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**Title:** PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER PLAN UPDATE:  
 A) EMBARCADERO PLANNING DISTRICT PUBLIC OUTREACH RESULTS  
 B) FOLLOW-UP DRAFT POLICY CONCEPTS SPECIFIC TO COMMERCIAL FISHING

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**DATE:** February 12, 2019

**SUBJECT:**

**PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER PLAN UPDATE:**  
**A) EMBARCADERO PLANNING DISTRICT PUBLIC OUTREACH RESULTS**  
**B) FOLLOW-UP DRAFT POLICY CONCEPTS SPECIFIC TO COMMERCIAL FISHING**

### EXECUTIVE SUMMARY:

Since 2013, the District has been evolving and improving a process, which we have come to know as Integrated Planning. In short, Integrated Planning is a multi-faceted and comprehensive approach for managing and planning the uses of the District in a balanced way. Although Integrated Planning is an approach and philosophy that will permeate numerous plans and processes at the District, one critical and current focus area is an update to the District's Port Master Plan. The first comprehensive revision in the District's history, the Port Master Plan Update (PMPU) is a comprehensive, integrated, baywide approach that will modernize our method for land and water planning and serve as a guide for future uses and development of District tidelands. The PMPU will connect the tidelands through a series of networks and Planning Districts. It will control the allowable land and water uses, including the type and characteristics of development, recreation, and environmental conservation throughout the District's jurisdiction.

Through the course of 2017 and 2018, the Board conducted a series of workshops focusing on goals, policy concepts and draft land and water use maps for the baywide elements and the ten Planning Districts. Several policy topics have required additional discussion and feedback to assist the team with completing the Discussion Draft of the PMPU.

At the December 18, 2018 PMPU Board Workshop, staff received direction to increase team resources to conduct additional public outreach and to complete the PMPU Discussion Draft under an accelerated schedule. Specific to the Embarcadero Planning District, this public engagement plan will ensure that input from the public and stakeholders has been heard and will be considered as the team forms recommendations for the Board's consideration.

Two PMPU Board Workshops are planned for February 2019 to inform the Embarcadero Planning District on the Discussion Draft. On February 12, 2019, staff will present the results of the Embarcadero public outreach, including the online survey and public open house event, for the Board's feedback. In addition, follow up items regarding draft policy concepts specific to commercial fishing will be presented during this workshop. The next PMPU Board Workshop on February 25, 2019 will focus on staff's recommendations for a preferred land and water use plan for the Embarcadero Planning District.

For this item, staff will follow the discussion structure utilized during the prior PMPU Board workshops and a facilitator agenda has been included as Attachment A to provide estimated timeframes for each topic. Note, however, that the times are approximate and subject to change depending on the amount of public comment and length of Board discussion for each topic. This approach will allow the Board to receive staff's presentations, hear from the public and stakeholders, and provide feedback to staff as the drafting of the PMPU continues. Staff's preliminary draft presentation is included as Attachment B to provide the Board and the public time to review the discussion materials in advance.

### **RECOMMENDATION:**

Receive staff's presentation and provide direction on the Port Master Plan Update regarding the public outreach results for the Embarcadero Planning District and follow-up draft policy concepts specific to commercial fishing.

### **FISCAL IMPACT:**

Funds for work associated with the Port Master Plan Update effort are budgeted in the Planning Department's FY 2019 budget within the Professional Services expense account (#620100).

### **COMPASS STRATEGIC GOALS:**

This agenda item supports the Strategic Goals adopted by the Board. The Integrated Planning efforts, including the PMPU, will bring the District's current practices into conformance with best management practices with considerations of sustainable fiscal growth for the District while proactively enhancing assets on tidelands and benefits to the public.

This agenda item supports the following Strategic Goals.

- A Port that the public understands and trusts.
- A thriving and modern maritime seaport.
- A vibrant waterfront destination where residents and visitors converge.
- 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 financially sustainable Port that drives job creation and regional economic vitality.

## **DISCUSSION:**

### **PMPU Background**

#### **Holistic Planning Through Public Engagement**

The PMPU process is in the third phase of a five-phase work plan. The five-phased work plan began with laying the foundation of the PMPU with acceptance of the Integrated Planning Vision Statement and Guiding Principles in the first phase, followed by acceptance of the Integrated Planning Framework in the second phase (collectively referred to as the “Integrated Planning Vision”). The phased work plan has allowed the PMPU team to continue to build a comprehensive update to the Port Master Plan from the ground up in a transparent and inclusive way that has included a balance of Board, stakeholder and public engagement throughout the planning process.

