

DRAFT**RESOLUTION 20xx-xxx**

RESOLUTION AUTHORIZING AN AGREEMENT UNDER THE BLUE ECONOMY INCUBATOR WITH PACIFIC OCEAN AQUAFARMS, LLC (POA) FOR THE DISTRICT TO ASSIST WITH THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) REVIEW PROCESSES AND CONDITIONAL USE OF DISTRICT FACILITIES FOR POA'S PROPOSED PROJECT DEMONSTRATING SUSTAINABLE OFFSHORE AQUACULTURE IN FEDERAL WATERS FOR A 15 YEAR TERM WITH AN OPTION TO EXTEND FOR AN ADDITIONAL TEN YEARS AND THIS AGREEMENT HAS NO ASSOCIATED FUNDING FROM THE DISTRICT

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the legislature in 1962 pursuant to Harbors and Navigation Code Appendix 1, (Port Act); and

WHEREAS, on October 10, 2017, the Board of Port Commissioners directed staff to begin negotiating agreements for the second round of proposals under the District's Blue Economy Incubator (BEI); and

WHEREAS, one of the proposals presented to the Board was a project to demonstrate sustainable offshore aquaculture in federal waters by Rose Canyon Fisheries, Inc., an entity partially owned by Hubbs-SeaWorld Research Institute (HSWRI); since then, HSWRI has joined with new partners and is continuing its same proposal under a new entity, Pacific Ocean AquaFarms, LLC (POA); and

WHEREAS, staff has negotiated a proposed agreement with POA, and recommends the Board authorize an agreement for the District to assist with the National Environmental Policy Act (NEPA) review processes for POA's proposed project demonstrating sustainable offshore aquaculture in federal waters, and, if such federal permits are granted, allow POA to use the District's Tenth Avenue Marine Terminal for loading and offloading of fish and other materials for the project in exchange for a certain share of POA's revenue.

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

That the Executive Director or her designee is hereby authorized to execute an agreement under the Blue Economy Incubator with Pacific Ocean AquaFarms, LLC (POA) for District to assist with the National Environmental

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Policy Act (NEPA) review processes and conditional use of District facilities for POA's proposed project demonstrating sustainable offshore aquaculture in federal waters for a 15 year term with an option to extend for an additional ten years. This agreement does not require funding from the District.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL

By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 6th day of October 2020, by the following vote: