by the San Diego Air Pollution Control District. INTENTIONALLY LEFT BLANK

Correction No.: 33

РО	RT OF SAN DIEGO - TARIFF NO. 1-G	SAN DIEGO - TARIFF NO. 1-G 2 nd Revised Page 36			
FM	SECTION VI RULES & REGULATIONS HAZARDOUS MATERIALS C Subrule: 34.F	Issued: February 15, 2002 Effective: March 1, 2002 Correction No.: 133			
			Item No.		
	DISCHARGE AND DUMPING PROHIBITE	ED.	item No.		
DISCHARGE AND DUMPING PROHIBITED It shall be unlawful for any person to discharge or allow to be discharged, or store materials that may discharge into or upon the waters of San Diego Bay, any pollutants such as but not limited to: oil, bilge water, spirits, flammable liquid, crude petroleum, coal tar, refuse or residuary product of coal tar, petroleum, asphalt, bitumen, carbonaceous material, hazardous material as defined in Item No. 0150, or any other substance that has the potential to adversely affect the environment.			0475	4	Formatted: Justified
	IN WATER HULL CLEANING PROHIBITE	ZD.			
The nature of in water hull cleaning precludes economical implementation of Best Management Practices, which could recover discharges of copper containing anti-fouling paint. It is prohibited to perform in water hull cleaning on vessels berthing at Port of San Diego terminal or anchoring facilities. Removal of growth attached to bronze propellers and unpainted propeller shafts may be permitted by abrasive means without creating a discharge of copper antifoulant paint when proven it will not adversely affect the environment.			0476	4	Formatted: Justified, Indent: Left: 0.12", Right: 0.1", Line spacing: Multiple 1.08 li
	REGULATIONS GOVERNING PETROLEUM PRO	DDUCTS			
(a) (b)	Persons operating vessels engaged in the handling of petroleum or petroleum property, are subject to current federal, state, District and other local go No petroleum product which will flash below 100 degrees Fahrenheit (37 handled on any wharf or pier without specific authorization by the subject of the petroleum or petroleum o	vessel berthed on District vernmental regulations. 2.8 degrees Celsius) will be the Executive Director or		•	Formatted: Justified, Right: 0.1"
	authorized representative. Such petroleum products shall be handled and require a Hazardous and Dangerous Cargo Permit from the Executiv				
(c) (d)	A Cargo Handling Permit must be obtained from the Executive Dir petroleum products on District property. Requisites for such a permi limited to, documentation of compliance with current federal, state as proof of financial responsibility, manual of operations, notification sysplans. A minimum of four (4) hours notice of intent to handle petroleum productive blooming to the Fermi Point Productive Direction of the petroleum productive blooming to the Fermi Point Productive Direction of the Point Point Productive Direction of the Point Productive	t will include, but not be nd local requirements for tems and spill prevention	0480		
(e)	Petroleum products handled by tanker truck, or railcar, if allowed, the Executive Director. Scheduling will include such information to the amount of petroleum product, number of trucks and estimated time to Upon completion of the operation, the permitted handler will report the transferred to the Executive Director.	Executive Director as the complete the operation.			
(f)	Vessels berthed at any District wharf, pier or bulkhead, or lying alongs will be allowed to take on board gasoline or distillate only when sugranted by the Executive Director, in which case loading must be accound 5 p.m., or when a vessel is otherwise ready to depart. Delivery of must be made from vehicle to vessel direct. If the vessel is not ready to loaded vehicle will not be allowed to wait on the wharf or pier but must.	uch special permission is omplished between 8 a.m. her than through pipeline o receive the delivery, the			

loaded vehicle will not be allowed to wait on the wharf or pier but must immediately pull off.

PORT OF SAN DIEGO - TARIFF NO. 1-G SECTION VI RULES & REGULATIONS HAZARDOUS MATERIALS FMC Subrule: 34.F 1st Revised Page 1st Revised Page 1st Revised Page Correction No. 1-50 1st Revised Page 1st Revised Page

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE 34.15 $\,$

	Item No.	
REGULATIONS GOVERNING PETROLEUM PRODUCTS (CONTINUED) (g) No person shall cause, suffer or permit any vessel to load or discharge bunker fuel, or to otherwise load or discharge any petroleum or petroleum products in bulk, unless all scupper pipes leading from the decks of any such vessel are closed up and plugged by the vessel's owners, master or agent, and made oil tight as to prevent any oil which may be spilled upon the decks of any such vessel from running through the scuppers into the waters of San Diego Bay.	0480	Formatted: Font: 9.5 pt Formatted: Justified, Indent: Left: 0.12", Hanging: 0.38", Right: 0.1"
REMOVAL OF EMPTY DRUMS Drums or any other type of container (full, partly full or empty) which have been used for the storage or transportation of hazardous materials, dangerous cargo or petroleum products shall not be allowed to remain within the Port area after sunset of the day received without securing a special permit from the Executive Director. Storage of such materials must be secured in approved containers, properly labeled, and stored in a manner to preclude any accidental or intentional release into the waters of San Diego Bay. Storage of such materials must comply with federal, state, District and local governmental rules and regulations.	0485	Formatted: Justified, Indent: Left: 0.12", Right: 0.1"
 CONDITIONS FOR HOT WORK (a) Hot work is any operation involving oxyacetylene or electric welding, burning, cutting or other heat producing activities. (b) Hot work is prohibited on any marine terminal or vessel moored thereto unless it is approved by the Executive Director and it is in compliance with all federal, state, District and local governmental rules and regulations. (c) Notification must be given to the Marine Terminal Superintendent prior to the start of any approved hot work. This notification shall include the expected start date, time and expected duration of the hot work. (d) Hot work is prohibited at any time, on the marine terminals, during the movement or transfer of dangerous cargos or petroleum products. 	0490	Formatted: Justified, Right: 0.1"
SMOKING PROHIBITED It shall be unlawful for any person to smoke, to light any match, to use or carry any open flame or for any person to permit any smoking or the lighting of any match, or the use or carrying of any open flame within fifty feet of any fuel transfer or operation, or upon any vessel being fueled or transferring flammable materials or in any other area designated by the Executive Director containing a notice with the words "No Smoking".	0495	Formatted: Justified
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PORT OF SAN DIEGO - TARIFF NO. 1-G

9th Revised Page 38

SECTION VII RATES & CHARGES GENERAL

Issued: October 6, 2015 Effective: December 1, 2015

FMC Subrule: 34.G

Correction No.: 406

	Item No.
TARIFF CHARGES	
The Board of Port Commissioners may from time to time establish and amend schedules of Tariff charges for dockage, wharfage, storage, demurrage and rentals for the use of piers, wharves, landings and other port facilities and equipment of the District under the jurisdiction and control of said Board, together with rules and regulations in connection therewith. Certified copies of all such schedules together with any changes or alterations therein, will, upon their adoption, be filed in the Office of the District Clerk of the San Diego Unified Port District and appropriate regulatory agencies.	0500
AUTHORITY TO COLLECT CHARGES	
No person shall have the authority to collect dockage, wharfage, demurrage, storage or rents, unless specifically authorized by the Board of Port Commissioners.	0505
MINIMUM CHARGE	
The minimum charge to be assessed on any individual billing under the provisions of Port of San Diego's Tariff shall be fifty-one-two dollars (\$51.0052.00).	0510
CARGO HANDLING PERMIT FEE	
The fee to perform services as a cargo handler, as defined in Item No. 0105, shall be one-hundred and seventy-twoixty-eight dollars and 20 cents (\$172.2000168.00) per year payable in advance a minimum of seventy-two (72) hours prior to cargo handling.	0515
VESSEL REPAIR PERMIT FEE	
The fee to supply vessel repair or maintenance services to vessels berthed at District owned facilities shall be one-hundred and thirty-sixthree_dollars (\$1363.00) per year payable in advance.	0520
DISTRICT SERVICES FEE	
The fee for the District to supply services not otherwise specified in this tariff for operations at District owned facilities hall be the cost of service calculated by the Port prior to the services rendered, per request.	<u>0521</u>
HAZARDOUS AND DANGEROUS CARGO PERMIT FEE	
The fee to handle, transport, load, discharge or store hazardous materials or dangerous cargos at District owned facilities shall be one-hundred and seventy-twoixty-eight dollars and 20 cents (\$172.2000168.00) per year payable in advance per shipment.	0522

PORT OF SAN DIEGO - TARIFF NO. 1-G PARKING CHARGES	5 th Revised Page 39	Formatted: Not Highlight
(a) The Executive Direc SECTION OF P to issue permits for par designated permit parking areas. The locations of designated permarked with signage indicating "Permit Parking Only" within the Po	it parking areas will be 0525	◆ Formatted: Justified

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PORT OF SAN DIEGO - TARIFF NO. 1-G

9th Revised Page 38

SECTION VII RATES & CHARGES GENERAL

Issued: October 6, 2015ssued: Octobe

October

: Novemb er 11, 2005

FMC Subrule: 34.G Correction No.: 250

	Item No.
(b) The Executive Director is authorized to issue monthly parking permits for a designated motor vehicle which will be valid in those parking areas posted for "Permit Parking Only". The charge for a monthly parking permit shall be based on the current market rate for parking in the immediate area for each month or fraction thereof commencing at 12:01 a.m. of the first day of each month. The charge for a monthly parking permit must be paid in advance. EXCEPTION: Does not apply to fishermen permit holders at the "G" Street Mole Fishing Facility who shall be issued monthly parking permits for the charge of forty-eightsevenseven dollars (\$4877.00) per quarter to utilize "Fishermen Permit Parking Only" designated spaces. (c) Any permit granted by the Executive Director to a person to park a vehicle in designated parking areas on tidelands shall constitute a license only and shall not constitute a contract of bailment between the person and the Port or local municipal authorities. The Executive Director may authorize Port employees while on official business, to park their vehicles in any parking area and employees of port tenants to park their vehicles in designated parking areas without charge.	0525
PERCENTAGE RENTS	
Charges for vessels other than Cruise Ships that are operated from the Port's public berths will be based on Tariff Item No. o647 passenger fees or percentage rents, whichever is greater. Percentage rent rates will be applied in the same manner and at the same rate as provided for under the most current similar Port District agreement.	0527
NOTE: Item No. 0527 is not applicable to charter vessel or harbor excursion vessel operations which operate under percentage rent agreements with the District.	

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PORT OF SAN DIEGO - TARIFF NO. 1-G TERMS AND CONDITIONS OF PAYMENT th Revised Page 39 Use of Port District facilities or services is conditioned upon satisfactory assurance of the Port that applicable charges will be paid when due. All charges are due and payable as they accrue or on completion of service or use. The Port may require payment of charges in advance as follows: e vessel, its owners or agents before vessel is assigned a berth and commences its loading o unloading operations. (b) By the cargo owner, shipper or consignee before cargo leaves the custody and control of the 0530 terminal. (c) For all charges on perishable cargo or cargo of doubtful value and household goods. Payment terms are cash unless the Port customer, prior to the use of Port facilities or services, has established credit worthiness or has posted adequate security acceptable to the Port and has thereby been relieved of cash payment requirements by the Port. The provisions of this rule shall govern the terms of payment by, and liability of an agent acting on behalf of a disclosed principal for charges owing from said principal as a user of Port District facilities,

notwithstanding any other provisions to the contrary in this Tariff or in any form issued pursuant to this

Tariff.

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5th Revised Page 40

SECTION VII RATES & CHARGES GENERAL

Issued: September 16, 2014 Effective: November 1, 2014

Item No.

0535

FMC Subrule: 34.G

Correction No.: 372

CREDIT RULE

Any firm, corporation or person who requests a berthing assignment or any other services provided for under applicable provisions of this Tariff is deemed to have assumed responsibility for payment of charges incurred therefor and shall be extended credit as hereinafter provided:

- (a) All charges for services rendered or for the use of any terminal facility are due and payable as they are incurred. The Executive Director may, at his/her discretion, require that charges, which are assessed against the vessel, its owners, operators or agents, be paid before the vessel leaves its berth. The Executive Director may also require that charges accrued against cargo be paid before removal of such cargo from the terminal.
- (b) Any firm, corporation or person that fails to pay bills covering dockage or wharfage charges within forty-five (45) days of presentation date of invoice shall be considered delinquent and must thereafter:
 - Pay all charges, in cash, in advance of handling any ship or cargo under any circumstances at the Port of San Diego; or
 - (2) Place on deposit with the Executive Director an amount sufficient to guarantee the payment, upon presentation of any and all bills incurred by, for, or on behalf of such person, within a one-month period.
- (c) All charges that remain due and unpaid for a period of forty-five (45) days after the date of invoice they are incurred shall be subject to a delinquency payment, for violation of this Item and for damages, the delinquent balance due will be subject to a charge of two percent (2%) for each month or portion thereof, that said, invoice or payment remains unpaid, or the maximum rate permitted by law, whichever is less. However, the minimum delinquent charge shall be eleven dollars (\$11.00). Said delinquency payment is in addition to all other remedies that the Port may have that are provided by this Tariff or otherwise by law to enforce payment of charges that have been incurred and have not been paid.
- (d) For the purpose of enforcing charges assessed against the cargo, the San Diego Unified Port District shall be deemed to have a lien on any and all merchandise until such charges are paid.

EXCEPTION 1:

Wharf-Demurrage charges are due and payable on the first of each month and any balance is payable upon removal of the cargo from the terminal, except that cargo subject to Wharf-Demurrage charges shall be subject to all the terms and conditions as set forth in Item No. 0675 of this Tariff.

EXCEPTION 2:

Wharf-Storage charges are due and payable on the first of each month and any balance is payable upon removal of the merchandise from the terminal.

$EXCEPTION_3$:

Space-Occupancy charges are due and payable on the first of each month, in advance, for the space occupied in accordance with the conditions set forth in Item No. 0730.

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE 34.15

Original Page 40A

SECTION VII RATES & CHARGES GENERAL

Issued: September 16, 2014 Effective: November 1, 2014

FMC Subrule: 34.H

Correction No.: 374

Item No. INDEMNITY AND HOLD HARMLESS User acknowledges and agrees to defend, indemnify and hold harmless the District and its officials, officers, representatives, agents, and employees (collectively "Indemnitees") from any litigation, claim, action, proceeding, losses, damage, cost, expense (including, without limitation, all attorneys' fees and consultant/expert fees), award, fine, penalty or judgment arising out of, resulting from, or in connection with the review, analysis or approval(s) related to any activities taken thereunder except for litigation, claims, actions, or proceedings that result from the District's sole negligence or willful misconduct. The District may, in its sole and absolute discretion and in 0540 good faith, participate in the defense of any litigation, claims, actions, and proceedings and the User shall reimburse District for said defense, including, but not limited to reimbursement for outside attorneys' and experts' fees and other costs, which the District may choose in its absolute and sole discretion. The District's participation shall not relieve the User of any of its obligations in this Tariff. The District shall promptly notify the User of its receipt of any litigation, claims or actions. This Tariff and the other obligations of User under this Tariff are independent of, and in addition to, the obligations of User under any existing lease(s), Tidelands Use and Occupancy Permit(s), or other contractual agreement(s) with the District and are binding upon User, its agents, representatives, successors and assigns. INTENTIONALLY LEFT BLANK

PORT OF SAN DIEGO - TARIFF NO. 1-G SECTION VIII RULES & RATES DOCKAGE FMC Subrule: 34.H 1st Revised Page 41 Issued: April 1, 1994 Effective: May 1, 1994 Correction No.: 9

		Item No.
	APPLICATION OF DOCKAGE RATES AND CHARGES	
(a)	Except as otherwise provided, dockage charges shall be assessed against all vessels in all trades at the full dockage rates provided in Item No. 0575.	
(b)	When dockage has been charged or the vessel's owners, master, operator, charterer or agent has paid dockage at a wharf for any one day, the vessel may use the same or any other wharf designated by the Executive Director during that same day without further charge.	⁰ 545
(c)	Dockage: The dockage rate applies from and through the next twenty-four (24) hour period at the rate in effect at the time the vessel is officially berthed.	
	BASIS FOR COMPUTING DOCKAGE CHARGES	
(a)	Dockage shall be based on the overall length of the vessel. "Overall length" is the linear distance, as expressed in meters, of the extreme length of a vessel.	
(b)	Lloyd's Register, when available, shall be used in determining the overall length of a vessel.	
(c)	All vessels for which the overall length is not available in the register described in Paragraph (b) of this Item or on vessel documents, shall be measured by the Executive Director for determining the length of a vessel for assessment of dockage charges; otherwise such use of Port of San Diego facilities may be denied.	
(d)	In computing dockage charges based on overall length of vessel, the following will govern in the disposition of fractions:	0550
	Less than one-half (.5) meters/feet, discard. One-half (.5) meters/feet or more, increase to the next whole figure.	
(e)	The official berthing time for which dockage shall be assessed against a vessel shall commence when the first line is received and the vessel is made fast to a wharf, pier, bulkhead structure or bank or to another vessel so berthed, and shall continue until such vessel is completely freed from and has vacated such berth.	
(f)	In computing dockage, charges are per a twenty-four (24) hour day or fraction thereof.	
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PORT OF SAN DIEGO - TARIFF NO. 1-G SECTION VIII RULES & RATES DOCKAGE FMC Subrule: 34.H 2nd Revised Page 42 1ssued: July 25, 2003 Effective: August 1, 2003 Correction No.: 181