The summary below shows the five major phases of the work plan:

- **Vision Process: Guiding Principles (Completed).** The initial phase included a high-level assessment of District-wide assets and extensive public engagement resulting in a foundational Vision Statement and Guiding Principles for the entire Integrated Planning framework.
- **Framework Report (Completed).** The Vision Process was further refined through consideration of a core set of comprehensive ideas, memorialized in a Framework Report, that is informing the development of the Draft PMPU document.
- **Draft the Port Master Plan Update.** The current phase involves direction from the Board for drafting of the “Draft PMPU” document, which will ultimately be comprised of goals, policies and maps.
  - Baywide Elements and Planning District Goals (**Completed**)
  - Policy Concepts and Land and Water Use Maps (**Completed**)
  - Additional Policy Discussion Topics (**In Progress**)
  - Public review of PMPU Discussion Draft (**Anticipated early 2019**)
- **California Environmental Quality Act (CEQA) Environmental Review (In Progress).** Creation of the draft PMPU will be followed by conducting the requisite “CEQA Environmental Review.” Preliminary environmental review work has begun.
- **California Coastal Commission Certification.** If the Board certifies the Programmatic Environmental Impact Report (PEIR) and adopts the PMPU, it will be processed for “California Coastal Commission Certification,” with minor approvals thereafter, including the Board’s approval of the PMPU as certified by the California Coastal Commission (Coastal Commission) and lastly, the Coastal Commission’s approval of the final PMPU after the Board’s approval of the PMPU as certified by the Coastal Commission.

All these steps have or will require public input, stakeholder outreach, and agency coordination throughout.

## **Recap on the Draft PMPU Contents**

As a refresher, the draft PMPU was initially proposed to include six topical sections, or elements, that provide baywide guidance related to Land and Water Use, Mobility, Coastal Access and Recreation, Natural Resources, Resiliency and Safety, and Economic Development. On November 1, 2018, staff received direction to add a seventh element dedicated to the topic of Environmental Justice. Within each element, there are goals and policies being drafted consistent with the proposed draft table of contents endorsed by the Board at the July 22, 2015 Integrated Planning Study Session. The elements will also contain and address cross-connecting themes like climate change and the Green Necklace. The PMPU team has utilized the robust public feedback obtained during the Integrated Planning process as the basis for drafting the goals and policy language to be contained within the draft PMPU elements.

The PMPU is also proposed to contain ten Planning Districts, and application of the baywide goals and policies established by the seven baywide elements will vary Planning District by Planning District, as appropriate. Each of the ten Planning Districts will contain more geographic-specific goals, policies, and land and water use maps intended to: 1) implement applicable baywide policies; 2) create development requirements tailored to the unique characteristics of each Planning District; and 3) implement the land and water use designations within those geographic areas. The draft policies for each Planning District will build on the corresponding goals and will be more granular in nature than the baywide element policies. The draft policies, both baywide- and Planning District-level will be available for the Board and public's review during the Discussion Draft PMPU review period.

## **2017 PMPU Board Workshops**

PMPU Baywide Elements and Planning District Goals: The first in a series of Board workshops on the draft PMPU was held on March 9, 2017. Workshop No. 1 focused on the proposed organizational structure of the updated Port Master Plan, the proposed consolidated land and water use designations, and the draft goals for the Land and Water Use Element.

Board Workshop No. 2 was held on April 27, 2017, and concentrated on draft goals for the Mobility Element, draft goals for the Economic Development Element, and draft goals and draft land and water use maps for the ten Planning Districts.

On May 25, 2017, during Workshop No. 3 draft goals for the Resiliency and Safety Element, draft goals for the Natural Resources Element, and draft goals for the Coastal Access and Recreation Element, were discussed. Staff also presented preliminary draft PMPU baywide recreation open space acreage allocations.

Staff received considerable feedback from the public, stakeholders, and Board during these workshops, which is being taken into account as the drafting of the PMPU continues. Notably, completion of these three workshops resulted in clear direction to staff on all the draft PMPU goals, which set the stage and context for the current policy discussions. Furthermore, as often mentioned during these workshops, drafting of PMPU materials discussed is iterative and the document will continue to be revised as staff receives public, stakeholder, and Board feedback.

