



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

File #:2019-0190

DATE: June 18, 2019

SUBJECT:

CLEAN AIR AND CLIMATE ACTION PROGRAMS:

- A) PRESENTATION AND UPDATE ON DISTRICT INITIATIVES TO IMPROVE AIR QUALITY AND REDUCE GREENHOUSE GAS EMISSIONS; AND**
- B) RESOLUTION AUTHORIZING STAFF TO UPDATE THE DISTRICT'S CLEAN AIR PLAN TO ALIGN WITH ASSEMBLY BILL 617'S COMMUNITY AIR PROTECTION PROGRAM (AB 617 PROGRAM), CALIFORNIA'S SUSTAINABLE FREIGHT ACTION PLAN, AND OTHER LOCAL AND STATE INITIATIVES TO IMPROVE AIR QUALITY; TO DEVELOP DISTRICT-RELATED PLANS, PROJECTS AND STRATEGIES THAT WILL REDUCE EMISSIONS AND IMPROVE AIR QUALITY IN ADVANCE OF THE AVAILABILITY OF PROJECT IMPLEMENTATION FUNDING; AND CONTINUE TO COLLABORATE AND PARTNER WITH AGENCIES, DISTRICT TENANTS, STAKEHOLDERS, AND COMMUNITIES, INCLUDING THE AB 617 PORTSIDE ENVIRONMENTAL JUSTICE NEIGHBORHOOD STEERING COMMITTEE, TO INCREASE ELECTRICIFICATION OF FREIGHT MOVEMENT, IDENTIFY EMISSION REDUCTION STRATEGIES AND IMPROVE AIR QUALITY FOR THE REGION.**

EXECUTIVE SUMMARY:

The District has a long history of championing environmental and sustainability initiatives in a manner that promotes the maritime industry and business opportunities within the District and its member cities. The District's Clean Air Plan (2007), Climate Action Plan (2013), and Tenth Avenue Marine Terminal (TAMT) Redevelopment Plan Final Environmental Impact Report (2016) all identify strategies and measures that help reduce criteria pollutants, toxic air contaminants, and/or greenhouse gas (GHG) emissions in and around Port tidelands while promoting maritime operations.

These planning level documents have provided the foundation to implement a wide range of projects and programs over the years, ranging from California's first passenger vessel shore power facility in 2010, to a renewable energy microgrid and battery storage system at TAMT that is on track to be up and running next summer. In conjunction with State regulatory requirements, the District's planning efforts have helped reduce criteria pollutants and greenhouse gas emissions. Between 2006 and 2016, maritime emissions have decreased between 40 percent and 97 percent, depending on the air pollutant. Similarly, GHG emissions have decreased 13% district-wide since 2006, while District revenues have increased 29% during this same time period.

California has recently taken bold steps to reduce further GHG emissions and improve air quality in

File #:2019-0190

the state. In 2016, Senate Bill 32 (SB 32) established a state-wide GHG reduction target of 40% below 1990 levels by year 2030. In 2016, multiple state agencies jointly developed the Sustainable Freight Action Plan, which sets forth the State's vision to improve freight efficiency, transition to zero- and near-zero emission technologies and increase the competitiveness of California's freight system. Finally, in 2017 Assembly Bill 617 - Nonvehicular air pollution: criteria air pollutants and toxic air contaminants (AB 617) was signed into law, which requires the California Air Resources Board (CARB) to prepare a statewide strategy to reduce emissions of toxic air contaminants and criteria pollutants in communities affected by a high cumulative exposure burden.

As a result, CARB established the Community Air Protection Program (or AB 617 Program) in 2018, which tasks local air pollution control districts to work with communities to develop community-specific emission reduction programs. As discussed at the March 12, 2019 Board of Port Commissioner's meeting (Attachment A), CARB selected the Portside Environmental Justice Neighborhoods (or Portside Community) for community air monitoring in September 2018. The Portside Community includes the neighborhoods of Barrio Logan, West National City, Logan Heights, and Sherman Heights, and it encompasses the area along the District's working waterfront. The San Diego Air Pollution Control District (SDAPCD) is implementing the AB 617 Program and is working with the Portside Community to site additional air monitoring equipment and on identifying emission reduction strategies.

Given the State's recent focus on improving air quality and its plans to advance sustainable freight operations, it is an opportune time for the District to update its 2007 Clean Air Plan to more closely align with the State's efforts. District staff has also identified some near-term opportunities and a longer-term roadmap that will help increase the District's competitiveness when seeking funds to implement emissions reduction projects, in conjunction with its tenants and partner agencies.