	·			
		Item No.		
	FREE DOCKAGE			
	dockage may be accorded vessels when, in the discretion of the Executive Director, conditions warrant the temporary suspension of regular dockage charges against:			
(a)	Combat and training vessels (including vessels auxiliary thereto) of the United States or other Federal Agencies and similar vessels of another nation; or, any vessels owned or operated by the State of California or any other State as well as vessels engaged solely in research, education or training.			
(b)	Vessels owned or operated by the State of California.			
(c)	Tugboats actively engaged in a towing operation or when berthed off-shore of a vessel or alongside a wharf or other structure while awaiting completion of a towing operation.	o555		
(d)	Pilot or tugboats while picking up or dropping off pilots.			
(e)	Vessels using berths for a short duration solely for the purpose of U.S. Customs clearance.			
(f)	Crane or derrick barges while being used in stevedoring operations.			
	Note: Vessels accorded free dockage may be assessed charges for port services rendered for berthing of the vessel.			
	MONTHLY RATE FOR VESSELS EMPLOYED WITHIN THE PORT OF SAN DIEGO			
Vessel operators who provide necessary services, on a frequent basis, for the operation and maintenance of the Port District's facilities, or who operate vessels utilizing the Port District's facilities, including barges, lighters, tugs or similar vessels exclusively to and from District facilities may, upon written application to the Executive Director, be afforded monthly rates, which shall be the applicable daily dockage charge, multiplied by seven and one-half. The special monthly charge shall be revocable at the discretion of the Executive Director, shall not entitle such vessels to any preferential berthing right and such vessels shall vacate any particular berth whenever ordered by the Executive Director.				
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11th Revised Page 43

SECTION VIII RULES & RATES DOCKAGE

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE ${\bf 34.15}$

Issued: October 6, 2015 Effective: December 1, 2015

FMC Subrule: 34.H

Correction No.: 407

		Item No.]
	DOCKAGE CHARGE FOR COMMERCIAL FISHING VESSELS		
f	A commercial fishing vessel, as defined in Item No. 0445, berthed or moored at public facilities of the San Diego Unified Port District shall be charged dockage at the rate of 0.1085 cents per lineal foot of length per calendar day.		Formatted: Not Highlight
	Dockage charges on vessels engaged in commercial fishing are due and payable in advance as follows:		
	(1) A vessel electing to be assessed dockage charges on a monthly basis shall pay said charges on or before the tenth (10th) day of each calendar month or within three (3) days after berthing, whichever is later.		
	(2) A vessel electing to be assessed dockage charges on a daily basis shall immediately upon arrival pay said charges for the number of days the vessel will utilize berthing space as indicated in its application for berthing space.	0570	
l a v	in-transit fishing vessels, defined as commercial fishing vessels which are not permanently home-ported in San Diego Bay and as regulated by SDUPD Code (Section 4.09), may be authorized berthing at the "G" Street slips for a period of time not to exceed twenty (20) days within any continuous thirty (30) day time span and shall be charged dockage (payable in advance) per twenty-four (24) hour day as follows:		
	Rate per day for a maximum of twenty (20) days\$26.9126.25		Formatted: Not Highlight
	DOCKAGE CHARGE FOR TRANSIENT VESSELS		
v	A transient vessel is defined as a recreational vessel that is on a temporary and irregular voyage between ports, harbors or marinas. Transient vessels berthing at the "Shelter Island Harbor Police Docks" are subject to the following regulations and rates:		← Formatted: Justified, Right: 0.1"
	(1) Dock space is available for periods of no more than fifteen (15) days within a forty-(40) day period on a first-come, first-served basis.		
	(2) Vessels must provide current evidence of registration prior to obtaining dock space.		
	(3) Major repairs and maintenance are not permitted at this facility.		
	(4) Maximum sized vessel allowed is sixty-five (65) feet in length.	0572	
	Dockage charges, due and payable in advance, are as follows: Transient vessels, (Effective November 1, 2015)		
	Rates, per lineal foot of length per calendar day\$1.097		

8th Revised Page 43A

SECTION VIII RULES & RATES DOCKAGE

Issued: October 6, 2015 Effective: December 1, 2015

Item

0573

FMC Subrule: 34.H

Correction No.: 408

DOCKAGE CHARGE FOR IMPOUNDED VESSELS

When any vessel has been, or is considered to be, abandoned or illegally moored/anchored within San Diego Bay, it will be taken into custody by San Diego Unified Port District for the purpose of impound and disposal. The vessel will be placed alongside a berth operated by the Port of San Diego and held in custody for thirty (30) days and then scheduled for disposal.

Individuals with documented proof of ownership may claim vessels during the thirty (30) day custody period and will be assessed fees commencing from the date/time the vessel was taken into custody. At the end of thirty (30) days custody period, all vessels remaining will be scheduled for disposal and assessed fees to recover costs incurred during impound, storage and disposal operations. Dockage charges will be assessed using the following criteria:

(a) Vessels impounded and held at any District berth will be assessed dockage charges at the full dockage rates in Item No. 0575.

RATES FOR FULL DOCKAGE

Overall Length of Vessel in Meters (FT)			Ove	rall Length of Vess	sel in Meters (FT)	
Over	– – –But-Not- – – Over	– –Charge-Per– – – – – 24-Hour Day	ō v	- – – BuŧNoŧ – – – Over	– – Charge Per- – – – – – 24-Hour Day	
o (o) 30 (98.4) 45 (147.6) 60 (196.8) 75 (246.1) 90 (295.3) 105 (344.5) 120 (393.7) 135 (442.9) 150 (492.1) 165 (541.3) 180 (590.5)	30 (98.4) 45 (147.6) 60 (196.8) 75 (246.1) 90 (295.3) 105 (344.5) 120 (393.7)	\$8385 \$128125 \$176172 \$246240 \$364356 \$574560 \$823803	v 210 (689.0) 225 (738.2) 240 (787.4) 255 (836.6) 270 (885.8) 285 (935.0)	255 (836.6) 270 (885.8) 285 (935.0) 300 (984.2) 315 (1033.5) 330 (1082.7) 345 (1131.9) 360 (1181.1)	\$3,7413,650 \$4,3244,219 \$4,9494,829 \$5,6205,483 \$6,3286,174 \$6,9087,080 \$7,5687,384 \$8,7068,494 \$9,5869,353 \$10,50710,251 \$11,46711,188 \$12,47212,168	0575
195 (639.8)	135 (442.9)	\$ <u>3,1983,120</u>	(984.2)		(1)	

- (1) Dockage charges for vessels 390 meters in overall length or over shall be \$354.00 per day for each lineal meter of overall length or fraction thereof in excess of 390 meters in addition to the above charge of \$12,168472.
- (2) Charges beyond the first twenty-four (24) hours shall be assessed in whole six-hour increments at twenty-five percent (25%) of the full rate for each subsequent six (6) hour period.
- (3) Vessels on lay status, which is defined as a vessel waiting for a berth to discharge and/or load cargo, may be permitted to moor at idle terminal berths, upon the discretion of the Executive Director, when such berths are available. Lay status permission must be obtained by written application prior to the vessel's arrival. Dockage charges for vessels on lay status will be assessed at fifty-percent (50%) of the full dockage rate.
- (4) Lay berthing of commercial barges at Port of San Diego facilities when space is available will be at 100% of the full dockage rate.

NOTE: Length in feet for reference only. Dockage charged by length in meters.

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PORT OF SAN DIEGO - TARIFF NO. 1-G	3 rd Revised Page 44
SECTION IX	
RULES & RATES	Issued: February 21, 2003
WHARFAGE	Effective: March 1, 2003
FMC Subrule: 34.I	Correction No.: 168

	Item No.
Every vessel shall be obliged to pay the amount due for wharfage charges upon the merchandise or cargo to be discharged from or loaded to such vessel at any District wharf. Except as otherwise provided in this Tariff, wharfage as defined in Item No. 0230, shall be assessed in addition to other charges named in this Tariff. The applicable rates and charges for wharfage shall be calculated on the form provided by the District as follows: (a) Calculations shall be based on weights and measurements as shown only on copies of bills of lading, freight bills, manifests or draft surveys. (b) On inbound merchandise, the rates and charges in effect on the date that the vessel commences discharging merchandise, and (c) On outbound merchandise, the rates and charges in effect on the date the vessel commences loading. (d) Wharfage rates shall be based upon cents per ton of 1,000 kilos, or 1 cubic meter measurement, as freighted, except as otherwise provided. (e) When the basis of freight charges is not shown on the manifest, or freight charges are assessed on other than weight or measure (e.g., per package, per unit, etc.), wharfage charges shall be assessed on the basis of weight or measure, whichever produces the greater revenue. (f) In the absence of documented weights of vessel stores and supplies, wharfage charges will be based upon a pallet count, each pallet considered to be 1,000 kilos.	0580
FREE WHARFAGE No wharfage shall be assessed: (a) On handling and stevedore tools, equipment and appliances taken on wharf for the purpose of loading or discharging a vessel. (b) On personal baggage of passengers (excluding household goods and automobiles) when carried on same vessel as passenger and on which no revenue is collected by the water carrier. (c) On petroleum and petroleum products, in bulk, at the same facility where originally loaded or discharged, after having paid one wharfage charge. (d) On lubricating oils when the total amount laden on a vessel is less than 7 barrels (1,000 kilos). (e) On vessel's stores or supplies when the total amount laden on a vessel is less than 3,629 kilograms. (f) On scrap dunnage or scrap ship lining, discharged from a vessel, which has been used thereon in the stowage or bracing of cargo, has no commercial value, and is not to be reused as dunnage or ship lining. (g) On merchandise (overstowed cargo) which a vessel discharges and reloads prior to departure, in order to load or discharge other merchandise.	0585

PORT OF SAN DIEGO - TARIFF NO. 1-G	14 th Revised Page 45
SECTION IX	
RULES & RATES	Issued: October 6, 2015
WHARFAGE	Effective: December 1, 2015
FMC Subrule: 34.I	Correction No.: 409

		Item		Formatted Table
WHARFAGE ON TRANSFERRED CARG	0			
Transferred merchandise, as defined in Item No. 0205, shall be assessed we merchandise moving by vessel (see exception).	harfage on the same basis as	0590		
EXCEPTION: In the event merchandise is transferred from one who delivery.	narf premise to another for			
WHARFAGE ON TRANSSHIPPED CARG	60			
Transshipped cargo, as defined in Item No. 0210, discharged at one Port of and directly reloaded to a vessel at the same or another Port of San Die assessed the applicable wharfage at the initial discharge only.		0595		
WHARFAGE RATES	RATES			
COMMODITY	In cents per 1,000 KGs or Cubic Meter as manifested, except as noted. If manifested both in weight and measure, rate charged will be that which will result in greater revenue for the Port.			
Merchandise, N.O.S. (Not Otherwise Specified)	\$ <u>7.04</u> 6.8	0600		
Aircraft Commercial, Personal, Military per ton of 1,000 kilos	20.63	0603		Formatted: Font: 10 pt
Chemical, cement, sand and fertilizer material in bags, cases, barrels, drums or kegs In lots of 3,000 tons or more	\$ <u>5.00</u> 4.88 \$ <u>3.73^{3.64}</u>	0605	•	Formatted: Left
Cargo in bulk, other than liquids: (a) Bulk Cargo, N.O.S. (b) Bulk Cargo, N.O.S. when handled by Tenth Avenue Marine Terminal Mechanical Ship loader - Berth 10-7 (c) Cement: Annual Tonnage Up to 100,000 Additional Tonnage (d) Chemicals	\$2.462.4 0 \$1.531.49 \$1.531.49 \$1.164.13 \$1.661.6	0610		
(e) Sand and Gravel	\$ <u>1.83</u> 1.79			

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE 34.15 $\,$

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SECTION IX RULES & RATES WHARFAGE

Issued: October 6, 2015 Effective: December 1, 2015

FMC Subrule: 34.I

Correction No.: 410

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PORT OF SAN DIEGO - TARIFF NO. 1-G	14 th Revised Page 45
SECTION IX	
RULES & RATES	Issued: October 6, 2015
WHARFAGE	Effective: December 1, 2015
FMC Subrule: 34.I	Correction No.: 409

		Item No.		
WHARFAGE RATES	RATES			
COMMODITY	In cents per 1,000 KGs or Cubic Meter as manifested, except as noted. If manifested both in weight and measure, rate charged will be that which will result in greater revenue for the Port.			
Containers (as defined in Item No. 0120), newly manufactured, empty, per container.				
Overall Length in Meters:				
o – 7 meters	\$10.35	0614		
7 – 9 meters	\$12.34		4	- Formatted: Indent: Left: 1.91", Right: 1.89"
Over 9 _ <u>7_</u>	\$26.53			
meters				
Cargo, N.O.S., carried in vans or containers (as defined in Item No. 0120),				
per container.				
When handled by District owned crane, other shoreside cranes, crane barge or ships gear:				
Overall Length in Meters:		0615		
o – 7 meters	\$166.46			
F-9 meters	· \$202.14			- Formatted: Font: 7 pt
Over <u>9-7</u> meters	\$285 . 38		{-	- Formatted: Font: 8 pt
		0614	أاما	Formatted: Font: 8 pt
		0014	- 22 -	Formatted: Font: 10 pt
	\$166.46			Formatted: Centered
	\$285.38			
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		<u>0615</u>		
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	<u>\$166,46</u>		- *	Formatted: Font: Constantia, Not Highlight
	<u>\$285.38</u>		- ~[`	Formatted: Centered, Line spacing: Exactly 8
	\$ <u>285.38</u>		\[\]	Formatted: Font: Constantia, Not Highlight
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OR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, S	EE SUBRULE 34.15			I STANGETON NOT HIGHINGHE

ſ	PORT OF SAN DIEGO - TARIFF NO. 1-G	400 th Revised Page	2		
	SECTION IX RULES & RATES WHARFAGE FMC Subrule: 34.I	Issued: October 6 Effective: Decemb Correction No.: 41	er 1, 2015		
ľ	71	·	<u>0617</u>	*	Formatted: Indent: Left: 0"
		\$166.46		`\	Formatted: Centered
		\$285.38			
		\$285.38		4.	
		<u> </u>			Formatted: Centered
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	Containers (as defined in Item No. 0120) empty, per container.				
	Overall Length in Meters:				
	o – 7 meters	\$8.80			
	7 – 9 meters	\$10.23	0617		
	Over <u>9- 7-</u>	\$14.69	0017		
	meters				
	EXCEPTION: No wharfage will be charged on steamship carrier				
Ĺ	owned or controlled containers when shipped free				
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PORT OF SAN DIEGO - TARIFF NO. 1-G	14 th Revised Page 46A
SECTION IX	
RULES & RATES	Issued: October 6, 2015
WHARFAGE	Effective: December 1, 2015
FMC Subrule: 34.I	Correction No.: 411

		Item No.
WHARFAGE RATES	RATES	
COMMODITY	In cents per 1,000 KGs or Cubic Meter as manifested, except as noted. If manifested both in weight and measure, rate charged will be that which will result in greater revenue for the Port.	
Hay, alfalfa, in bales	\$ <u>6.85</u> 6	0618
Cotton, cotton linters, in bales	\$ <u>6.55</u>	0619
Fish, unloaded at District facilities	\$ <u>5.915</u>	0620
Fruits and Vegetables, fresh, manifested on a per package basis, per ton of 1,000 kilos	\$ <u>6.87</u> 6.70	0625
Chill cargo, N.O.S.	\$ <u>6.87</u>	0627
Frozen cargo, N.O.S.	\$ <u>6.87</u>	0629
 Metals: (a) Metals, loose, in bundles, or packages viz.: angles, bars, beams, billets, blanks, bolts, bridge sections, channels, finished or unfinished fabricated structures, ingots, nails, nuts, pigs, pilings, pipe, plate, rails, reinforcing, rods, screws, sheets, slabs, structurals, tie plates, tin plate, unfinished shapes, washers and wire, including barbed wire: (b) Steel coils 	\$ <u>6.28</u> 6.13 \$ <u>6.33</u> 6.18	0630
Project Cargo Rates: Applicable to shipments in connection with removal, construction, reconstruction of major capital projects or facilities. (Subject to Notes 1, 2 & 3): Note 1: The commodities transported or received must be of a wholly proprietary nature, not for resale, and are intended for use in construction, erection, and/or installation in a construction project. Note 2: The commodities transported must receive prior approval of the Executive Director. Note 3: The following commodities are excluded from application of these special Project Rates, unless otherwise provided: (a) Automobiles (b) Motor trucks (other than dump trucks) (c) Tractors (d) Explosives (e) Dangerous or hazardous cargo, restricted to on-deck stowage (f) Refrigerator or cool room cargo (g) Household goods and personal effects (h) All cargo taking rates lower than Project Rates	9.16 \$5.99 5.84	0631