PMPU Policy Concepts and Land and Water Use Maps: Based on the Integrated Planning Vision, including the Guiding Principles and Framework Report, and the draft PMPU Goals for the baywide elements and Planning Districts, staff presented draft policy concepts to illustrate strategies and

priorities, as well as open space and development character, that may take the form of draft policy language to be contained within the PMPU.

Policy concepts for each of the baywide elements were presented to the Board at Workshops Nos. 4 and 5, on August 8, 2017 and November 14, 2017, respectively. In August, the Mobility, Economic Development, Resiliency and Safety, and Natural Resources elements were presented and discussed. The Land and Water Use and Coastal Access and Recreation elements were presented in November. Work on each baywide element and associated policy concepts have been used to inform preparation of policy concepts and maps for the Planning District components of the draft PMPU.

On November 14, 2017, the Board held a workshop focusing on the Coronado Bayfront, Silver Strand, Imperial Beach Oceanfront and South Bay Planning Districts. The National City Bayfront and Working Waterfront Planning Districts, as well as the Chula Vista Bayfront, Harbor Island and Shelter Island Planning Districts, were discussed during workshops held on December 5, 2017 (Workshop No. 6) and December 12, 2017 (Workshop No. 7), respectively. During those workshops, the Board heard feedback from the public and stakeholders regarding issues specific to each of these areas and provided guidance to staff for drafting of the PMPU policies and land and water use maps.

### **PMPU Policy Discussion Topics for 2018**

Continuing the work on the planning districts into 2018, Workshop No. 8 was held on March 28, 2018 to focus on policy concepts and the land and water use map for the Embarcadero Planning District. As part of this discussion, it was noted that additional workshops with the Board would be necessary to address several complex issues related to the Embarcadero, such as a comprehensive analysis of public spaces along this waterfront, incorporation of mobility and access solutions, and follow up regarding commercial fishing-related policies.

Through the course of the 2017 and 2018 PMPU workshops focusing on baywide and planning district policy concepts, several policy topics were noted as needing additional discussion and feedback to assist the team with completing the Discussion Draft of the PMPU. The first of these discussions was held at the July 17, 2018 Board meeting (Workshop No. 9), during which staff received clear direction with respect to the PMPU regarding small format informational and wayfinding signage, including digital integration and paid advertising. On August 14, 2018, it was determined that many policy topics previously anticipated for Board discussion were no longer necessary, because either sufficient Board direction had been received or policy guidance from other state agencies had prescribed the approach staff will take. Finally, during Workshop No. 10, on November 1, 2018, staff received direction to add a seventh PMPU element focused on Environmental Justice.

### **Work Plan to Complete the PMPU Discussion Draft**

At the December 18, 2018 PMPU Board Workshop, staff received direction to increase team resources to conduct additional public outreach and to complete the PMPU Discussion Draft under an accelerated schedule.

The importance of public outreach and stakeholder engagement has consistently been emphasized as an essential component of the Integrated Planning effort to ensure the PMPU reflects the needs and desires of visitors to the waterfront and the community. Continuing the award-winning<sup>1</sup> outreach and engagement approach for Integrated Planning, staff conducted additional public outreach focusing on the Embarcadero Planning District as further described below.

### **Embarcadero Planning District**

Considered the front porch of San Diego, the Embarcadero is a vibrant Planning District with broad recreational and access opportunities on the waterfront that also provide economic value for the region and the tourism industry. This area provides a waterfront experience that combines visitor- and maritime-serving uses with working waterfront and water-side activities of commercial fishing boats, cruise ships, and pleasure craft.

At the April 27, 2017 PMPU workshop, the Board established the following draft Goals for this Planning District:

- A “front door” to San Diego for travelers arriving by sea, land, or air, offering a vibrant mix of visitor-serving commercial and recreational activities, and internationally-recognized attractions that showcase and celebrate the history of San Diego’s waterfront
- Celebrated water areas that support historic ship, ferry and excursion vessel, recreational vessel, and commercial fishing berthing, and that preserve deep-water dependent cruise ship berthing
- An active experience that provides people meaningful waterfront gathering places and access to a broad mix of land and water-based entertainment, recreation, hospitality, and visitor destinations

The Embarcadero Planning District includes three sub-districts: North Embarcadero, Central Embarcadero, and South Embarcadero.