RECOMMENDATION:

- A. Receive staff's presentation and informational update on the District's initiatives to improve air quality and reduce greenhouse gas emissions.
- B. Adopt a resolution authorizing staff to update the District's Clean Air Plan to align with Assembly Bill 617's Community Air Protection Program (AB 617 Program), California's Sustainable Freight Action Plan, and other local and State initiatives to improve air quality; to develop District-related plans, projects and strategies that will reduce emissions and improve air quality in advance of the availability of project implementation funding; and continue to collaborate and partner with agencies, District tenants, stakeholders, and communities, including the AB 617 Portside Environmental Justice Neighborhood Steering Committee, to increase electrification of freight movement, identify emission reduction strategies and improve air quality for the region.

FISCAL IMPACT:

Funds associated with the preparation of District plans and projects referenced in this item are budgeted primarily within the Professional Services expense account (#620100). Funds required for future fiscal years associated with this topic will be budgeted for in the appropriate year subject to Board approval upon adoption of each fiscal year's budget.

File #:2019-0190

COMPASS STRATEGIC GOALS:

This agenda item supports the following Strategic Goal(s).

- A Port that the public understands and trusts.
- A thriving and modern maritime seaport.
- A Port with a healthy and sustainable bay and its environment.
- A Port with a comprehensive vision for Port land and water uses integrated to regional plans.
- A Port that is a safe place to visit, work and play.
- A Port with an innovative and motivated workforce.
- A financially sustainable Port that drives job creation and regional economic vitality.
- Not applicable.

DISCUSSION:

BACKGROUND ON DISTRICT INITIATIVES:

Supporting port-related operations, including the maritime industry, is one of the core objectives of the District and its obligations as a trustee of the Tidelands. Port operations involve the transport of goods and services throughout the San Diego region and beyond. Overall direct and indirect economic impacts from the District's maritime industry produce approximately \$4.3 billion and supports nearly 25,000 jobs¹. These operations and activities utilize ocean-going vessels, heavy-duty trucks and vehicles, and equipment primarily powered by diesel engines, all of which produce air pollutant emissions.

Balancing maritime operations and environmental stewardship is central to the District's mission. As such, the District has enacted multiple programs in recent years to monitor and reduce air pollution associated with District activities. Acknowledging that the California Air Resources Board (CARB) has regulatory authority over mobile emissions (such as cars, trucks, and vessels), and the San Diego County Air Pollution Control District (SDAPCD) is vested with the authority to regulate local and stationary sources (such as factories and refineries), the District has enacted a number of plans, programs and projects that help to further reduce air pollution and greenhouse gas emissions in and around port tidelands. As discussed in more detail below, the District's Clean Air Plan, Climate Action Plan, and the Final EIR for the Tenth Avenue Marine Terminal Redevelopment Plan provide the groundwork for the District, and its tenants, to implement a number of different projects and initiatives that reduce emissions.

Clean Air Program (2007)

In 2006, the Board of Port Commissioners directed staff to develop a program to reduce air emissions from port-related operations. The resulting Clean Air Program was finalized in 2007, which identified emissions from key sources of freight transport and specified control measures to reduce air pollutants. Emissions included in the Clean Air Program focused on criteria pollutants commonly associated with the activities of ocean-going vessels, harbor craft, trucks, cargo handling equipment, and locomotives. Most of these activities are associated with the District's cargo and cruise terminal operations.

File #:2019-0190

The Clean Air Program provided a baseline inventory of air emissions from port-related operations at the District based on activities which occurred during calendar year 2006. The following criteria pollutants were analyzed in the baseline inventory:

- Reactive organic gases (ROG)
- Carbon monoxide (CO)
- Particulate matter 10 microns or less in diameter (PM10) and 2.5 microns or less in diameter (PM2.5)
- Diesel Particulate Matter (DPM)
- Oxides of nitrogen (NO_x)
- Sulfur dioxide (SO₂)

The Clean Air Program set the foundation for the District to proactively pursue emissions reductions, including the District's voluntary Vessel Speed Reduction Program and Shore Power project, discussed in more detail below. The District continues to monitor and evaluate criteria pollutants associated with maritime activity. Between 2006 and 2016, emissions have decreased between 40 percent and 97 percent, depending on the air pollutant.