PORT OF SAN DIEGO - TARIFF NO. 1-G	402 th Revised Page
SECTION IX	
RULES & RATES	Issued: October 6, 2015
WHARFAGE	Effective: December 1, 2015
FMC Subrule: 34.I	Correction No.: 412

		Item No.
WHARFAGE RATES	RATES	
COMMODITY	In cents per 1,000 KGs or Cubic Meter as manifested, except as noted. If manifested both in weight and measure, rate charged will be that which will result in greater revenue for the Port.	
Liquids Except petroleum products in bulk moving direct between vessel and conveyance.	\$ <u>1.78</u> + .74	0635
Livestock Cattle, horses and all other animals, N.O.S.	\$ <u>6.55</u> 6.33	0637
Lumber and Forest Products All hardwood and softwood lumber, logs and timbers, including laths and ties, shingles and shakes, plywood, dunnage and ship lining, per 1,000 ft. board measure.	\$ <u>5.00</u> 4.88	0640
Lumber and Forest Products, in Foreign or Offshore Trades Lumber, Timber or Medium Density Fiberboard (MDF), molding, softwood per cubic meter.	\$4.65 4.54	0641
Newsprint, Cut Paper, Linerboard and Paperboard	\$ <u>6.85</u> 6 . 68	0645

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PORT OF SAN DIEGO - TARIFF NO. 1-G	5 th Revised Page 47A
SECTION IX RULES & RATES WHARFAGE FMC Subrule: 34.I	Issued: September 16, 2014 Effective: November 1, 2014 Correction No.: 380

		Item No.
Passe	enger Fees:	
pay t	y vessel carrying passengers for compensation shall be liable for and the following fees for the use of wharves or wharf premises, passenger linals, gangways, passenger loading bridges, anchorage and associated ities.	
CRU	ISE SHIPS:	
(a)		2.556 39
ОТН	IER VESSELS, PASSENGERS FOR HIRE:	
(b)	7, 1.0	<u>.74</u> 2 67
(c)		. <u>36</u> +
(d)	Passengers embarking or disembarking to or from vessels carrying passengers for hire, through Port of San Diego facilities (See NOTE 2):	0647
Passe		6.55 -39
	EPTION 1:	
LAC	Passengers on vessels entirely engaged in the carriage of passengers for promotion (not for compensation).	
EXC	EPTION 2:	
	Steamship company officials, only, when traveling aboard their own ships.	
NC	OTE 1: The owner, agent, master of other person in charge of a passenger carrying vessel, subject to the fees in this Item, shall furnish to the Executive Director complete copies of the vessel's passenger manifest listing the number of passengers embarking, disembarking, or in transit at the Port of San Diego.	
NC	OTE 2: Percentage rents may apply (See Item No. 0527).	

PORT OF SAN DIEGO - TARIFF NO. 1-G	23 rd Revised Page 48
SECTION IX	
RULES & RATES	Issued: October 6, 2015
WHARFAGE	Effective: December 1, 2015
FMC Subrule: 34.I	Correction No.: 413

		Item No.
WHARFAGE RATES	RATES	
COMMODITY	In cents per 1,000 KGs or Cubic Meter as manifested, except as noted. If manifested both in weight and measure, rate charged will be that which will result in greater revenue for the Port.	
Petroleum Products:		
 (a) Petroleum - Petroleum Products: In bulk direct through private pipeline, per barrel of 159 liters (42 gallons, U.S.): (b) Petroleum - Petroleum Products: 	\$ <u>0.09</u> 0.083	
In bulk, delivered by tank car or truck, per barrel to the District's Bunker Fuel Facility:	\$0. <u>10</u> 096	
(c) Fuel, bunker for use of vessel to which initially delivered, per barrel of 159 liters (42 gallons, U.S.): From barge to vessel when barge not previously loaded at a District wharf:	\$ <u>0.10</u> 0.096	0650
From car or truck to vessel: (d) Petroleum - Petroleum Products: In bulk (as cargo), delivered by tank car or truck, per car or truck	\$ <u>0.23</u> 0.22 \$ <u>526.</u>	
(ed) If not otherwise specified or if handled, in barrels, drums or containers, Merchandise, N.O.S. Rates shall apply, per ton of 1,000 kilos (other than as provided in Item No.0585):	46 \$9.37 9.14	
NOTE: Wharfage assessed on all petroleum products is subject to a minimum charge of fifty-one dollars (\$52.0051.00).		
Vehicles (Import/Inbound):		
Automobiles, pleasure or passenger, including pickup trucks or chassis, set up on own wheels, not exceeding ten (10) passengers, per vehicle	\$ <u>27.72</u>	o66o
LOCAL: OCP (Overland Common Points):	27.04 \$ <u>23.10</u>	
	22.54	

PORT	OF SAN DIEGO - TARIFF NO. 1-G	5 th Revised Page 47A	
	SECTION IX RULES & RATES	Issued: September 16, 2014	
Vehicles	(Export/Outbound):		
cha	tomobiles, pleasure or passenger, including pickup trucks or assis, set up on own wheels, not exceeding ten (10) passengers, rehicle:	\$ <u>12.72</u> ‡ 2.41	0662
NOTE:	Vehicles when containerized are subject to appropriate container rates listed in Item No. 0615.		

	Item No.	
RATES		
In cents per 1,000 KGs or Cubic Meter as manifested, except as noted. If manifested both in weight and measure, rate charged will be that which will result in greater revenue for the Port.		
\$ <u>26.90</u> 26.24 \$ <u>22.44</u> 21.89	0663	
\$ <u>21.15</u> 20.63	0664	
\$4.52 4.41 \$7.29 7.11	0665	Formatted: Right: 0.1" Formatted: Right: 0.1"
\$ <u>4.64</u> 4.53		rormatted: Right: 0.1
N TRADE		Formatted: Font: 9 pt
	In cents per 1,000 KGs or Cubic Meter as manifested, except as noted. If manifested both in weight and measure, rate charged will be that which will result in greater revenue for the Port. \$26.90 26.24 \$22.44 21.89 \$21.15 20.63	In cents per 1,000 KGs or Cubic Meter as manifested, except as noted. If manifested both in weight and measure, rate charged will be that which will result in greater revenue for the Port. \$26.90

PORT OF SAN DIEGO - TARIFF NO. 1-G SECTION IX RULES & RATES WHARFAGE FMC Subrule: 34.I SECTION IX RULES & RATES Effective: December 1, 2015 Correction No.: 414

		T	Item No.		
	WHARFAGE RATES	RATES			
	Hawaiian Trade	KATES			
	COMMODITY (Rates Apply to the Hawaiian Trade)	In cents per 1,000 KGs or Cubic Meter as manifested, except as noted. If manifested both in weight and measure, rate charged will be that which will result in greater revenue for the Port.			
(a)	Vehicles, automobiles, pleasure or passenger, including pick-up trucks, pick-up truck chassis, motor homes, military personnel carriers, set-up on own wheels, not exceeding ten (10) passengers, per unit.	\$ <u>16.50+</u> 6.10			
(b)	Commercial vehicles and trailers designed for the carriage of cargo including trucks & truck chassis, military cargo/equipment carrying trucks, per metric ton.	\$ <u>18.84</u> + 8.3 8			
(c)	Machinery, farm, construction and other equipment wheeled, on trailer or otherwise and associated parts crated or otherwise, per metric ton.	\$ <u>18.47</u> ‡ 8 .02			
(d)	Enclosed forty-eight foot (48') trailers and longer, per trailer - loaded.	Loaded <u>\$198.35</u> 193.51 Empty \$22.59			Formatted: Font: 8 pt Formatted: Space Before: 0 pt
(e)	Household goods, van pac/crates - Per van pac.	\$ <u>12.1Q+</u>			
(f)	Recreational and utility trailers including camper trailers, horse trailers, motorcycle or car trailers, personal aircraft and their associated parts, per metric ton.	1.89 \$18.47 18.02			
(g)	Cargo N.O.S. on trailer, pallets, crates and bundles, per metric ton.	\$ <u>18.47</u> +	0666	ĺ	
(h)	Empty trailers, any size, per trailer.	8.02 \$ <u>22.59</u> 22.04			
(i)	Lumber and Forest Products, all hardwood and softwood lumber, logs and timbers on trailers or otherwise, including laths and ties, shingles and shakes, plywood, dunnage and ship lining, per one-thousand foot (1,000')	\$5.45 5 .32			
(j)	board measure. Yachts, sailing boats and pleasurePleasure craft, commercial, military per cubic meter: (shipped in cradles or trailer shall be included in the overall measurement).	\$ <u>3.49</u> 3.40			
(k)	Metals:	\$ <u>6.47</u>			
	(k-1) Metals, loose, in bundles, or packages viz.: angles, bars, beams, billets, blanks, bolts, bridge sections, channels, finished or unfinished fabricated structures, ingots, nails, nuts, pigs, pilings, pipe, plate, rails, reinforcing, rods, screws, sheets, slabs, structural, tie plates, tin	6.3i			
	plate, unfinished shapes, washers and wire, including barbed wire per metric ton.	\$ <u>6.28</u> 6.13			
	(k-2) Steel coils per metric ton.				

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PORT OF SAN DIEGO - TARIFF NO. 1-G

8th Revised Page 48B

SECTION IX RULES & RATES WHARFAGE

Issued: October 6, 2015 Effective: December 1, 2015

FMC Subrule: 34.I

Correction No.: 415

		Item No
WHARFAGE RATES Hawaiian Trade	RATES	
COMMODITY (Rates Apply to the Hawaiian Trade) (CONTINUED)	In cents per 1,000 KGs or Cubic Meter as manifested, except as noted. If manifested both in weight and measure, rate charged will be that which will result in greater revenue for the Port.	
(1) Containers (as defined in Item No. 0120), empty, per container:		
Overall Length in Meters:		
o-7 meters	\$ <u>9.02</u>	
7-9 meters	8.80	
Over <u>9-7</u>	\$ <u>10.49</u>	
meters	10.23	
(m) Cargo, N.O.S., carried in vans or containers (as defined in Item No.	\$ <u>15.06</u>	0666
0120), per container:	14.69	
Overall Length in Meters:		
o-7 meters		
7-9 <u>Over 7</u> meters	\$ <u>170.62</u>	
Over 9 meters	166.46	
over y meetis	\$ <u>207.19</u>	
	202.14	
	\$ <u>292.512</u> 85.38	
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FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE 34.15

PORT OF SAN DIEGO - TARIFF NO. 1-G PORT OF SAN DIEGO - TARIFF NO. 1-G	8 th Revised Page 48C			
SECTION IX ROLES WAYES RWAS RACES FMC Subrule: 34.I FMC Subrule: 34.I	5 th Revised Page 48D Issued: October 6, 2015 Issued: October 6, 2015 Issued: October 6, 2015 Correction No.: 417			
	•	•		
		Item No.		
WHARFAGE RATES	RATES			
COMMODITY (CONTINUED FROM 48A)	In cents per 1,000 KGs or Cubic Meter as manifested, except as noted. If manifested both in weight and measure, rate charged will be that which will result in greater revenue for the Port.			
Vessel's stores and supplies, per 1,000 kilograms (other than as provided in Item No. 0585)	\$ <u>7.04</u> 6.8 7	0670		
Buildings, modules including mobile, per cubic meter: (a) Buildings, modules, including mobile, other than knocked down, minimum one-hundreed fifty (150) cubic meters per unit, moving in multiple unit moves, per vessel, per bill of lading. (b) 6 – 10 units, per cubic meter. (c) 11 – 20 units, per cubic meter. (d) 21 – 40 units, per cubic meter. (e) Over 40 units, per cubic meter. NOTE: Multiple unit moves of less than one-hundred fifty (150) cubic meters per unit may apply volume rates subject to minimum cubic measurement per unit.	\$5.03 4.91 \$4.01 3.91 \$2.99 2.92 \$2.041 -99 \$2.041 -99	0671		
Waste Paper	\$ <u>6.80</u> 6.63	0673		
Wood Products, N.O.S.	\$ <u>5.28</u> 9 5.15	0674		
Wind Turbines, Towers and Components: Tower sections and single blades: per Cubic Meter (CBM)	<u>1.50</u>	<u>0672?</u>		
Hubs and Nacelles: per Cubic Meter (CBM)	<u>5.84</u>			

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SECTION X RULES & RATES

DEMURRAGE, STORAGE & SPACE OCCUPANCY

FMC Subrule: 34.J

Issued: July 25, 2003 Effective: August 1, 2003 Correction No.: 185

	Item No.	
APPLICATION OF WHARF DEMURRAGE RATES At the expiration of free time, the wharf demurrage rates shown within this Tariff will be assessed against all merchandise remaining on terminal or wharf premises. The owner, carrier, agent or consignee of such merchandise may, however, make application in writing to use the wharf storage provisions of Item No. 0710 or the space occupancy provisions of Item No. 0730. All applications are subject to approval in writing and at the discretion of the Executive Director.	0675	◆ Formatted: Justified, Right: 0.1"
EXCEPTION: The option to use storage or space occupancy provisions is not applicable to lumber and forest products as described in Item No. o640.		
 (a) INBOUND MERCHANDISE: Free time shall commence at the first midnight after the vessel, from which the merchandise was discharged, finishes discharging or leaves wharf, whichever occurs first, except as noted. (b) OUTBOUND MERCHANDISE: Free time shall commence at the first midnight after the merchandise is placed on a wharf or wharf premises; provided, however, that the days during the loading or discharging operations of a vessel shall not be counted. 	0680	Formatted: Justified, Right: 0.1" Formatted: Right: 0.1" Formatted: Justified, Right: 0.1"
FREE TIME ALLOWED Exclusive of Saturdays, Sundays, and legal holidays as defined in Item No. 0155, Free Time shall be allowed as follows: Inbound Trade7 Days Outbound Trade10 Days EXCEPTION 1:		
Merchandise transshipped, involving a long and short free time period, shall be allowed the longer free time period, but in no case shall such merchandise be allowed the aggregate of the inbound and outbound period. EXCEPTION 2: Outbound merchandise, upon written approval of the Executive Director, may remain on wharves, premises or facilities of the Port at the owner's sole risk at no charge for a period of time not to exceed ten (10) working days beyond the allowable free time if the vessel for which the cargo was originally intended is unable to call as scheduled because of stress of weather,	0685	

2nd Revised Page 49

SECTION X RULES & RATES

DEMURRAGE, STORAGE & SPACE OCCUPANCY

FMC Subrule: 34.J

Issued: January 20, 1994 Effective: January 20, 1994 Correction No.: 4

Item No.

0685

FREE TIME ALLOWED (CONTINUED)

EXCEPTION 3:

Any services performed over and above those set forth on an ocean Bill of Lading at the request of the owner of the merchandise during the free time period shall be for the account of the cargo.

EXCEPTION 4:

Upon request of the United States Government, additional free time may be granted, by written approval of the Executive Director, over and above the initial ten (10) day free-time period, not to exceed ten (10) days, excluding Saturdays, Sundays, and holidays. This provision shall apply only to commodities shipped for the account of the United States Government.

EXCEPTION 5:

Free time for bulk commodities stored inside railcars before and/or after trans-loading to/from ocean vessel and/or to truck shall be:

Forty-eight (48) hours prior to vessel arrival and Twenty-Four (24) hours after vessel departure for a total of seventy-two (72) hours per shipment that shall be coordinated through the District's Marine Operations Department

EXCEPTION 65:

If, in the interest of commerce, navigation or public safety, the Executive Director should determine that free time should be shortened, he/she is hereby empowered to do so and cause the removal of any merchandise from the terminal facilities at the sole expense of the owner or consignee irrespective of the free time.

EXCEPTION 76:

The Executive Director may extend, by written approval, the allowable free time on any merchandise if terminal operations or movement of merchandise are interrupted by war, earthquake, flood, fire, riot or any unusual occurrence which, in the judgment of the Executive Director, warrants that extension of such free time.

DISPOSITION OF CARGO AFTER EXPIRATION OF FREE TIME

Cargo remaining on wharves after the expiration of free time may be allowed, subject to the provisions of this section, to remain where situated; or may be piled or re-piled, or be moved to another location on the same or another wharf; or may be removed to public or private warehouses, with all expense and risk of loss and damage for the account of the cargo, its owner, shipper, or consignee, or the carrier, as the responsibility may appear. This provision is subject to Item No. 0280, Paragraph (b).