During the March 28, 2018 PMPU Board Workshop discussion, staff presented an overview of the 15 planning elements for the North Embarcadero that reflect requirements of the Coastal Commission-issued Coastal Development Permit and Memorandum of Understanding for the North Embarcadero Visionary Plan. In addition, Board feedback was provided on draft policy concepts for the Embarcadero Planning District, as well as on policy concepts related to commercial fishing. It was noted that additional workshops with the Board would be necessary, including this one, to address several complex issues related to the Embarcadero, such as a comprehensive analysis of public spaces along this waterfront, incorporation of mobility and access solutions, and follow-up regarding commercial fishing-related policies.

### **Results of Embarcadero Public Outreach and Stakeholder Engagement**

In order to solicit feedback from the general public and interested stakeholders, the PMPU team completed the following tasks as part of a more robust public outreach and stakeholder engagement plan focused on the Embarcadero Planning District:

- Online Survey and Public Open House. An online survey to solicit feedback on prioritizing preferences for public access and public spaces within the Embarcadero waterfront was launched on December 13, 2018 and was open through January 31, 2019. The survey was available on the District’s webpage ([www.portofsandiego.org](http://www.portofsandiego.org) <<http://www.portofsandiego.org>> ). To promote this survey opportunity, a press release and social media alerts were sent out, along with advertisements placed in community newspapers published in the District’s member cities (e.g., San Diego Union-Tribune, Asian Journal and La Prensa). In addition to a number of questions focused on the prioritization of the types of public amenities, facilities, and experiences on the waterfront, the survey also provided commenters with an opportunity for open-ended responses about what other features come to mind when they think of a

dynamic waterfront along the North Embarcadero and along the Central Embarcadero. Overall, there were 3,330 survey respondents, with a 92% completion rate.

As a companion to the survey, the District hosted a public open house event on Wednesday, January 30, 2019, from 6-8 p.m. at the District Administration Building, to obtain feedback specific to the Embarcadero Planning District. This public open house, which had over 70 attendees, allowed for interaction between interested attendees and the PMPU team. The open house featured five stations - one focused on the overall PMPU process, and the other four focused on amenities, activities and mobility throughout the North and Central Embarcadero. Attendees visited the stations and shared their feedback on their preferences related to various amenities, activities and mobility features on the North and Central Embarcadero. This was accomplished through dialogue with staff and District consultants, as well as the placement of various colored dots on public engagement boards.

After review of the public input received during the open house, including the inventory of “dots” on the public engagement boards, and survey responses, some common themes were apparent and can be generally grouped into one of these seven categories: dining and eating; pedestrian access; parking; picnic and park space; outlooks and views of the water; bicycle friendly; and seating areas with shade. Common themes in each of these categories are as follows:

- **Common themes related to dining and eating:** more restaurants, food trucks, casual cafes, and food and drink kiosks; artisan, small business, non-chain, affordable, different price points.
- **Common themes related to pedestrian access:** wider sidewalks, waterfront promenades, separate pedestrian and biking paths, walking trails
- **Common themes related to parking:** affordability, more handicap spaces, close to attractions, maintain USS Midway lot, multi-level structures, connected to public transportation
- **Common themes related to picnic and park space:** place for picnics, connected parks, waterfronts park space to enjoy the bay, green space, grassy areas, playgrounds, parks large enough to host activities, activated through programming
- **Common themes related to outlooks and views of the water:** maintain views of the waterfront, not blocking pedestrian views, unobstructed views, open views
- **Common themes related to bicycle friendly:** protected bike lanes, separate lines for wheeled transportation, bike paths, separate from pedestrian walkways
- **Common themes related to seating areas with shade:** taking a moment to stop and enjoy the waterfront, shaded areas to rest while walking, areas for elderly visitors to rest, quiet areas to enjoy the waterfront, family friendly

The feedback received on the survey will inform the February 25, 2019 Board workshop, as discussed more below. A summary report of the Embarcadero Public Outreach conducted December 2018 through January 2019 is included in Attachment C.

- **Stakeholder Meetings.** In addition to soliciting feedback from the general public, the PMPU team has been conducting several one-on-one or group meetings with stakeholders and agencies to address specific issue areas, such as mobility, parking, curb-side management, and the configuration of public spaces along the waterfront. These meetings began in early

January and will continue as necessary through the release of the Discussion Draft.