Climate Action Plan (2013)

In 2013, the District extended its emission reduction program to focus on the reduction of greenhouse gas (GHG) emissions. With the adoption of its Climate Action Plan (CAP), the District became one of the first ports in the nation to develop measures to reduce GHG emissions. Relative to a 2006 baseline, the District's CAP identified the following GHG reduction goals:

- 10 percent reduction by 2020;
- 25 percent reduction by 2035.

The CAP includes a suite of measures targeting sources of GHGs including energy consumption, transportation, water use, and waste production. Since its inception, the District has instituted energy efficiency programs, deployed renewable energy systems, introduced alternative fuels and infrastructure, and developed partnerships with tenants to incorporate sustainability into their operations.

Based on the 2016 CAP Inventory, GHG emissions have decreased 13 percent below 2006 levels districtwide, while revenue has increased 29%. These reductions are the result of District initiatives established in the Clean Air Program and Climate Action Plan, as well as several State regulations.

Tenth Avenue Marine Terminal Final EIR (2016)

In December 2016, the Board of Port Commissioners certified the Final EIR for the Tenth Avenue Marine Terminal Redevelopment Plan. This was a program-level EIR that considered the environmental impacts associated with increasing cargo throughput and terminal operations at the TAMT. Although the Final EIR included a project-level analysis of the Demolition and Initial Rail Component, other concepts identified in the TAMT Redevelopment Plan (such as installation of gantry cranes or construction of a new, consolidated dry bulk facility) were not analyzed because project-level details were not known. Based on build-out of the Sustainable Terminal Capacity (STC) Scenario in 2035, however, the TAMT Final EIR includes a series of mitigation measures to reduce

File #:2019-0190

several criteria pollutants below 2016 levels, despite plans to quadruple cargo throughput. By identifying either time- or development-based triggers, the TAMT Final EIR identifies mitigation measures to be implemented over the life of the plan, which includes but is not limited to the following:

- Attain a 95% Best Available Control Technology (BACT) for conveyance of dry bulk materials;
- Replace diesel-burning cargo handling equipment with electric cargo handling equipment;
- Institute an Enhanced Vessel Speed Reduction Program (40 nautical miles from Point Loma and targeting 90% compliance);
- Implement an Advanced Maritime Emissions Control System (AMECS, or Bonnet) to reduce vessel emissions while hoteling.

While the TAMT Final EIR identifies an overarching pathway to reduce emissions as maritime business grows, it also provides flexibility at the project-level to swap out technologies and/or to incorporate other measures, so long as air quality performance standards are met. By identifying ways to reduce freight-related emissions at TAMT, while remaining open to new technologies and other opportunities, the District is able to provide greater certainty to its existing and prospective customers, as well as to nearby community residents and other pertinent stakeholders.

Implementation of Port-related Emission Reduction Efforts

The plans listed above set the foundation for the District and its tenants to pursue several projects and programs designed to improve air quality. Some of these initiatives are summarized below:

- Vessel Speed Reduction Program: The District's voluntary Vessel Speed Reduction Program targets emissions associated vessels while in transit. Starting at 20 nautical miles from Point Loma, Cruise ships are encouraged to reduce speeds to 15 knots and cargo vessels are encouraged to reduce speeds to 12 knots. In 2016, as part of the TAMT Final EIR, vessels calling to TAMT were required to adhere to the Vessel Speed Reduction Program. When vessel speeds are reduced, less power is required to propel them, which results in lower emissions.
- Shore Power: The District installed California's first shorepower system for passenger ships at the B Street Cruise Terminal in 2010, four years ahead of the CARB's At-berth regulation. In 2014, the District installed shorepower at the Tenth Avenue Marine Terminal in 2014 to service refrigerated cargo vessels.
- Clean Truck Program: The Board of Port Commissioners adopted the District's Clean Truck Program in 2009, which prohibits drayage trucks that are not in compliance with the CARB's regulations (Drayage Truck Regulation) from entering the District's marine terminals. The District worked with SDAPCD to provide incentives to drayage truck operators visiting the District to retrofit their trucks with cleaner engines and diesel particulate filters.
- Electric Cargo Handling Equipment: In 2017, the San Diego Port Tenants Association, on behalf of five District Tenants, was awarded over \$5 million in funding from the California Energy Commission (CEC) to demonstrate *ten battery-electric yard tractors, drayage trucks, and forklifts*. Many of these vehicles and pieces of equipment have been delivered and are in use by District tenants such as Dole Fresh Fruit Company, Pasha, Marine Group Boat Works, Terminal Lift, and HII. The use of the equipment is a testament to innovation along the District' Working Waterfront.