0690

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FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE 34.15

PORT OF SAN DIEGO - TARIFF NO. 1-G SECTION X RULES & RATES DEMURRAGE, STORAGE & SPACE OCCUPANCY FMC Subrule: 34.J SECTION X RULES & RATES Effective: December 1, 2015 Correction No.: 418

t removed from the Port ter work stoppage of waterfront on Free Time: Strikebour ons of Item No. 0685 until the d. Upon expiration of free ons of Paragraph (b) of this It	labor engaged in handling and cargo will be continue the maximum free time allo time, storage charges wil	or more due to a general g cargo, will be subject to ed on free time and the wed under this Tariff has				
on Free Time: Strikebour ons of Item No. o685 until th d. Upon expiration of free ons of Paragraph (b) of this It	labor engaged in handling and cargo will be continue the maximum free time allo time, storage charges wil	g cargo, will be subject to ed on free time and the wed under this Tariff has				
ons of Item No. 0685 until th I. Upon expiration of free ons of Paragraph (b) of this I	ne maximum free time allo time, storage charges wil	wed under this Tariff has				
on Demurrage, Storage or	terri.	l be assessed under the	0695			
(b) Cargo on Demurrage, Storage or Space Occupancy: Cargo on demurrage, storage or space occupancy will be subject to daily storage or space occupancy rates, whichever results in the lowest charge, during each and every calendar month in which the strike is in effect. The Executive Director reserves the right to authorize storage rates for strike-bound cargo without prior request.						
After Strike Ends: Strikeboo the strike will be subject to de ector for daily storage or space	murrage, unless prior autho					
TRANSFER O	F OWNERSHIP					
Wharf demurrage charges, storage charges and receiving and delivery charges, are for the account of the cargo and any transfer of ownership after the cargo is received on the terminal will not entitle cargo to additional free time by reason of such transfer of ownership.						
WHARF DEM	URRAGE RATES					
1,000 kilograms or 1 cubic mo otherwise shown (Including S						
MODITY	For the First 5 Calendar Days, Per Day, after Free Time expires	For Each Additional 5 Calendar Days, Per Day				
//M, as freighted. Lumber sexcepted:	\$ <u>0.86</u> 0.84	\$1.69				
Products, per 1,000 ft. board thereof:	\$0.8 <u>6</u> #	\$1.69	0705			
Wheels as defined in Item	\$0.7 <u>9</u> 8	\$1.63	l			
le:			İ			
		1	i			
le: ntainer Meters:	*60		,			
le: stainer	\$6. <u>89</u>	\$13.45 \$15.69				
V.	:	: 8 niner	: 8 niner			

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FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE 34.15 $\,$

11th Revised Page 51

SECTION X RULES & RATES

DEMURRAGE, STORAGE & SPACE OCCUPANCY

FMC Subrule: 34.J

Issued: September 16, 2014 Effective: November 1, 2014

Correction No.: 389

Item No. FAILURE TO PAY DEMURRAGE AND STORAGE CHARGES Merchandise remaining on a wharf after the expiration of allowed free time may, if all accrued Formatted: Justified, Indent: Left: 0.12", charges thereon be not paid upon demand therefore, be taken possession of by the Executive Director, and the Executive Director shall have the right to remove and store the same wholly at 0706 the charge, risk and expense of the merchandise and owner thereof, and may sell the merchandise at public auction, with or without notice. The proceeds of such sale shall be applied to the charges accrued and expenses shall be held for account of the owner. In the event the proceeds from such sale are not sufficient to satisfy such accrued charges and expenses, the owner, shipper, consignee are liable for the payment of any unsatisfied balance due of such charges and expenses. Formatted: Font: 11 pt **Formatted Table** RAIL DEMURRAGE OR DETENTION Parties responsible for ordering and/or scheduling railcars shall be responsible for the payment of rail demurrage which is caused by or arises out of, directly or indirectly, the ordering and/or scheduling of railcars, and such parties will indemnify and hold harmless the Port for any rail 0707 demurrage and related costs and expenses, including attorney's fees and court costs, caused by or arising out of such parties' ordering and/or scheduling of railcars. Formatted: Justified, Right: 0.1" The Port must be notified by parties responsible for ordering and/or scheduling railcars twenty-four (24) hours in advance prior to receiving into or moving railcars out of the terminals. Railcars of bulk commodities that remain on Port District facilities and tracks after free time shall be per railcar perday or fraction thereof......\$35 INTENTIONALLY LEFT BLANK FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE 34.15

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SECTION X RULES & RATES

DEMURRAGE, STORAGE & SPACE OCCUPANCY

FMC Subrule: 34.J

Issued: Septober 26,32014 Effective: November 1, 2013 Correction No.: 3999

Item No. WHARF STORAGE Inside or outside wharf storage may be available upon request, at the expiration of free time as authorized by Item No. 0675, subject to the following conditions: (a) Owners, agents, consignees representatives of cargo stored on wharves must file a written letter of intent with the San Diego Unified Port District requesting inside or outside storage prior to the expiration of free time to avoid assessment of demurrage charges as shown in Item No. 0705. (b) Charges assessed against the cargo under the wharf storage rates are due and payable on the first of each month and any balance is payable upon removal of the cargo from the terminal. 0710 (c) For the purpose of enforcing the collection of wharf storage charges assessed against merchandise, the San Diego Unified Port District shall be deemed to have a lien on any and all merchandise until such charges have been paid. (d) Wharf storage may be granted when space is available and said storage will not interfere with the prompt loading or discharging of vessels. (e) Wharf storage, previously granted, may be canceled on seven (7) days written notice if such storage would interfere with the prompt loading or unloading of vessels or would result in unwarranted congestion on the docks, wharves or piers. Upon approval of the Executive Director. APPLICATION OF WHARF STORAGE RATES The following rates shall apply when wharf-storage is applicable under the provisions of Item No. 0710. Rates are in cents per calendar day or fraction thereof, Saturdays, Sundays and Holidays included, 0715 per ton of 1,000 kilos or 1 cubic meter, whichever shall yield the greater revenue, except as otherwise provided for within this Tariff. NOTE: Wharf storage under this Item shall start from the time merchandise is accepted for storage.

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PORT OF SAN DIEGO - TARIFF NO. 1-G	1 st Revised Page 52A
SECTION X	

					Item No.	
	WHARF ST	ORAGE RA	TES			
Column B rates are fo	r each of the first fifteen (or each of the next conse each day beyond those so	cutive thirty	(30) calendar d			
MERCHANDISE, N.O	.S.	A	В	С		
Stored in covere	d areas	\$0.11	\$ <u>0.26</u> 0.26	\$ <u>0.38</u> 0.37	0720	
Stored in uncover	ered areas	\$0.07	\$0.09	\$0.13		
fraction thereof.	t-up on own wheels, not e	\$ <u>0.93</u> 0.9	±			
_	n a Per Container basis a					
CONTAINER O	UTSIDE LENGTH		STOR	AGE		
ME	TERS]	DAILY STORA	GE RATE (Per		
OVER	BUT NOT OVER		Day or Fracti	on Thereof)		
0 7.0 \$0.82 7.0 9.0 0.80 9.0 Over \$1.22 1.19 \$1.60						
only. Empt and/or can removed fro	ne will be allowed on emy y containers that are dan not be moved without ext om Port District premises e removal at customer's ex	maged to the tra equipment s within twen	point they car t/manning or e	nnot be used for cargo mergency gear shall be		

19th Revised Page 53

SECTION X RULES & RATES

DEMURRAGE, STORAGE & SPACE OCCUPANCY

FMC Subrule: 34.J

Issued: October 6, 2015 Effective: December 1, 2015

Correction No.: 419

SPACE OCCUPANCY

Space Occupancy is available upon written application for use by the applicant subject to the following terms and conditions:

(a) Upon approval of the Executive Director.

0730

- (b) All applications for space occupancy are on a space available basis.
- (c) Published rate may not be available for periods in excess of sixty (6o) days continuous occupancy without prior approval of the Executive Director.

1st Revised Page 54

SECTION X RULES & RATES

WHARF DEMURRAGE, WHARF STORAGE & SPACE OCCUPANCY

FMC Subrule: 34.J

Issued: December 1, 1995 Effective: January 1, 1996 Correction No.: 45

Item No. SPACE OCCUPANCY (CONTINUED) (d) The District reserves the right to designate areas available for space occupancy. (e) Space occupancy must be taken for a minimum period of one (1) month regardless of time of entry of cargo. A month means from the first (1st) day of the month to and including the last day of the month and space occupancy charges shall be so applied. (f) Termination of space occupancy privileges may be exercised by the Port District if it is determined space is not being utilized for the express movement of water borne cargo. (g) Space occupancy may also be terminated if space is not being utilized in an efficient manner through use of high-piling and proper consolidation. Termination of space occupancy shall occur thirty (30) days after written notice is given by the Port District. (h) Cargo assigned to space occupancy must be stored, stacked, palletized or high piled in accordance with normal operational and safety procedures. Hazardous high-piling requiring re-stacking, re-palletizing or movement of cargo found blocking doors or aisle space in violation of Fire Department or Coast Guard Regulations shall be for the account of the applicant. (i) Increases or decreases for inside space occupancy are available in one-quarter (1/4) 0730 section increments. Inside or Outside space occupancy is due on the first (1st) day of each month and is payable in advance. (k) Space occupancy rates will continue to apply unless a written request for cancellation of space reservation is received prior to the first (1st) of each month. Rates will be applicable on or after the first (1st) of each month. Holders of space occupancy must submit reports every ninety (90) days on the in-out volume to the San Diego Unified Port District. Where such reports show that less than fifty percent (50%) of the cargo received into the space (over 180 days) has moved in that same period the permit may be terminated. (m) Cargo not removed from an area under space occupancy upon expiration of the time period requested will automatically be assessed applicable wharf demurrage charges. (n) In Informal Docket No. 1582(l), Chilean Nitrate Sales Corp. v. San Diego Unified Port District, the Federal Maritime Commission determined that space occupancy permits may be terminated by the Port District upon thirty (30) days' written notice to the space occupant. Such written notice is in conformity with the law of the State of California. INTENTIONALLY LEFT BLANK

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11th Revised Page 54A

SECTION X RULES & RATES

DEMURRAGE, STORAGE & SPACE OCCUPANCY

FMC Subrule: 34.J

Issued: October 6, 2015 Effective: December 1, 2015 Correction No.: 420

			Item No.			
SPACE OCCUPANCY RATES						
Ins	ide Space Occupancy Rates	Per Month				
*	Rate for ½ section (12,000 sq. ft.)	<u>\$3,844</u> \$3,750				
	Rate for ½ section (24,000 sq. ft.)	<u>\$7,693</u> . \$7,505				
	Rate for full section (48,000 sq. ft.)	<u>\$15,383</u> <u>\$15,008</u>				
	Rate for 2 full sections (96,000 sq. ft.)	<u>\$30,765</u> \$30,015				
*	Minimum inside space occupancy shall be one Section measurements are approximate and va	* ' '				
Ou	tside Space Occupancy Rates	Per Month				
**	Rate for 1,000 sq. ft. to 25,000 sq. ft	\$ <u>0.173</u> 0.169 cents pe				
sq.	rt.					
	Rate for 25,000 sq. ft. and over					
	sq. ft.		0735			
**	Minimum outside space occupancy shall be 1,0	000 sq. ft.				
	tise Ship Terminals, Broadway and B Street Pier, minal.	Embarcadero and areas surrounding the Cruise Ship				
Spa	ice Occupancy Rates Inside Space Occupancy Rates	Per Month \$ 2.142.20 pe				
	sq. ft.	1				
	Outside Space Occupancy Ratesft.	\$ <u>1.311.28</u> per sq				
Cru	tise Passenger Operations Pier and Terminal Ren	ntal Fee.				
		way Piers for passenger and/or baggage operations while no				
		day will be assessed a fee of one-thousand four hundred and				
	is at the discretion of the Executive Director or a	h usages as a Pier and Terminal Rental Fee. Waiving of this authorized designee.				
		Per Day				
		\$ <u>1,4561,420</u>				



1st Revised Page 54 PORT OF SAN DIEGO - TARIFF NO. 1-G **SECTION X** TEMPORARY OFFICE OCCUPANCY Temporary Office Occupancy for maritime related operations are available upon written application and subject to the following terms and conditions: Temporary Office Occupancy shall be defined as permission to a legal entity to use on a temporary basis specific headhouse office(s) and/or other offices [including Clerk's Shack(s)] as designated by Port District's Maritime Operations representative. (b) All applications for Temporary Office Occupancy are available on a space available basis and are 0736 subject to the provisions of this Tariff, to the charges, rates, rules and regulations applicable thereto, and to all of the terms, conditions, and provisions contained in any such occupancy. Type of Area Rate in Dollars Per Square Feet Per Month Office \$<u>2.19</u>2.14 Rates for water, gas, electricity and janitorial have been included in the above Temporary Office Occupancy rate.

8th Revised Page 55

SECTION XI RULES & RATES

DEMURRAGE, STORAGE & SPACE OCCUPANCY

FMC Subrule: 34.J

Issued: October 6, 2015 Effective: December 1, 2015

Correction No.: -421

		Item No
(i) (ii) (d) Ti _(e) Th	TEMPORARY OFFICE OCCUPANCY (CONTINUED) charges for Temporary Office Occupancy shall be applicable in accordance with the following: If rent is delinquent from one (1) to fifteen (15) days upon receipt of invoice from the District, Temporary Office Occupant shall pay the delinquent rent, in addition to five percent (5%) of the delinquent rent. If rent is still unpaid at the end of fifteen (15) days upon receipt of invoice from District. Imporary Office Occupancy is non-transferrable. Executive Director may terminate any Temporary Office Occupancy assignment upon twenty- ur (24) hours written notification.	0736
	TEMPORARY AREA ASSIGNMENTS	
written ap (a) (b) (c) (d) (e) (f) (g) (h) (i) Charges covered Charges area. Charges	y area assignments, for non-maritime related functions or events, are available upon plication subject to the following terms and conditions: "TEMPORARY AREA ASSIGNMENT" shall mean a temporary permission granted to a person to use a certain berth, wharf, wharf premise or other facility, including such improvements and areas as are designated in the assignment. Upon approval of the Executive Director. All applications for Temporary Area Assignments are on a space available basis. All Temporary Area Assignments shall be subject to the provisions of this Tariff, to the charges, rates, rules and regulations applicable thereto, and to all of the terms, conditions and provisions contained in any such assignment. Temporary Area Assignments shall not be transferred. The Executive Director may terminate assignments without compensation to the Assignee, and order the Assignee to vacate the assigned area, upon twenty-four (24) hours written notice. All charges are payable in advance. Charges: Type of Area Covered Su.1882-135 Su.6411-601 Water Area Temporary Area Assignments for non-maritime use at the Cruise Ship Terminal and Broadway Pier will require an event permit. Rates and conditions will be specified in a rental agreement. are twenty-one cents (\$0.210) per square foot per day, 10,000 square feet minimum for area. are ten cents (\$0.10) per square foot per day, 10,000 square feet minimum for uncovered are twenty-twoone cents (\$0.224) per square foot per day, less than 1,000 square feet not water rental area.	0737

5th Revised Page 54B

SECTION X RATES & CHARGES MISCELLANEOUS

Issued: September 16, 2014 Effective: November 1, 2014

FMC Subrule: 34.K

Correction No.: 392

		Item No.
	MOBILE HARBOR CRANE	
	oile Harbor Cranes owned by the Port of San Diego shall be used and operated subject to the following ditions and requirements:	
(a)	Any person wishing to use a mobile harbor crane together with its appurtenant, attached and ancillary parts and equipment (hereinafter referred to as "crane") shall file a written application therefor on a form approved by the Executive Director prior to using a crane for the first time, unless use is provided for in a written agreement with the Port of San Diego.	
(b)	Crane users (hereinafter referred to as "users") shall provide all necessary operators and perform all stevedoring required in connection with the use of a crane.	
(c)	Users shall provide buckets, electromagnets and other supplemental equipment as may be required at their own expense.	
(d)	Users shall perform all necessary rigging and unrigging of buckets, electromagnets, spreaders and other supplemental equipment at their own expense.	
(e)	Users shall not use or operate a crane so as to exceed the crane's maximum rated capacity.	
(f)	Except as may be provided by any agreement, normal repair and maintenance of cranes shall be performed by the Port of San Diego, however, the Port of San Diego does not warrant the condition thereof. Such repair and maintenance shall not relieve a user of its obligation to inspect the crane to assure that it is fit and suitable for the use for which it is intended, excepting hidden defects or conditions. User shall make such an inspection prior to use and thereafter as often as is necessary to assure that the crane is fit and suitable for its intended use, excepting hidden defects or conditions. User shall immediately notify the Executive Director of any defect, whether actual or merely suspected.	0738
(g)	A user shall be responsible for any and all damage to or destruction of a crane and for all repairs required to be made to the crane, other than for normal repair and maintenance. "Normal repair and maintenance" is defined to mean all repairs and maintenance deemed to be necessary by the Executive Director, except such repair as may be required in the event of damage to or destruction of a crane, in whole or in part, to the extent arising out of user's negligent use or operation of said crane, whether by user, its officers, agents, or employees, or by any person or persons acting with the knowledge and express or implied consent of user. The Executive Director reserves the right to stop the operation of the crane at any time if it does not appear to be in proper operating condition and to make necessary repairs.	
(h)	Neither the Port of San Diego, nor any of its officers or employees, shall be responsible for delays attributable to any cause, event or occurrence of whatever nature to vessels, land transportation equipment, or cargo, or for any expenses, costs, or damages incurred by user or any other person which arises out of the use or anticipated use of a crane.	