File #:2019-0190

- Microgrid at Tenth Avenue Marine Terminal: In 2018, the Board of Port Commissioners accepted a \$5 million grant from the CEC to construct renewable energy microgrid at TAMT, which includes a solar photovoltaic power system, battery storage and energy controller technology. This project will demonstrate how electrification can help improve air quality and reduce GHG, reduce the cost of electricity at TAMT, and increase the resiliency and reliability of energy. The microgrid is scheduled to be operational in Summer 2020.
- Electric Vehicle Charging Infrastructure: The Port is making sure it is prepared to support the electrification of vehicles and equipment by providing the infrastructure that is needed for these technologies. For example, nine electric forklift chargers have been installed at the B Street Cruise Terminal, 26 electric vehicle charging stations have been installed for the District's employees and vehicle fleet, and ten chargers have been installed at the National City Marine Terminal to power electric cars, drayage trucks and yard tractors. Working with agency partners such as San Diego Gas and Electric, the Port is piloting EV Charging for medium and heavy-duty freight equipment.

BACKGROUND ON STATE INITIATIVES:

Since its formation in 1967, the California Air Resources Board (CARB) has worked with the public, the business sector and local governments to find solutions to California's air quality problems. In 1970 the federal Clean Air Act, recognized California's early efforts and authorized the state to set its own separate and stricter-than-federal vehicle emissions regulations to address California's unique circumstances of population, climate and topography, that generated the worst air in the nation at the time. California established the nation's first tailpipe emissions standards, adopted the nation's first Nitrogen Oxide (NOx) emissions standards for motor vehicles, and led the way to the development of the catalytic converter, which revolutionized the ability to reduce smog-forming emissions from cars.

More recently, California has enacted legislation pertaining to Global Climate Change and has identified strategies to reduce emissions and improve air quality, as identified in the Sustainable Freight Action Plan and the Community Air Protection Plan (or AB 617 Program). These efforts are summarized below:

Global Climate Change

California has adopted statewide legislation addressing various aspects of climate change, including requirements for greenhouse gas emission reductions statewide. In 2005, Governor Schwarzenegger signed Executive Order S-05-05 to reduce California's GHG emissions to 1990 levels by 2020 and 80% below 1990 levels by 2050. In 2006, Assembly Bill 32 - California Global Warming Solutions Act (AB 32) codified the State's GHG emissions target by requiring California GHG emissions to be reduced to 1990 levels by 2020. In 2016, Senate Bill 32 - California Global Warming Solutions Act of 2006: Emissions Limit (SB 32), required GHG emissions to be reduced 40% below 1990 levels by 2030.

Specific measures to attain these GHG emission reduction targets are outlined in CARB's Climate Change Scoping Plan (Scoping Plan). In 2017, CARB approved the Scoping Plan Update, which is the State's proposed strategy for achieving California's GHG emissions target. The Scoping Plan recommends that local governments establish GHG emission-reduction-goals that are consistent with the State for their municipal operations and for discretionary projects located within their jurisdiction.

File #:2019-0190

It should be noted that GHG emission reduction efforts often have the co-benefit of reducing criteria pollutants and/or toxic air contaminants, which are localized pollutants.

California Sustainable Freight Action Plan

While technology has proven its ability to reduce air pollutants associated with stationary sources and passenger vehicles, GHG emissions from the freight transportation have not been a focus of the State's emission reduction strategy until recently. Recognizing that freight movement is a large source of GHG emissions, California developed the Sustainable Freight Action Plan. Adopted in 2016, the Sustainable Freight Action Plan sets forth a vision to improve freight efficiency, transition to zero- and near-zero emission technologies, and to increase the competitiveness of California's freight system. The Plan acknowledges that modernization of the freight industry to cleaner technologies not only reduces GHG emission but improves air quality and public health, as well.

The Sustainable Freight Action Plan requires State agencies such as the CEC to partner with relevant stakeholders like ports to advance new technologies to reduce emissions. The CEC and California ports have been meeting for several years to identify ways to increase the use of alternative fuels including near-zero and zero emission technologies involved in port operations. Through grant funding, the CEC has invested in these technologies to accelerate the commercialization of cleaner vehicles and equipment, as well as build operator confidence in alternative fuels such as battery-electric freight equipment.

In addition to the demonstration of new equipment, the Sustainable Freight Action Plan lays the foundation for new regulations across California ports to transition to near-zero and zero emission technologies. CARB has started to develop concepts for the next generation of regulations, which is likely to include an expansion of its At-berth regulation (e.g., shore power) to more vessel fleets.