7th Revised Page 55B

SECTION XI RATES & CHARGES MISCELLANEOUS

Issued: Oepoberte: 200,52014
Effective: Decemberr, 20054
Correction No.: 4895

FMC Subrule: 34.K

		Item No.
	MOBILE HARBOR CRANE (CONTINUED)	
(i)	Cranes assigned to users are under the users' supervision, direction and control. A user shall at all times relieve, indemnify, protect and hold harmless the Port of San Diego, its officers, agents, representatives and employees from any and all judgments, claims and legal actions, including attorneys' fees and all other expenses incurred, as a result of a death of or injury to persons, damage to property or civil fines and penalties that may arise in whole or in part, to the extent of user's negligence in the use of or operation of a crane, whether by user, its officers, agents or employees, or by any person or persons acting with the express or implied knowledge and consent of user. A user shall also indemnify the Port of San Diego and pay for all damages or loss suffered by the Port of San Diego to the extent of user's negligence, including but not limited to, damage to or destruction of Port of San Diego property, including the crane itself, and for loss of revenue caused by or arising out of such damage or destruction.	
(j)	All persons desiring to use a crane, as far in advance of the date of requested use as possible, shall make application to the Executive Director specifying the date and time of proposed use, nature and quantity of cargo to be handled, the estimated length of use and nature of use. Users shall be assigned use of a crane in order of their applications. Such assignments shall be subject to modification as required to accommodate preferential and secondary crane assignees. Such assignments may also be modified if a vessel is not actually available at the berth or if cargo is not actually available on the wharf premises. User shall conduct its operations expeditiously and shall cease use and return the crane to the control-of the Port of San Diego without delay upon conclusion of authorized use thereof or sooner when the crane is required by a preferential or secondary crane assignee. The Executive Director shall have the right to order the user to cease operation of a crane immediately whenever, in his opinion, the user is not using said crane in accordance with the terms of the assignment, or whenever such cessation is necessary for the best interest of the Port District.	0738
(k)	The Executive Director may refuse to assign a crane for purposes of handling any merchandise which, in his opinion, cannot be handled by the crane without substantial risk to any person or property, including the crane.	
(1)	The charge for the use of mobile harbor cranes shall be for a minimum of four (4) hours of use. After the first (1st) hour, the charge shall be calculated in fifteen (15) minute increments or fraction thereof. The charge shall include the cost of fuel or power. The charge shall apply from the time specified in the assignment or when operations begin, whichever occurs first, and shall continue until the crane is released to the Port of San Diego. If the crane is unavailable for use at the time specified in the assignment for reasons beyond the control of the user, charges will be computed from the time actual use begins. A separate hourly charge shall be assessed for normal repair and maintenance of cranes performed by the Port of San Diego.	
(m)	The use of a crane shall constitute acceptance and acknowledgement by the user of all the conditions and restrictions contained in this Item No. 0738	
	ITEM NO. 0738A DEFINITION OF TERMS	
	N TIME: Is time lost due to crane breakdown, inclement weather or power failure and is not billed to ustomer.	
and f	EXING TIME: Such time commences at the start of the vessel's cargo handling activity using the crane inishes with the completion of the crane operation or shut down for the shift. This time, excluding down and mealtime, is billed to the customer.	

PORT OF SAN DIEGO - TARIFF NO. 1-G SECTION XI 4th Revised Page 55A

		_	
	Item No.		
MOBILE HARBOR CRANE (CONTINUED)			
ITEM NO. 0738A DEFINITIONS (CONTINUED)			
A Preferential Mobile Harbor Crane Assignment gives the Assignee the right to preferential, non-exclusive use of the specified crane or cranes designated in the Preferential Mobile Harbor Crane Assignment agreement.	2		
A Secondary Use Mobile Harbor Crane Assignment gives an Assignee the right to use a specified crane if the Preferential Assignee does not reserve the crane or is otherwise released by the Preferential Assignee.			
ITEM NO. 0738B APPLICATION FOR USE OF MOBILE HARBOR CRANE			
Application for use of a Mobile Harbor Crane(s) shall be made to the Maritime Operations, Marine Terminal Supervisor, Tenth Avenue Marine Terminal prior to 1400 hours on the day preceding the day crane is to be used, subject to the following:		4 -	Formatted: Justified, Right: 0.1"
(a) Crane ordered within (12) hours of requested start time will be in position and ready to work at the earliest time possible. Crane(s) required for an 1800 hour start or later shall be ordered no later than 1400 hours that same day.		4	Formatted: Justified, Indent: Left: 0.12", Right: 0.1", Space Before: 0 pt
(b) Crane(s) required for Saturday, Sunday or a holiday start shall be subject to prior arrangements.		1	Formatted: Justified, Right: 0.1"
(c) Cancellation notice of a crane order or change of the original starting time shall be given at least three (3) hours prior to the originally ordered starting time. Change of original starting time or cancellation of crane notice given within 3 hours of original starting time is subject to a one-time charge of One-Thousand Five Hundred Dollar (\$1,500) Service Charge.	0738		
hours prior to the originally ordered starting time.		4	Formatted: Justified, Indent: Left: 0.12",
ITEM NO. 0738C START-UP CHARGE		*	Right: 0.1", Space Before: 4.1 pt
The following charge will be assessed against the user of each Mobile Harbor Crane for the services provided by the Port in making the crane ready for use and positioning the crane to the berth or wharf face for which it was ordered \$110107.00.			Formatted: Justified, Right: 0.1"
ITEM NO. 0738D CLOSE DOWN CHARGE			
The following charge will be assessed against the user of each Mobile Harbor Crane for the services provided by the Port District in closing down the crane \$5554.00.			
ITEM NO. 0738E MOBILE HABOR CRANE RENTAL CHARGE			
(See Notes 1, 2, 3, 4, 5, 6 and 7) Usage charge, each fifteen (15) minute increment \$1634.00. (Subject to Start-Up, Close-Down and maintenance charges)			
NOTE 1: A four (4) hour minimum will be charged.	†		Formatted: Font: 8 pt
NOTE 2: Rental includes full use of the Mobile Harbor Crane and its equipment.			
NOTE 3: Port District will tender crane to user, ready for use, in a pinned position on the berth or wharf face for which it was ordered.			
NOTE 4: User will provide all necessary operators and perform all stevedoring, including all rigging and unrigging of equipment, booming up and down, and positioning of crane to and from ship, including returning crane to		//	Formatted: Not Highlight Formatted: Font: 8 pt
pinned position upon completion.		11	Formatted: Not Highlight
NOTE 5: Crane rental does not include maintenance charge, see Item No. 0738F below. A one-time charge of sarra68 on will be assessed for changing call out times on the crane.		11/	Formatted: Font: 8 pt
NOTE 6: A one-time charge of \$275268.00 will be assessed for changing call out times on the crane. A charge of \$526523.00 will be assessed when the crane is ordered and then cancelled within the hour of the	†	[//	Formatted: Font: 8 pt
A CHAIRE OF STREET WITH PASSESSED WHEN THE CTARE IS OTHERED AND THEN CANCELED WITHIN THE BOTH OF THE		1 // ;	Formatted: Font: 8 pt
FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE 34.15		1/	Formatted: Not Highlight

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE 34.15

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PORT OF SAN DIEGO - TARIFF NO. 1-G 7th Revised Page 55D **SECTION XI RATES & CHARGES** Issued: October 6, 2015 **MISCELLANEOUS** Effective: December 1, 2015 FMC Subrule: 34.K Correction No.: 424 Item No. Formatted Table MOBILE HARBOR CRANE (CONTINUED) ITEM NO. 0738G COMPUTATION OF CHARGES Formatted: Justified, Right: 0.1" Time will start for the charges at the commencement of the vessel's crane operation and will continue until completion of the crane operation subject to Paragraph (b) of this Item. Should vessel not commence crane operation at the time crane was ordered to be available or when Formatted: Right: 0.1" crane operation is interrupted for reasons other than as noted in Exceptions 1 and 2 of this Item, stand-by time, will be assessed at one half the hourly Crane Rental charge. During stand-by time the maintenance charge will be assessed in full. EXCEPTION 1: Time lost due to crane(s) breakdown, power failure or inclement weather will not be charged. Formatted: Justified, Right: 0.1" EXCEPTION 2: Meal time will not be charged, one hour allowed. ITEM NO. 0739 DEFINITIONS FOR MOBILE HARBOR CRANE ASSIGNMENTS (a) A Preferential Mobile Harbor Crane Assignment gives the Assignee the right to preferential, non-exclusive use of the specified crane or cranes designated in the Preferential Mobile Harbor Crane Assignmentagreement. (b) A Secondary Use Mobile Harbor Crane Assignment gives an Assignee the right to use a specified crane if the Preferential Assignee does not reserve the crane or is otherwise released by the Preferential Assignee. Formatted: Justified, Right: 0.1" APPLICATION FOR AND CONDITIONS OF MOBILE HARBOR CRANE ASSIGNMENT Application for a Mobile Harbor Crane Assignment shall be made to the Marine Terminal Supervisor, Maritime Operations, Tenth Avenue Marine Terminal, or his designee upon Standard Application Form, Mobile Harbor Crane Assignment, provided by the Port District. 0738 The Marine Terminal Supervisor, Maritime Operations, Tenth Avenue Marine Terminals, or his designee, may approve a Mobile Harbor Crane Assignment application upon receipt of such completed application form. The approved application is subject to the provisions of this Tariff, and to the charges, rates, rules and regulations applicable thereto. Furthermore, the approved application is subject to such terms, conditions and provisions contained in the assignment application that are in furtherance of and not in conflict with the provisions of this Tariff. SCHEDULE OF MOBILE HARBOR CRANE FEES REFERENCED TARIFF ITEM TYPE OF CHARGE FEES Start-Up Item No. 0738 C \$1091 Formatted: Line spacing: Exactly 10 pt Close-Down 07 Item No. 0738 D **Formatted Table** \$<mark>555</mark> Usage Charge Item No. 0738 E (Each 15 Minute Increment) \$<u>165</u>1 Minimum Use (4 Hours) Item No. 0738 E Change of Call Out Times Item No. 0738 E Cancellation of Crane Call Out (prior to 3 hrs from start time) \$2,574 Item No. 0738 E Cancellation of Crane Call Out (within 3 hrs from start time) \$<u>546</u> Item No. 0738 E 533

\$150

\$3303

Item No. 0738 E

Item No. 0738 E

Stand-By Charge

or Fraction thereof

Maintenance for Each Hour

8th Revised Page 55C

SECTION XI RATES & CHARGES MISCELLANEOUS

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE ${\bf 34.15}$

Issued: October 6, 2015 Effective: December 1, 2015

FMC Subrule: 34.K

Correction No.: 423

	concedents, 4.	,			
		Item No.			
	FRESH WATER SERVICE RATES				
(a)	Minimum charge for water \$52.00 2851.00		_ +	\	Formatted: Not Highlight
(b)	Those receiving fresh water supplied by the City of San Diego Water Utilities Department or the Sweetwater Water Authority will be assessed charges in accordance with the rate structures of each utility. Said rates are subject to change without notification from the Port of San Diego. Water delivered through pipelines of the Port to vessels or for services in connection therewith will be assessed a service charge of fifteen percent (15%) of the cost of such water.				Formatted: Justified, Right: 0.1"
(c)	Vessels receiving fresh water are responsible for providing hoses and making and breaking hose connections at the vessel and wharf.	0740			
(d)	It shall be unlawful for any person to use any water hose or meter or take any water or attempt to take any water from any vessel service water outlet or hydrant without first obtaining permission from the Executive Director and paying for or agreeing to pay for the desired service. Nothing herein contained shall prevent any person from attaching a hose or otherwise using the water from any outlet for the prevention of fire only.				
(e)	The Executive Director reserves the right to refuse or limit the supply of water to vessels during periods of drought.				
	ELECTRICAL SERVICES RATES				
	rical current supplied by San Diego Gas & Electric Company is subject to changes in rates out notification from the Port of San Diego.		4	 	Formatted: Justified, Right: 0.1"
	(a) Minimum charge \$ <u>52.2800</u> 51.00				Formatted: Not Highlight
	(b) When furnished to vessels at wharves and for services supplied in connection therewith through facilities of the Port of San Diego, a service charge of fifteen percent (15%) in addition to the cost of such electrical current will be added for the use of such facilities.	0745			
whar	all be unlawful to make connection to or use any electrical current supplied along Port piers or ves without first obtaining permission from the Executive Director, and without having paid reed and arranged to pay therefore.				
	ELECTRICAL SERVICE FOR REFRIGERATED CONTAINERS				
Servi	ce outlets and electricity, per container, per calendar day or fraction thereof §4140.00		+	<u> </u>	Formatted: Justified, Right: 0.1"
NO	TE: Rate does not include connecting, disconnecting or monitoring of containers. The San Diego Unified Port District will exercise reasonable care to provide adequate and continuous electric service but will not be responsible for any curtailment or failure of electrical power. This provision is subject to Item No. 0280, Paragraph (b).	0747			Formatted: Not Highlight

15th Revised Page 56A

SECTION XI RATES & CHARGES MISCELLANEOUS

Issued: October 6, 2015 Effective: December 1, 2015

Item No.

0748

FMC Subrule: 34.K

Correction No.: 426

ELECTRICAL SERVICE FOR SHORE POWER

Electrical current supplied by San Diego Gas & Electric Company is subject to changes in rates without notification from the Port of San Diego.

- (a) Minimum charge..... \$52,280051.00
- (b) When furnished to vessels for the purpose of shore powering at District facilities, electrical current and other fees will be billed directly to the affected vessel or vessel operator. For the purpose of shore power, when more than one (1) vessel has shore powered during a billing period, the amount of the bill will be prorated and calculated as a percentage of the total bill based on individual consumption.
- (c) When furnished to vessels at wharves and for services supplied in connection therewith through facilities of the Port of San Diego, a service charge of fifteen percent (15%) in addition to the cost of such electrical current will be added for the use of such facilities.

Neither this Item No. 0748 nor any other provision of this Tariff shall prevent or limit the District from passing on to the vessel, vessel operator, or other entity using or benefiting from such electric current, all costs, or any portion thereof, associated with the provision of electrical current for the purposes of reducing air emission at the Port of San Diego in addition to the charge for the actual electrical current.

It shall be unlawful to make connection to or use any electrical current supplied along Port piers or wharves without first obtaining permission from the Executive Director, and without having paid or agreed and arranged to pay therefore.

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PORT OF SAN DIEGO - TARIFF NO. 1-G

SECTION XI

RATES & CHARGES

MISCELLANEOUS

FMC Subrule: 34.K

11th Revised Page 56

11ssued: October 6, 2015

Effective: December 1, 2015

Correction No.: 425

PORT OF SAN DIEGO - TARIFF NO. 1-G	15 th Revised Page 56A
SECTION XI	
RATES & CHARGES	Issued: October 6, 2015
MISCELLANEOUS	Effective: December 1, 2015
FMC Subrule: 24.K	Correction No.: 426

		Item No			
	REDELIVERY OF MERCHANDISE				
carrier for normal ch	lise received on wharf premises from a land carrier that is later redelivered to a land shipment off wharf premises shall be assessed a redelivery charge in addition to all other larges including wharfage, wharf demurrage and storage. The Executive Director may redelivery charge when:				
(a)	(a) Use of District facilities for merchandise subject to the redelivery charge does not in any way restrict the District's capacity to handle and store cargo shipped by vessel into or out of the Port of San Diego, or				
(b) Surplus merchandise originally intended for waterborne carriage is redelivered to a lan carrier for shipment off wharf premises. When waivers are granted, the redelivered merchandise will remain subject to all othe normal charges, e.g., wharfage, wharf demurrage or storage where applicable.		0750			
	Redelivery rates shall be based upon cents per ton of 1,000 kilos or 1 cubic meter and assessed upon whichever produces the greater revenue.				
	Merchandise, N.O.S				
	SECURITY SERVICES				
San Diego Commerc follow the other terr guard serv	al Security Plan has been established for cargo and cruise ship operations at the Port of to fulfill the requirements set forth in Title 33 Code of Federal Regulations Part 128. ial cargo and passenger vessels using District berths and passenger terminal facilities shall a provisions of the Terminal Security Plan. Commercial cargo and passenger vessels and minal operators and tenants will be assessed charges for the cost of additional security vices furnished by the District to meet federal regulatory requirements, plus a service fifteen percent (15%) of the cost of such security guard services.	0756			
	ENVIRONMENTAL SURCHARGE – DRY BULK CARGO				
through to stevedore	ge of \$0.0730.071 per metric ton will apply to all non-bagged dry bulk cargoes shipped he Port of San Diego. Upon completion of cargo operations this fee will be assessed to firms, based on the total tonnage loaded or unloaded, to help compensate the Port of San environmental compliance programs at the marine terminals.	0758			

1st Revised Page 57

SECTION XII CARGO HANDLING, VESSEL AND FISHING VESSEL REPAIR PERMITS

Issued: December 2, 2008 Effective: January 1, 2009

FMC Subrule: 34.I

Correction No.: 287

		Item No.		
	CARGO HANDLING PERMIT REQUIRED			
(a) It shall be unlawful for any Cargo Handler as defined in Item No. 0105 to engage in the business of handling cargo or merchandise on Port District wharves or facilities without first securing a Cargo Handling Permit and agreeing to abide by all conditions and terms. Cargo or merchandise may not be handled at other than Port District wharves or facilities unless permitted by the terms of the lease or other permit.				
(b)	(b) A Cargo Handling Permit shall not be required when, at the discretion of the Executive Director, the public interest or existing conditions warrant the temporary suspension of the requirement that handlers secure the necessary cargo handling permits.			
(c)	For names of Terminal Operators/Cargo Handlers, see Subrule 234.12.			
	VESSEL REPAIR PERMIT REQUIRED			
It shall be unlawful for any purveyor of services, mechanics or any other category of persons or organizations to supply repair or maintenance services to a vessel berthed at District-owned facilities without first securing a "Vessel Repair Permit" from the Executive Director and agreeing to abide by all terms and conditions. Such permits may be issued by the Executive Director upon application and approval.				
	REVOCATION AND PENALTIES			
All permits contained in this section shall be revocable by the District at any time for such cause as the District may deem just and sufficient.				
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PORT OF SAN DIEGO - TARIFF NO. 1-G	2 nd Revision Page 58
SECTION XIII	
RULES & RATES	Issued:Issued: July 6, 1999
PILOTAGE	Effective: July 12, 1999
FMC Subrule: 34.	Correction No.: 03

		Item No
	DEFINITIONS	
(a)	PILOTAGE: The charge, calculated in accordance with the provisions of this section, assessed against a vessel which is subject to the payment of such charge under these rules for authorized piloting services rendered or proffered to vessels entering, leaving or shifting within the Port of San Diego.	
(b)	AUTHORIZED PILOT: Licensed pilots who are designated by the Board of Port Commissioners of the San Diego Unified Port District to provide piloting services to vessels entering, leaving or shifting within the Port of San Diego.	
(c)	PORT OF SAN DIEGO: "Port of San Diego" shall mean the properties under the jurisdiction of the San Diego Unified Port District; whose jurisdiction includes its authority to make and enforce all necessary rules and regulations governing the use and control of all navigable waters and all tidelands and submerged lands, filled or unfilled, and other lands within San Diego Bay.	
	NOTE: Such properties include the public and commercial berths located at the Port District's marine terminals, piers and wharves and commercial shipyard facilities within San Diego Bay.	
(d)	ENTERING: Vessels inward bound from the open sea to the Port of San Diego.	0780
(e)	LEAVING: Vessels outward bound which leave the Port of San Diego for the open sea.	
(f)	INTRA-HARBOR SHIFTING: Vessels which move from point to point within the Port of San Diego.	
(g)	VESSEL: For the purposes of this section, "Vessel" shall be deemed to include without limitation, steamboats, motorboats, sailing vessels, barges, scows, lighters, ferryboats, pleasure craft, and any and all other watercraft, including a vessel acting by or through its owners, agents, master, operators, charterers or any other persons duly authorized to act on behalf of such vessel.	
(h)	GROSS REGISTERED TONS: For purposes of this section, "Gross Registered Tons" shall mean the highest of any registered tonnage held by a vessel.	
(i)	FLAT TOW: "Flat Tow" shall mean non-self-propelled barges or scows with tug assist.	
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1st Revised Page 59

SECTION XIII RULES & RATES PILOTAGE

Issued: August 1, 1997 Effective: August 15, 1997

FMC Subrule: 34.M

Correction No.: 65

		Item No
	INTENT	
Code, regulate of San herein.	ordance with the San Diego Unified Port District Act (California Harbors and Navigation Appendix 1), the Board of Port Commissioners of the San Diego Unified Port District es vessels within San Diego Bay, including the establishment of pilotage charges for the Port Diego. The charges and conditions upon which piloting services are provided are contained Authorized Pilots are to provide piloting services in an independent capacity and not as s, employees, agents or independent contractors of the San Diego Unified Port District.	0785
	PILOTS	
s F	The San Diego Unified Port District through the Board of Port Commissioners, has designated Authorized Pilots to perform piloting services to vessels entering, leaving or shifting within the Port of San Diego. Any vessel entering, leaving, or shifting within the Port of San Diego may, but is not required to, request the services of and be piloted by an Authorized Pilot. Such piloting services are to be voluntarily requested and voluntarily rendered in accordance with the terms set forth in this Tariff.	
t	Jpon boarding a vessel in response to the request of its master, owner or agent, it shall be the duty of each pilot to place his/her knowledge of San Diego Bay at the disposal of the vessel's master.	
r C r	The safe navigation of the vessel, including piloting, is at all times the paramount duty of its master, and the presence of a pilot on the bridge shall in no way relieve the master of his/her duties. The master remains at all times in full command of the vessel; shall continue to navigate and shall take bearings and soundings, check compass courses, make radar observations, and take all actions necessary to safeguard the vessel under his/her command. In that regard, it shall be the duty of the vessel and its master:	0790
	(1) To have posted, and all times properly instructed, efficient and competent lookouts, each with no other duty to perform, and each with efficient means of rapid communication with the bridge.	
	 (2) To immediately inform the pilot of all reports by lookout. (3) On radar-equipped vessels, to have the radar functioning and manned by a competent observer under instructions to keep the mater and the pilot constantly and currently informed of observed targets. 	
	(4) To arrange for and provide adequate tug assistance, and to arrange for and have available adequate vessel's lines to assist in tying the tug or tugs.	
	(5) For the master to remain on the bridge at all times and to accompany the pilot in his/her duties on and about the bridge.	
	(6) To provide and supervise competent vessel's personnel.	

2nd Revision Page 60

SECTION XIII RULES & RATES PILOTAGE

Issued: August 1, 1997 Effective: August 15, 1997

Item No.

0790

FMC Subrule: 34.M

Correction No.: 66

PILOTS (CONTINUED)

- (7) To understand and agree that, inasmuch as all orders of the pilot shall be given in the presence of the master, every such order, unless countermanded, shall, for all purposes, be deemed the order of the master and fully concurred in by him/her; it being further agreed that the pilot is acting in an advisory, and not in a command capacity and has no authority independent of the master.
- (8) To understand and agree that a pilot is employed only to have the benefit of his/her knowledge of San Diego Bay.
- (9) To understand and agree that currents and winds within San Diego Bay are at times wholly unpredictable as to place, extent or force and that bottom suction cannot be predicted by the pilot.
- (10) To have, at all times, adequate ship's anchors properly manned and ready to drop.
- (11) To provide officers conversant with the English language, or to advise the pilot of any language difficulty and then request that the pilot give his/her orders by hand signals through the master.
- (d) It is compulsory upon, and the duty of, the vessel, its owners, master, operators, charterers or agents to advise the pilot, either before or immediately upon his/her boarding, of vessel peculiarities, including but not limited to the following:
 - (1) Any defects or deficiencies in the vessel, its personnel, engines or tackle;
 - (2) Any vessel peculiarities concerning steering, stopping, handling, speed, maneuvering and the propensity of the vessel to sheer;
 - (3) The number and names of the tugs to be supplied to said vessel; and
 - (4) Any other information, whether or not herein enumerated, that may or might assist the pilot in the piloting of the vessel.
- It is understood and agreed, and is the essence of which piloting services are proffered and rendered, and are requested and accepted by the vessel, that the services of the Authorized Pilot are requested and accepted on the express understanding that such piloting services are given, done or performed solely in the Authorized Pilot's capacity as the servant of the vessel and of its owners, master, operators, charterers or agents of the vessel expressly covenant and agree to comply with the provisions of paragraphs c and d, above, and not to assert any personal liability against the Authorized Pilot or the San Diego Unified Port District, the Board of Port Commissioners, or any of their officers or employees, to respond in damage (including any rights over) arising out of or connected with, directly or indirectly, any damage, loss or expense sustained by the vessel, its owners, master, operators, charterers, agents or crew, and by any third parties, even though resulting from acts, omissions or negligence of the Authorized Pilot or District; and provided further, that to the extent only to which liability is legally imposed against the vessel, taking into consideration any limitation thereof to which the vessel or its owners, master, operators, charterers or agents are entitled by reason of any contract or bill of lading, or any statute or rule of law in force, such vessel and its owners, master, operators,

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FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE 34.15

1st Revised Page 61

SECTION XIII RULES & RATES PILOTAGE

Issued: August 1, 1997 Effective: August 15, 1997

Item No.

0790

FMC Subrule: 34. Correction No.: 67

PILOTS (CONTINUED)

cont'd)

- (e) charterers and agents further covenant and agree to indemnify and hold harmless to the fullest extent allowed by law, said Authorized Pilot, the San Diego Unified Port District, the Board of Port Commissioners, and each of their officers and employees with respect to any liability arising out of claims, suits or actions against the Authorized Pilot, the San Diego Unified Port District, the Board of Port Commissioners or any of their officers or employees, or by third parties, resulting from acts, omissions or negligence of said Authorized Pilot, excepting however, such personal liability and rights as may arise by reason of the sole willful misconduct or sole active negligence of the Authorized Pilot. Nothing herein shall exculpate or otherwise relieve the San Diego Unified Port District from liability for its own negligence or impose upon others the obligation to indemnify or hold harmless said Port from liability for its sole active negligence.
- (f) If any vessel on whose behalf piloting services are requested is not owned by the person or entity ordering the services, that person or entity warrants its authority to bind the vessel and its owners, charterers, and operators to all the provisions contained in Paragraph (e), and that person and entity agree to indemnify and hold harmless, the Authorized Pilot, the Authorized Pilot's employer, and other employees of the Authorized Pilot's employer with respect to all losses, damages, and expenses that may be suffered or incurred in consequence of the person or entity not having that authority under the same terms as in Paragraph (e).
- (g) All Authorized Pilots providing piloting service in the Port of San Diego must hold a federal license for the Port of San Diego.
- (h) Any vessel over three-hundred (300) gross registered tons and subject to pilotage that wishes to decline the use of an Authorized Pilot shall before entering, leaving or shifting within the Port of San Diego:
 - (1) Obtain prior permission from the United States Coast Guard Captain of the Port.
 - (2) Any vessel having received the above permission from the Captain of the Port must notify the Port of San Diego Marine Operations Department, and the Authorized Pilots of the San Diego Bay Pilots Association before arrival or commencement of any movement within the Port of San Diego, and abide by all local rules and regulations.

If for any reason a vessel's master or local representative permits the movement of a vessel without complying with the provisions of this Item No. 0790, Paragraph (h), he or she will be subject to misdemeanor penalty charges under the Tariff Item No. 0300.

NOTE: This Item No. 0790, Paragraph (h) in no way exempts any vessel subject to pilotage from payment of pilotage charges set forth in Item No. 0800.

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PORT OF SAN DIEGO - TARIFF NO. 1-G 1st Revised Page 62 SECTION XIII **RULES & RATES** Issued: August 1, 1997 PILOTAGE Effective: August 15, 1997 FMC Subrule: 34.M Correction No.: 68 Item No. **VESSELS SUBJECT TO PILOTAGE CHARGES** All vessels entering, leaving or shifting in the Port of San Diego shall be subject to pilotage charges, Formatted: Justified, Right: 0.1" and, except as provided in Item No. 0790, Paragraph (h), shall be under the direction of a federally licensed pilot for the Port of San Diego, except the following vessels when not actually employing an Authorized Pilot: U.S. flag vessels under three hundred (300) gross registered tons; (a) Formatted: Right: 0.1" (b) U.S. flag vessels licensed and engaged in the fishing trades and vessels sailing under United States enrollment and license, while under the control and direction of a pilot duly licensed under the laws of the United States of America for the Port of San Diego; Formatted: Justified, Right: 0.1" Combat and training vessels of the U.S. Government, foreign nations or the State of 0795 California which do not use a Port of San Diego public or commercial berth, whether or not an Authorized Pilot is actually employed by such vessel; NOTE: When actually using a Port of San Diego public or commercial berth, such vessels shall be subject to pilotage charges unless upon prior application to and when, discretion of the Executive Director of the Port of San Diego, the courtesies of the Port of San Diego are extended to such vessels. Barges and scows moving under flat tow from point to point within the Port of San Diego while under the control and direction of a pilot duly licensed under the laws of the United States of America for the Port of San Diego; Private yachts, under three hundred gross registered tons, when used for pleasure purposes (e) AREA SUBJECT TO PILOTAGE A federally licensed pilot for the Port of San Diego, as specified in Item No. 0790, Paragraph (g), is Formatted: Justified, Right: 0.1" required on all vessels subject to pilotage when underway in any navigable waters of San Diego Bay. 0797 Inbound vessels must take aboard such pilot prior to entering the navigable waters of San Diego Bay. Pilots shall not debark outbound vessels inside the navigable waters of San Diego Bay unless Formatted: Justified extreme weather conditions make it necessary for pilot safety. INTENTIONALLY LEFT BLANK

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE 34.15

2nd Page 63 PORT OF SAN DIEGO - TARIFF NO. 1-G SECTION XIII **RULES & RATES** Issued: September 16, 2014 PILOTAGE Effective: November 1, 2014 FMC Subrule: 34.M Correction No.: 399 Item No. Formatted: Space Before: 0.1 pt, After: 0 pt, Line spacing: Exactly 13 pt **Formatted:** Indent: Left: 0", Right: 0", Space Before: 0.1 pt, Line spacing: Exactly 13 pt PILOTAGE RATES AND CHARGES Formatted: Space Before: 0.1 pt, Line Pilotage charges are in addition to all other charges that may be applicable and shall be spacing: Exactly 13 pt assessed against all vessels subject to the payment of pilotage under this Section and shall be paid by Formatted: Space Before: 0.1 pt, Line the vessel so assessed to the Authorized Pilot before any such vessel leaves the Port of San Diego, spacing: Exactly 13 pt unless satisfactory credit is obtained (Subject to Exceptions 1, 2, 3, and 4). The charges for piloting Formatted: Space Before: 0.1 pt, Line services shall be based on the gross tonnage and the overall length of the vessel, as expressed in meters spacing: Exactly 13 pt except as otherwise specifically provided herein. United States Custom House, Lloyd's Register or Formatted: Indent: Left: 0", First line: 0", American Bureau of Shipping Measurements, when available, will be used in determining the gross Right: 0", Space Before: 0.1 pt, Line spacing: Exactly 13 pt, Tab stops: Not at 0.5" tonnage and length of vessel. "Gross tonnage" is as defined in Lloyd's Register of Shipping. All vessels for which the gross tonnage or overall length is not available in the ships registers mentioned herein or on vessel documents shall be measured and/or estimated by the pilot. Formatted: Space Before: 0.1 pt, Line spacing: Exactly 13 pt Formatted: Space Before: 0.1 pt NOTE 1: See Item No. 08000790, Paragraph (h) regarding annual pilotage rate increases. Formatted: Indent: Left: 0", Right: 0", Space NOTE 2: Pilotage rate increases for passenger carrying vessels will become effective 0800 Before: 0.1 pt, Line spacing: Exactly 13 pt on August 1, 2012. Formatted: Indent: Left: 0", Right: 0", Space Before: 0.1 pt, Line spacing: Exactly 13 pt Pilotage charges will be assessed per gross registered ton in addition to a charge assessed on the overall length of the vessel according to the following tables: Dollars Per Movement Gross Registered August 1, 2014 **Tonnage** Formatted: Space Before: 0.1 pt, Line spacing: Exactly 13 pt 0.0040.0037 Formatted: Space Before: 0.1 pt, After: 0 pt, Line spacing: Exactly 13 pt Formatted: Not Highlight Formatted: Left, Indent: Left: 0", Right: 0", Space Before: 0.1 pt, Line spacing: Exactly 13 Formatted: Space Before: 0.1 pt, Line spacing: Exactly 13 pt Formatted: Line spacing: Exactly 13 pt INTENTIONALLY LEFT BLANK Formatted: Indent: Left: 0", Right: 0", Space Before: 0.1 pt, Line spacing: Exactly 13 pt