Community Air Protection Program (or AB 617 Program)

As discussed at the March 12, 2019 Board of Port Commissioner's meeting, CARB established a new community-focused framework to improve air quality and reduce exposure to criteria pollutants and toxic air contaminants in communities most impacted by air pollution. In September 2018, CARB selected the Portside Environmental Justice Neighborhoods (or Portside Community) for community air monitoring as part of Assembly Bill No. 617. The Portside Community includes the neighborhoods of Barrio Logan, Logan Heights, Sherman Heights, and West National City, and it encompasses the area along the District's working waterfront. Beginning in October 2018, the SDAPCD has convened the Portside Steering Committee on a monthly basis to discuss the number and types of additional air monitoring equipment that could be deployed, the criteria pollutants and toxic air contaminants that the community wants to monitor, as well as potential siting locations for additional air monitoring equipment in the Portside Community. The District's Tenth Avenue Marine Terminal (TAMT) has been identified as one potential site for additional air monitoring equipment by SDAPCD. SDAPCD staff has also noted that in addition to monitoring pollution, they will be working with the steering committee concurrently to identify emission reduction strategies. District staff serves on the Portside Community Steering Committee and is an active participant at its monthly meetings.

To transition older diesel equipment to cleaner technologies, SDAPCD has identified over \$24 million dollars in grant funding to be allocated during the summer of 2019. Much of this funding will be directed within the Portside Community. The District recognizes the unique opportunity that this

File #:2019-0190

funding provides to further advance air quality improvements and spearhead infrastructure improvements to support new technologies.

NEXT STEPS TO FURTHER ADVANCE CLEAN AIR INITIATIVES:

While the District has made significant progress adopting plans and implementing projects that reduce GHG emissions and improve air quality, there remains much work to be done. As part of the AB 617 Program discussed above, the Portside Community continues to have some of the highest levels of diesel emissions in the state, according to monitoring data from the California Environmental Protection Agency. In addition to the District's maritime and shipyard activities, there are several emission sources that converge near the Portside Community including Interstate Highway traffic (I-5, I-15 and SR-94), rail activity associated with BNSF Railway, manufacturing and industrial uses within these neighborhoods, and vehicular traffic associated with Downtown San Diego. As such, a collaborative, multi-agency approach with strong community involvement is necessary to further drive down emissions. The Portside Community Steering Committee, which was established by SDAPCD as part of the AB 617 Program, is an excellent forum for the District collaborate with District tenants, community stakeholders, the goods movement industry, and various local and state agencies, including the utilities, on emission reduction opportunities.

Given the State's recent emphasis on freight and historically disadvantaged communities with high pollution burdens, staff has identified near-term opportunities and a longer-term roadmap to ensure that the Port can work collaboratively with its tenants and agency partners to implement projects and programs that improve air quality in and around Port tidelands.

Near Term Opportunities

District staff expects multiple sources of funding to be made available for emission reduction projects and activities in the coming fiscal years. Most of these funding sources will be directly targeted to "shovel ready" projects - those projects that have completed the environmental review and preliminary engineering stages of development. Grant funding solicitations can occur throughout the fiscal year, and often have application periods of between 30-90 days. The short turn-around time, combined with the ability to begin construction quickly after a grant award, means that for projects to be competitive for grant funds, they must be developed and have complete environmental entitlements before the application is submitted.

Given the State's long-term commitment to improve air quality, (particularly in historically disadvantaged communities with a high-pollution burden), it is likely that grants to improve air quality will be made available over the next few years. However, to maximize the Portside Community's competitiveness to acquire funding for emission reduction projects, District staff is currently working on the following near-term initiatives.

- Meet with District tenants and terminal operators along the working waterfront to identify equipment that can be replaced or upgraded with zero-, near-zero or low-emitting equipment. Through June 30, 2019, District staff has offered to support tenants' grant applications by estimating emission reductions for any pieces of equipment that they want to have replaced. It should be noted, however, that there are limitations on the types of equipment that will be competitive for grant assistance. For example, an application to replace newer Tier 4 piece of cargo handling equipment will not be as competitive as an application to replace older, lower

File #:2019-0190

tier piece of equipment because most of the grant programs are designed to attain the greatest amount emission reductions as possible.

- Develop electrification plans for the TAMT and the National Distribution Center (NDC), including short-haul freight movement opportunities.
- Complete the South Harbor Drive Multi-modal Corridor Study by the end of 2019, which will identify ways to enhance mobility and address other environmental concerns, including truck and vehicular emissions along the working waterfront.
- Continue to participate on the SDAPCD's Portside Community Steering Committee to help site monitoring equipment and to collaborate on various emission reduction efforts;

Longer Term Roadmap

District staff will update its 2007 Clean Air Plan to more closely align with the State's Sustainable Freight Action Plan (2016), Community Air Protection Program (2018) and/or any other programs or initiatives designed to improve air quality.

While the District's Climate Action Plan (2013) and Tenth Avenue Marine Terminal Final EIR (2016) establish broad strategies and various measures that help reduce emissions, these are programmatic documents that lack project-specific details. Typically, a project needs to be fully defined, including 30% project design and completion of environmental review, prior to an agency expending money (or accepting money) to construct or implement the project. Therefore, in addition to updating the District's Clean Air Plan, District staff will develop near- and long-term projects that reduce criteria pollutants and toxic air contaminants. Following completion of the projects 30% design and environmental review, the District will pursue federal, State and local grants to help offset the cost of construction. Based on the State's Sustainable Freight Action Plan and the AB 617 Program, District staff expects CARB and other State agencies will continue to provide multiple sources of funds to help reduce emissions, including large projects that are designed to advance transformative, cost-effective clean technologies.

The District continues to be at the forefront of innovative measures, strategies and projects that reduce criteria pollutants, toxic air contaminants, and greenhouse gas emissions. As the District further develops plans, projects and programs that improve air quality in and around port tidelands, it will continue to do so a manner that promotes the maritime industry and business opportunities for its tenants and member cities.

General Counsel's Comments:

The General Counsel's Office has reviewed the agenda sheet and attachments, as presented to it, and approves them as to form and legality.

Environmental Review:

The resolution authorizing staff update the District's Clean Air Plan to align with Assembly Bill 617'S Community Air Protection Program (AB 617 Program), California's Sustainable Freight Action Plan, and other local and State initiatives to improve air quality; to develop District-related plans, projects and strategies that will reduce emissions and improve air quality in advance of the availability of

File #:2019-0190

project implementation funding are the initial steps necessary for staff to formulate project description for the items necessary to conduct California Environmental Quality Act (CEQA) review. Accordingly, the Board items do not constitute an “approval” or a “project” under the definitions set forth in California Environmental Quality Act (CEQA) Guidelines Sections 15352 and 15378 because no direct or indirect changes to the physical environment would occur. CEQA requires that the District adequately assess the environmental impacts of projects and reasonably foreseeable activities that may result from projects prior to the approval of the same. Any project developed as a result of Board’s authorization that requires the District or the Board’s approval, including without limitation any District-created projects, new plans or update to existing plans, proposed or acceptance of grant funding to implement construct projects that may have a physical impact on the environment will be analyzed in accordance with CEQA prior to such approval. CEQA review may result in the District, in its sole and absolute discretion, requiring implementation of mitigation measures, adopting an alternative, including without limitation, a “no project alternative” or adopting a Statement of Overriding Consideration, if required. The current Board item in no way limits the exercise of this discretion. Therefore, no further CEQA review is required.

In addition, this Board item complies with Section 87 of the Port Act, which allows for the establishment, improvement, and conduct of a harbor, and for the construction, reconstruction, repair, maintenance, and operations of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient, for the promotion and accommodation of commerce and navigation. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed item is consistent with the Public Trust Doctrine.

Finally, this Board item does not allow for “development,” as defined in Section 30106 of the California Coastal Act, or “new development,” pursuant to Section 1.a. of the District’s Coastal Development Permit (CDP) Regulations because it will not result in, without limitation, a physical change, change in use or increase the intensity of uses. Therefore, issuance of a Coastal Development Permit or exclusion is not required. However, the District’s projects require processing under the District’s CDP Regulations. If a project is formulated as a result of Board’s direction, the Board will consider approval of the project and any improvements associated after the appropriate documentation under District’s CDP Regulations has been completed and authorized by the Board, if necessary. The Board’s direction in no way limits the exercise of the District’s discretion under the District’s CDP Regulations.

Equal Opportunity Program:

Not applicable.

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File #:2019-0190

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Attachment(s):

Attachment A: March 12, 2019 Board of Port Commissioner's meeting Item #17 - Informational Presentation on the San Diego Air Pollution Control District's Community Air Protection Program and Formation of its Portside Community Steering Committee in Relation to Assembly Bill 617 Legislation

¹ Economic Impacts of the San Diego Unified Port District in 2017. Economic & Planning Systems, Inc., February 28, 2019.