PORT OF SAN DIEGO - TARIFF NO. 1-G	2 nd Page 63A
SECTION XIII	
RULES & RATES	Issued: September 16, 2014
PILOTAGE	Effective: November 1, 2014
FMC Subrule: 34.M Correction No.: 400	•

LOTAGE RATES AN	D-CHARGES		
Overall Length of Vessel in		Dollars Per Movement	
Meters (Feet)		Effective August 1, 2014	
		Entering or	
Over	But Not Over	Intra Harbor	
o (o.o)	6 1(200.1)	\$ <u>297</u> 286\$ <u>2972</u> 86	
61 (200.1)	100 (328.0)	\$ <u>306</u> 295\$ <u>306295</u>	
100 (328.0)	107 (351.0)	\$ 322310_\$322310	
107 (351.0)	но (360.9)	\$ 338325 \$ 322310	
но (360.9)	нз (370.7)	\$ 357344 \$ <u>322310</u>	
11 3 (370.7)	116 (380.6)	\$ <u>373359</u> \$ <u>322</u> 310	
116 (380.6)	119 (390.4)	\$395380 \$322310	
119 (390.4)	122 (400.3)	<u>\$416400 \$322310</u>	
122 (400.3)	125 (410.1)	\$ <u>435418</u> \$ <u>322</u> 310	
125 (410.1)	128 (419.9)	\$ <u>452</u> 435 \$ <u>322</u> 310	
1 28 (419.9)	131 (429.8)	\$ <u>473455 \$322310</u>	
131 (429.8)	134 (439.6)	\$ <u>495</u> 476\$ <u>322310</u>	
134 (439.6)	137 (449.5)	\$ <u>521501_\$322310</u>	
137 (449.5)	140 (459.3)	\$ <u>552531_\$332319</u>	
140 (459.3)	143 (469.2)	\$ <u>586</u> 56 <u>3</u> \$ <u>353339</u>	
143 (469.2)	146 (479.0)	\$ <u>617593</u> \$ <u>371357</u>	
146 (479.0)	149 (488.8)	\$ <u>652627 \$392377</u>	
149 (488.8)	152 (498.7)	\$ <u>682</u> 656\$ <u>413397</u>	
152 (498.7)	155 (508.5)	\$ 719 691 \$433416	
155 (508.5)	158 (518.4)	\$ 751722 \$449432	
158 (518.4)	161 (528.2)	\$ <u>781751_\$468.450</u>	
161 (528.2)	164 (538.1)	\$ <u>813782</u> \$ <u>491472</u>	0800
164 (538.1)	167 (547.9)	\$ <u>847</u> 814 \$ <u>509</u> 489	0800
1 67 (547.9)	170 (557.7)	\$ <u>880846 \$5285</u> 6	98
1 70 (557.7)	173 (567.6)	\$ <u>912</u> 877 \$ <u>548</u> 527	
1 73 (567.6)	176 (577.4)	\$ <u>9439</u> 07\$ <u>568</u> 546	
176 (577.4)	179 (587.3)	\$ <u>984946</u> \$ <u>5915</u> 6	i8
1 79 (587.3)	182 (597.1)	\$ <u>1,0299</u> 89 \$ <u>6155</u> 9	
18 2 (597.1)	18 5 (607.0)	\$ <u>1.029</u> 1,029 \$ <u>6426</u>	
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188 (616.8)	191 (626.6)	\$ <u>1,1591,114</u> \$ <u>6966</u>	69
191 (626.6)	194 (636.5)	\$ <u>1,2031,157</u> \$ <u>72166</u>	
191 (626.6) 1 94 (636.5)	197 (646.3)	\$ <u>1,2471,199 </u>	
19 7 (646.3)	200 (656.2)	\$ <u>1,2901,240</u> \$ <u>7747</u>	
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PORT OF SAN DIEGO - TARIFF NO. 1-G	2 nd Page 63B
SECTION XIII	
RULES & RATES	Issued: September 16, 2014
PILOTAGE	Effective: November 1, 2014
FMC Subrule: 34.M	Correction No.: 401

Dollars Per Movement Effective August 1, 2014 Entering or Intra Harbor \$1,3761,323
Overall Length of Vessel in Meters (Feet) Dollars Per Movement Effective August 1, 2014 Over But Not Over 10 (675.8) 203 (660.0) 206 (675.8) 206 (675.8) 210 (689.0) 210 (689.0) 214 (702.1) 210 (721.8) 220 (721.8) 220 (721.8) 226 (741.5) 232 (761.2) 238 (780.8) 234 (800.5) 244 (800.5) 237 (761.2) 238 (780.8) 244 (800.5) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2) 250 (820.2)
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FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE ${\bf 34.15}$

3rd Revised Page 64

SECTION XIII

RULES & RATES PILOTAGE

FMC Subrule: 34.M Correction No.: 95

Issued: July 6, 1999 Effective: July 12, 1999

Item No.

0800

PILOTAGE RATES AND CHARGES (CONTINUED FROM PAGE 63A)

* SPECIAL NOTE:

BARGES: For the purpose of assessing pilotage charges for barges, the sum of the over<u>all</u> length plusthe overall breadthwidth will be used. When the barge and tug or towboat are combined as an integrated unit, pilotage charges shall be assessed on the overall length and gross tonnage of the combined unit.

EXCEPTION 1:

Three-fourths (3/4) of the entering or leaving charge shall be assessed when the vessel subject to the payment of pilotage is not piloted by an Authorized Pilot upon entering, leaving, or shifting.

NOTE: Entering or leaving vessels that make an intermediary stop at the "B" Street Pier will not besubject to an additional intra-harbor shifting charge unless an Authorized Pilot is employed.

EXCEPTION 2

No intra-harbor shifting charge shall be assessed when entering vessels anchor because of inclementweather or other causes beyond the control of such vessels, if such vessels proceed thence to berthimmediately after such cause of delay ceases to exist.

EXCEPTION 3:

Commercial passenger vessels which have completed a minimum of one-hundred seventy (170) tripsfrom the Port of San Diego during a six (6) month operating period and whose published schedulecalls for not less than three-hundred thirty (330) trips during any twelve (12) month period shall beassessed a pilotage charge at four-fifths (4/5) of these pilotage charges while employing an-Authorized Pilot. For the purposes of this exception, a commercial passenger vessel shall be definedas: A cruise ship which is homeported at the Port of San Diego; departs, calls at a foreign port andreturns to the Port of San Diego within a twenty-four (24) hour period; and further offers onboardentertainment and meal service on a per trip basis.

EXCEPTION 4:

(a) Vessels moved without the use of their own propulsion and/or steering systems shall beassessed a pilotage fee of twice the normal entering or leaving charge based on overall length of thevessel. Such vessels shall not be assessed a per gross registered ton<u>nage</u> charge in addition to the charge assessed on the overall length of the vessel.

Vessels entering or leaving the Port of San Diego under flat tow when the tow is in charge of the bona fide master of the tugboat and such master holds a federal pilot's license for the Port of San Diego.

NOTE: Vessels—shifting—between—immediate—adjacent—berths—or—immediate—adjacent locations—where—lines—of—the vessel—are—employed for such shifting—shall—be charged the normal intra-harbor rate_one-hundredths of one percent (.o6%) of said charges per day for each day from a date_thirty (30) days after they are incurred until the charges have been paid.

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PILOTAGE FMC Subrule: 34.M PILOTAGE RATES AND CHARGES (CONTINUED FROM PAGE 64) (b) Pilotage charges as set forth in this Item No. 0800, are due and payable as they are incurred. Authorized Pilots. All charges that remain due and unpaid for a period of thirty (30) days after incurrence shall be a delinquency payment, payable to the pilots, equal to six one hundredths of one percent (.06%) of said charges per day from a date thirty (30) days after they are incurred until they have been paid. (c) The pilotage charges assessed for the service proffered or rendered by an Authorized Pilot are a accordance with and based upon each and every one of the limitations, agreements, covenants and corforth in Item No. 0790. However, said pilotage charges do not include marine insurance, insuring the the consequences of negligence of the Authorized Pilot. (d) Unless a request for a pilot is canceled not less than one (1) hour prior to the requested time, will be assessed according to the following table: Non-Cancellation Charge Effective August 1, 2014 Sand 196 (e) If a pilot is required to stand by in excess of one (1) hour, a stand-by charge will be assessed a the following table in addition to the charges named herein in Paragraph (a) hereof. Stand-By Charge Effective August 1, 2014 Sand 196 (f) A pilot boat service charge will be assessed according to the following table for each movement which involves use of the pilot boat. This per movement charge shall be paid int account the proceeds of which shall be used only for payment of a replacement pilot boat. Thoronament which involves use of the pilot boat. This per movement charge shall be paid int account the proceeds of which shall be used only for payment of a replacement pilot boat. Thoronament which involves use of the pilot boat. This per movement charge shall be paid int account the proceeds of which shall be used only for payment of a replacement pilot boat. Thoronament fee will be assessed to mega yachts for entering. I mitra harbor movements according to the fo	seet to a for each seed in- cions set- sel from-	***	Formatted: Space Before: 0.1 pt, After: 0 pt, Line spacing: Exactly 13 pt Formatted: Indent: Left: 0", Right: 0", Space Before: 0.1 pt, Line spacing: Exactly 13 pt Formatted: Left, Indent: Left: 0", Right: 0", Space Before: 0.1 pt, Line spacing: Exactly 13 pt Formatted: Line spacing: Exactly 13 pt Formatted: Space Before: 0.1 pt, Line spacing: Exactly 13 pt
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NOTE: The minimum charge for pilotage will be assessed according to the following table: N Pilotage Charge			
Effective August 1, 2014	imum		
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(h)_Commencing August 1, 2014, annual pilotage rate increases will be based on the Produce Price Index (PPI) as published by the Bureau of Labor Statistics for the prior calendar year	imum	4	Formatted: Space Before: 0.1 pt, Line spacing: Exactly 13 pt

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE SUBRULE 34.15 $\,$

PO	RT OF SAN DIEGO - TARIFF NO. 1-G	3 rd Revised Page 64	
	SECTION XIII		
			Item No
	DEFINITIONS		
(d) (e)	of the San Diego Unified Port District; whose jurisdiction includes its enforce all necessary rules and regulations governing the use and corwaters and all tidelands and submerged lands, filled or unfilled, and Diego Bay. NOTE: Such properties include the public and commercial berths located at the Port District's marine terminals, piers and wharve and commercial shipyard facilities within San Diego Bay. ENTERING: Vessels inward bound from the open sea to the Port of LEAVING: Vessels outward bound which leave the Port of San Diego. INTRA-HARBOR SHIFTING: Vessels which move from point to po San Diego. VESSEL: For the purposes of this section, "Vessel" shall be deemed t limitation, steamboats, motorboats, sailing vessels, barges, scows, lig pleasure craft, and any and all other watercraft, including a vessel ac owners, agents, master, operators, charterers or any other persons dubehalf of such vessel. GROSS REGISTERED TONS: For purposes of this section, "Gross Remean the highest of any registered tonnage held by a vessel.	these rules for g, leaving or shifting. Board of Port of the purisdiction is authority to make and introl of all navigable other lands within San of for the open sea. San Diego. To for the open sea. The price of the open sea, the open sea, the price of the ope	<u>0780</u>
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PORT OF SAN DIEGO - TARIFF NO. 1-G 2nd Page 63B SECTION XIII

RULES & RATES
PILOTAGE

FMC Subrule: 34.M

Issued: September 16, 2014 Effective: November 1, 2014 Correction No.: 401

	<u>Item No.</u>
In accordance with the San Diego Unified Port District Act (California Harbors and Navigation Code, Appendix 1), the Board of Port Commissioners of the San Diego Unified Port District regulates vessels within San Diego Bay, including the establishment of pilotage charges for the Port of San Diego. The charges and conditions upon which piloting services are provided are contained herein. Authorized Pilots are to provide piloting services in an independent capacity and not as officers, employees, agents or independent contractors of the San Diego Unified Port District.	<u>0785</u>
PILOTS (a) The San Diego Unified Port District through the Board of Port Commissioners, has designated Authorized Pilots to perform piloting services to vessels entering, leaving or shifting within the Port of San Diego. Any vessel entering, leaving, or shifting within the Port of San Diego may, but is not required to, request the services of and be piloted by an Authorized Pilot. Such piloting services are to be voluntarily requested and voluntarily rendered in accordance with the terms set forth in this Tariff. (b) Upon boarding a vessel in response to the request of its master, owner or agent, it shall be the duty of each pilot to place his/her knowledge of San Diego Bay at the disposal of the vessel's master. (c) The safe navigation of the vessel, including piloting, is at all times the paramount duty of its master, and the presence of a pilot on the bridge shall in no way relieve the master of his/her duties. The master remains at all times in full command of the vessel; shall continue to navigate and shall take bearings and soundings, check compass courses, make radar observations, and take all actions necessary to safeguard the vessel under his/her command. In that regard, it shall be the duty of the vessel and its master: (1) To have posted, and all times properly instructed, efficient and competent lookouts, each with no other duty to perform, and each with efficient means of rapid. communication with the bridge. (2) To immediately inform the pilot of all reports by lookout. (3) On radar-equipped vessels, to have the radar functioning and manned by a competent observer under instructions to keep the mater and the pilot constantly and currently informed of observed targets. (4) To arrange for and provide adequate tug assistance, and to arrange for and have available adequate vessel's lines to assist in tying the tug or tugs. (5) For the master to remain on the bridge at all times and to accompany the pilot in his/her duties on and about the bridge.	<u>0790</u>

1st Revised Page 61

SECTION XIII RULES & RATES PILOTAGE

Issued: August 1, 1997 Effective: August 15, 1997

FMC Subrule: 34.

Correction No.: 67

<u>Item No.</u>

PILOTS (CONTINUED)

- (7) To understand and agree that, inasmuch as all orders of the pilot shall be given in the presence of the master, every such order, unless countermanded, shall, for all purposes, be deemed the order of the master and fully concurred in by him/her; it being further agreed that the pilot is acting in an advisory, and not in a command capacity and has no authority independent of the master.
- (8) To understand and agree that a pilot is employed only to have the benefit of his/her knowledge of San Diego Bay.
- (9) To understand and agree that currents and winds within San Diego Bay are at times wholly unpredictable as to place, extent or force and that bottom suction cannot be predicted by the pilot.
- (10) To have, at all times, adequate ship's anchors properly manned and ready to drop.
- (11) To provide officers conversant with the English language, or to advise the pilot of any language difficulty and then request that the pilot give his/her orders by hand signals through the master.
- (d) It is compulsory upon, and the duty of, the vessel, its owners, master, operators, charterers or agents to advise the pilot, either before or immediately upon his/her boarding, of vessel peculiarities, including but not limited to the following:
 - (1) Any defects or deficiencies in the vessel, its personnel, engines or tackle;
 - (2) Any vessel peculiarities concerning steering, stopping, handling, speed, maneuvering and the propensity of the vessel to sheer;
 - (3) The number and names of the tugs to be supplied to said vessel; and
 - (4) Any other information, whether or not herein enumerated, that may or might assist the pilot in the piloting of the vessel.
- It is understood and agreed, and is the essence of which piloting services are proffered and rendered, and are requested and accepted by the vessel, that the services of the Authorized Pilot are requested and accepted on the express understanding that such piloting services are given, done or performed solely in the Authorized Pilot's capacity as the servant of the vessel and of its owners, master, operators, charterers or agents of the vessel expressly covenant and agree to comply with the provisions of paragraphs c and d, above, and not to assert any personal liability against the Authorized Pilot or the San Diego Unified Port District, the Board of Port Commissioners, or any of their officers or employees, to respond in damage (including any rights over) arising out of or connected with, directly or indirectly, any damage, loss or expense sustained by the vessel, its owners, master, operators, charterers, agents or crew, and by any third parties, even though resulting from acts, omissions or negligence of the Authorized Pilot or District; and provided further, that to the extent only to which liability is legally imposed against the vessel, taking into consideration any limitation thereof to which the vessel or its owners, master, operators, charterers or agents are entitled by reason of any contract or bill of lading, or any statute or rule of law in force, such vessel and its owners, master, operators,

0790

2nd Revision Page 60

SECTION XIII RULES & RATES PILOTAGE

Issued: August 1, 1997 Effective: August 15, 1997

Item No.

0790

FMC Subrule: 34.M

Correction No.: 66

PILOTS (CONTINUED)

- (e) charterers and agents further covenant and agree to indemnify and hold harmless to the fullest extent allowed by law, said Authorized Pilot, the San Diego Unified Port District, the Board of Port Commissioners, and each of their officers and employees with respect to any liability arising out of claims, suits or actions against the Authorized Pilot, the San Diego Unified Port District, the Board of Port Commissioners or any of their officers or employees, or by third parties, resulting from acts, omissions or negligence of said Authorized Pilot, excepting, however, such personal liability and rights as may arise by reason of the sole willful misconduct or sole active negligence of the Authorized Pilot. Nothing herein shall exculpate or otherwise relieve the San Diego Unified Port District from liability for its own negligence or impose upon others the obligation to indemnify or hold harmless said Port from liability for its sole active negligence.
- (f) If any vessel on whose behalf piloting services are requested is not owned by the person or entity ordering the services, that person or entity warrants its authority to bind the vessel and its owners, charterers, and operators to all the provisions contained in Paragraph (e), and that person and entity agree to indemnify and hold harmless, the Authorized Pilot, the Authorized Pilot's employer, and other employees of the Authorized Pilot's employer with respect to all losses, damages, and expenses that may be suffered or incurred in consequence of the person or entity not having that authority under the same terms as in Paragraph (e).
- (g) All Authorized Pilots providing piloting service in the Port of San Diego must hold a federal license for the Port of San Diego.
- (h) Any vessel over three-hundred (300) gross registered tons and subject to pilotage that wishes
 to decline the use of an Authorized Pilot shall before entering, leaving or shifting within the
 Port of San Diego;
 - (1) Obtain prior permission from the United States Coast Guard Captain of the Port. (2)

 Any vessel having received the above permission from the Captain of the Port must
 notify the Port of San Diego Marine Operations Department, and the Authorized Pilots
 of the San Diego Bay Pilots Association before arrival or commencement of any
 movement within the Port of San Diego, and abide by all local rules and regulations.

If for any reason a vessel's master or local representative permits the movement of a vessel without complying with the provisions of this Item No. 0790, Paragraph (h), he or she will be subject to misdemeanor penalty charges under the Tariff Item No. 0300.

NOTE: This Item No. 0790, Paragraph (h) in no way exempts any vessel subject to pilotage from payment of pilotage charges set forth in Item No. 0800.

PORT OF SAN DIEGO - TARIFF NO. 1-G SECTION XIII RULES & RATES PILOTAGE FMC Subrule: 34.M 2nd Page 63 2nd Page 63 Issued: September 16, 2014 Effective: November 1, 2014 Correction No.: 399

	<u>Item No.</u>
VESSELS SUBJECT TO PILOTAGE CHARGES	
All vessels entering, leaving or shifting in the Port of San Diego shall be subject to pilotage char and, except as provided in Item No. 0790, Paragraph (h), shall be under the direction of a federalicensed pilot for the Port of San Diego, except the following vessels when not actually employing Authorized Pilot:	ally_
(a) U.S. flag vessels under three hundred (300) gross registered tons;	
(b) U.S. flag vessels licensed and engaged in the fishing trades and vessels sailing under Un States enrollment and license, while under the control and direction of a pilot duly licen under the laws of the United States of America for the Port of San Diego;	
(c) Combat and training vessels of the U.S. Government, foreign nations or the State of California which do not use a Port of San Diego public or commercial berth, whether or not an Authorized Pilot is actually employed by such vessel;	<u>0795</u>
NOTE: When actually using a Port of San Diego public or commercial berth, such vessels she subject to pilotage charges unless upon prior application to and discretion of the Executive Director of the Port of San Diego, the of San Diego are extended to such vessels.	
(d) Barges and scows moving under flat tow from point to point within the Port of San Diego while under the control and direction of a pilot duly licensed under the laws of the Unite States of America for the Port of San Diego:	_
(e) Private yachts, under three hundred gross registered tons, when used for pleasure purpos only.	<u>ses</u>
AREA SUBJECT TO PILOTAGE	
A federally licensed pilot for the Port of San Diego, as specified in Item No. 0790, Paragraph (g) required on all vessels subject to pilotage when underway in any navigable waters of San Diego	Bay.
(a) Inbound vessels must take aboard such pilot prior to entering the navigable waters of Sar Diego Bay.	<u>0797</u>
(b) Pilots shall not debark outbound vessels inside the navigable waters of San Diego Bay unlextreme weather conditions make it necessary for pilot safety.	less_
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SECTION XIII **RULES & RATES**

PILOTAGE

Issued: August 1, 1997 Effective: August 15, 1997

Correction No.: 68

FMC Subrule: 34.M

PILOTAGE RATES AND CHARGES

Pilotage charges are in addition to all other charges that may be applicable and shall be assessed against all vessels subject to the payment of pilotage under this Section and shall be paid by the vessel so assessed to the Authorized Pilot before any such vessel leaves the Port of San Diego, unless satisfactory credit is obtained (Subject to Exceptions 1, 2, 3, and 4). The charges for piloting services shall be based on the gross tonnage and the overall length of the vessel, as expressed in meters, except as otherwise specifically provided herein. United States Custom House, Lloyd's Register or American Bureau of Shipping Measurements, when available, will be used in determining the gross tonnage and length of vessel. "Gross tonnage" is as defined in Lloyd's Register of Shipping. All vessels for which the gross tonnage or overall length is not available in the ships registers mentioned herein or on vessel documents shall be measured and/or estimated by the pilot.

0800

Item No.

NOTE 1: See Item No. 0800, Paragraph (h) regarding annual pilotage rate increases. NOTE 2: Pilotage rate increases for passenger carrying vessels will become effective on August 1, 2012.

Pilotage charges will be assessed per gross registered ton in addition to a charge assessed on the overall length of the vessel according to the following tables:

Gross	<u>Dollars Per Movement</u> Effective
Registered Tonnage	<u>August 1, 2014</u>
	<u>0.0037</u>

2nd Page 63B

SECTION XIII RULES & RATES

PILOTAGE

Issued: September 16, 2014 Effective: Nowember 1, 2014

FMC Subrule: 34.M

Correction No.: 400

<u>Item</u>					
			GE RATES AND CHARGE	<u>PILOTA</u>	
		Dollars Per	Overall Length of Vessel in		
4	igust 1, 2014	Effective Au	Meters (Feet)		
	<u>Intra Harbor</u>	Entering or Leaving	But Not Over	Over	
	<u>\$286</u>	<u>\$286</u>	<u>61(200.1)</u>	<u>o (o.o)</u>	
	\$295	\$295	<u>100 (328.0)</u>	<u>61 (200.1)</u>	
	<u>\$310</u>	<u>\$310</u>	<u>107 (351.0)</u>	<u>100 (328.0)</u>	
	<u>\$310</u>	\$325	<u>110 (360.9)</u>	<u>107 (351.0)</u>	
	<u>\$310</u>	\$344	<u>113 (370.7)</u>	<u>110 (360.9)</u>	
	<u>\$310</u>	\$359	<u>116 (380.6)</u>	<u>113 (370.7)</u>	
	\$310	<u>\$380</u>	<u>119 (390.4)</u>	<u>116 (380.6)</u>	
	\$310	\$400	<u>122 (400.3)</u>	<u>119 (390.4)</u>	
	\$310	<u>\$418</u>	<u>125 (410.1)</u>	<u>122 (400.3)</u>	
	\$31 <u>0</u>	\$435	<u>128 (419.9)</u>	<u>125 (410.1)</u>	
	\$310	\$455	<u>131 (429.8)</u>	<u>128 (419.9)</u>	
	\$310	\$476	<u>134 (439.6)</u>	131 (429.8)	
	\$310	\$501	<u> 137 (449.5)</u>	<u>134 (439.6)</u>	
	\$319	\$531	140 (459.3)	137 (449.5)	
	\$339	<u>\$563</u>	<u> 143 (469.2)</u>	<u>140 (459.3)</u>	
080	\$357	\$593	<u> 146 (479.0)</u>	143 (469.2)	
	\$377	\$627	149 (488.8)	<u>146 (479.0)</u>	
	\$397	\$656	152 (498.7)	149 (488.8)	
	\$416	\$691	<u> 155 (508.5)</u>	152 (498.7)	
	\$432	\$722	<u>158 (518.4)</u>	<u> 155 (508.5)</u>	
	\$450	\$751	<u>161 (528.2)</u>	158 (518.4)	
	\$472	\$782	<u>164 (538.1)</u>	<u>161 (528.2)</u>	
	\$489	\$814	<u>167 (547.9)</u>	164 (538.1)	
	\$508	\$846	<u>170 (557.7)</u>	<u> 167 (547.9)</u>	
	\$527	\$877	173 (567.6)	170 (557.7)	
	\$546	\$907	176 (577.4)	173 (567.6)	
	\$568	\$946	179 (587.3)	176 (577.4)	
	\$591	\$989	182 (597.1)	179 (587.3)	
	\$617	\$1,029	<u>185 (607.0)</u>	182 (597.1)	
	\$644	\$1,071	188 (616.8)	185 (607.0)	
	\$66g	\$1,114	191 (626.6)	188 (616.8)	
	\$693	\$1,157	194 (636.5)	191 (626.6)	
	\$720	\$1,199	197 (646.3)	194 (636.5)	
	\$744	\$1,240	200 (656.2)	197 (646.3)	
	\$770	\$1,281	203 (660.0)	200 (656.2)	

PORT OF SAN DIEGO - TARIFF NO. 1-G 2nd Page 63A SECTION XIII

			Item No.
PILOTA	AGE RATES AND CHARGES (CONTINUED)		
	Overall Length of Vessel in <u>Meters (Feet)</u>		
Over	But Not Over	Entering or Leaving Intra Harbor	
<u>203 (660.0)</u>	<u>206 (675.8)</u>	\$1,323 \$795	
<u>206 (675.8)</u>	<u>210 (689.0)</u>	<u>\$1,366</u> \$820	
<u>210 (689.0)</u>	<u>214 (702.1)</u>	<u>\$1,408</u> \$846	
<u>214 (702.1)</u>	<u>220 (721.8)</u>	<u>\$1,449</u> \$868	
<u>220 (721.8)</u>	<u>226 (741.5)</u>	<u>\$1,493</u> \$895	
<u>226 (741.5)</u>	<u>232 (761.2)</u>	<u>\$1,534</u> \$920	
<u>232 (761.2)</u>	<u>238 (780.8)</u>	<u>\$1,577</u> \$946	0800
<u>238 (780.8)</u>	<u>244 (800.5)</u>	<u>\$1,618</u>	0000
<u>244 (800.5)</u>	<u>250 (820.2)</u>	<u>\$1,660</u> \$995	
<u>250 (820.2)</u>	<u>256 (839.9)</u>	<u>\$1,703</u> \$1,023	
<u>256 (839.9)</u>	<u> 262 (859.6)</u>	<u>\$1,743</u> \$1,049	
<u> 262 (859.6)</u>	<u> 268 (879.3)</u>	\$1,788 \$1,071	
<u> 268 (879.3)</u>	<u>274 (898.9)</u>	<u>\$1,828</u> \$1,096	
<u>274 (898.9)</u>	<u> 280 (918.6)</u>	<u>\$1,870</u> \$1,122	
<u>280 (918.6)</u>	<u>286 (938.3)</u>	<u>\$1,912</u> \$1,147	
<u>286 (938.3)</u>	<u>292 (958.0)</u>	<u>\$1,954</u> \$1,172	
<u>292 (958.0)</u>	<u> 298 (977.7)</u>	\$1,998 \$1,199	
<u> 298 (977.7)</u>	<u>304 (997.4)</u>	\$2,038 \$1,223	
<u>304 (997.4)</u>	<u></u>	<u>\$2,080</u> \$1,248	
NOTE: Length in feet for	reference only. Pilotage charged by	length in meters.	

F.M.C. - Tariff No. 001-G

SECTION XIII

RULES & RATES

PILOTAGE

FMC Subrule: 34.M

2nd Page 65

Iksaued! Septemberg16, 2014
Hiffactive: Novemberg1 2014
Connection No.::402

Item No.

PILOTAGE RATES AND CHARGES (CONTINUED FROM PAGE 63A)

* SPECIAL NOTE:

BARGES: For the purpose of assessing pilotage charges for barges, the sum of the over length plus the width will be used.

EXCEPTION 1

Three-fourths (3/4) of the entering or leaving charge shall be assessed when the vessel subject to the payment of pilotage is not piloted by an Authorized Pilot upon entering, leaving, or shifting,

NOTE: Entering or leaving vessels that make an intermediary stop at the "B" Street Pier will not be subject to an additional intra-harbor shifting charge unless an Authorized Pilot is employed.

EXCEPTION 2:

No intra-harbor shifting charge shall be assessed when entering vessels anchor because of inclement weather or other causes beyond the control of such vessels, if such vessels proceed thence to berth immediately after such cause of delay ceases to exist.

EXCEPTION 3

Commercial passenger vessels which have completed a minimum of one-hundred seventy (170) trips from the Port of San Diego during a six (6) month operating period and whose published schedule calls for not less than three-hundred thirty (330) trips during any twelve (12) month period shall be assessed a pilotage charge at four-fifths (4/5) of these pilotage charges while employing an Authorized Pilot. For the purposes of this exception, a commercial passenger vessel shall be defined as: A cruise ship which is homeported at the Port of San Diego; departs, calls at a foreign port and returns to the Port of San Diego within a twenty-four (24) hour period; and further offers onboard entertainment and meal service on a per trip basis.

<u>0800</u>

EXCEPTION 4

Vessels moved without the use of their own propulsion and/or steering systems shall be assessed a pilotage fee of twice the normal entering or leaving charge based on overall length of the vessel. Such vessels shall not be assessed a per gross registered ton charge in addition to the charge assessed on the overall length of the vessel.

- NOTE: Vessels shifting between immediate adjacent berths or immediate adjacent locations where lines of the vessel are employed for such shifting shall be charged the normal intra-harbor rate.
- (b) Pilotage charges, as set forth in this Item No. 0800, are due and payable as they are incurred to the Authorized Pilots. All charges that remain due and unpaid for a period of thirty (30) days after incurrence shall be subject to a delinquency payment, payable to the pilots, equal to six one-hundredths of one percent (.06%) of said charges per day for each day from a date thirty (30) days after they are incurred until the charges have been paid.

PORT OF SAN DIEGO - TARIFF NO. 1-G F.M.C. - Tariff No. 001-G

SECTION XIII RULES & RATES

PILOTAGE FMC Subrule: 34.m 2nd Page 65

Issued: September 16, 2014 Effective: November 1, 2014

Correction No.: 402

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PILOTAGE RATES AND CHARGES (CONTINUED FROM PAGE 64)

- (c) The pilotage charges assessed for the service proffered or rendered by an Authorized Pilot are assessed in accordance with and based upon each and every one of the limitations, agreements, covenants and conditions set forth in Item No. 0790. However, said pilotage charges do not include marine insurance, insuring the vessel from the consequences of negligence of the Authorized Pilot.
- (d) Unless a request for a pilot is canceled not less than one (1) hour prior to the requested time, a charge will be assessed according to the following table:

Non-Cancellation Charge Effective August 1, 2014 \$196

(e) If a pilot is required to stand by in excess of one (1) hour, a stand-by charge will be assessed according to the following table in addition to the charges named herein in Paragraph (a) hereof:

Stand-By Charge Effective August 1, 2014 <u>\$196</u>

f) A pilot boat service charge will be assessed according to the following table for each vessel movement which involves use of the pilot boat. This per movement charge shall be paid into an account the proceeds of which shall be used only for payment of a replacement pilot boat.

0800

Item No.

Pilot Boat Service Charge Effective August 1, 2014

<u>\$61</u>

(g) A pilotage charge per twelve (12) month period will be assessed to mega yachts for entering, leaving or intra harbor movements according to the following table. A mega yacht is defined as a pleasure craft of over three hundred (300) gross tons that is not carrying freight for hire and that has received a Pilotage Exemption with a qualified Master on board during any movement.

Mega Yacht Pilot Charge Effective August 1, 2014 \$1,125

NOTE: The minimum charge for pilotage will be assessed according to the following table:

Minimum Pilotage Charge
Effective August 1, 2014
\$286

(h) Commencing August 1, 2014, annual pilotage rate increases will be based on the Producer Price Index (PPI) as published by the Bureau of Labor Statistics for the prior calendar year.

PORT OF SAN DIEGO - TARIFF NO. 1-G	2 nd Page 65
F.M.C Tariff No. 001-G	
SECTION XIII	
RULES & RATES	Issued: September 16, 2014
PILOTAGE	Issued: September 16, 2014 Effective: November 1, 2014
FMC Subrule: 34.m	Correction No.: 402

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