### **Follow-Up Draft Policy Concepts Specific to Commercial Fishing**

At the March 28, 2018 PMPU Board workshop, staff presented several items that focused on commercial fishing including allowed primary and secondary uses listed in the Land and Water Use Designations Table, the allowed ratio of secondary to primary uses, revised definitions for the terms to be included in the PMPU Glossary, and special rules to ensure berthing areas are appropriately managed. It was noted at this time that some items required additional discussion to resolve concerns raised by stakeholders and that a follow-up discussion with the Board would be necessary.

During this workshop, staff will present a brief overview of the existing commercial facilities in San Diego Bay, along with specific items staff is seeking feedback on in order to complete the Discussion Draft - including the acreage of land and water areas designated for commercial fishing, confirmation of allowed secondary uses within the commercial fishing designation and the ratio of allowed secondary to primary uses.

### **Existing Commercial Fishing Facilities in San Diego Bay**

Commercial fishing facilities in San Diego Bay pre-date the formation of the District. Currently, there are two planning districts that have commercial fishing facilities - Planning District 1 - Shelter Island, and Planning District 3 - Centre City Embarcadero. The commercial fishing facilities in the Shelter Island Planning District are located at Driscoll's Wharf, which was constructed in the early 1980's and is privately managed under the terms of a lease that expires in 2023. The commercial fishing facilities in the Centre City Embarcadero Planning District are located at the G Street Mole and adjacent Tuna Harbor Basin, Chesapeake Fish Company north of Seaport Village, and two of the three Grape Street Piers in the crescent area adjacent to Harbor Drive. The Tuna Harbor Basin and Grape Street piers are managed by the District.

One of the District's main charges under the Port Act, as also rooted in the Public Trust Doctrine, is the promotion of fisheries. In addition, commercial fishing, as well as recreational boating, are considered high-priority uses under Sections 30234 and 30234.5 of the California Coastal Act (Coastal Act):

*Coastal Act Section 30234 - Commercial fishing and recreational boating facilities -* Facilities serving the commercial fishing and recreational boating harbor space shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

*Coastal Act Section 30234.5 - Economic, commercial, and recreational importance of fishing -* The economic, commercial, and recreational importance of fishing activities shall be recognized and protected.

The protection of commercial fishing facilities has been an important consideration in the PMPU effort not only to ensure these high-priority, coastal-dependent activities are supported as the industry evolves in the future, but also to make sure that the redevelopment of areas surrounding these uses are compatible with access and operational needs of this segment of the working waterfront.

## **Recent Studies Related to Commercial Fishing in San Diego**

Given the history of commercial fishing in San Diego Bay and the inherent importance of the industry pursuant to the Coastal Act and Port Act, a “health check” is performed on the commercial fishing operations and facilities from time to time. The two recent studies, a District-commissioned operational benchmarking study, and a developer-commissioned infrastructure and operational analysis, are summarized below.

### Benchmarking Study Commissioned by District:

In July 2017, the District staff-commissioned “West Coast Commercial Fishing Facilities Benchmarking Study” was completed (Attachment D). The purpose of the study was to identify best practices in the operation of commercial fishing facilities in the United States West Coast and implement improvements in the management of the District’s commercial fishing facility in Tuna Harbor Basin. The study analyzed 16 facilities, including Driscoll’s Wharf on Shelter Island, and compared facility infrastructure, amenities, tariff fees, dock and slip availability, fish landings/values, and specific administrative requirements, including liability insurance.

The study found that the most successful facilities have similar characteristics:

- A primary focus on commercial fishing
- Well-maintained infrastructure
- Substantial and beneficial amenities
- High occupancy rates
- Active fisherman’s organizations
- Strong community support
- Normally blessed with prolific fisheries

Based on the study, District staff evaluated implementation of the following best practices at Tuna Harbor Basin:

- Marine insurance requirements
- Security deposit
- Credit checks for prospective tenants
- Regular vessel inspection by the United States Coast Guard
- Verification of fish landing receipts by the California Department of Fish and Wildlife
- Regulations for overnight commercial fishing activities and preparations

Following stakeholder outreach on these best practices, at the December 11, 2018 Board meeting, Section 4.09 of the Port Code was amended to implement commercial fishing best management practices and to include the following requirements: verification of fish landing receipts by the California Department of Fish and Wildlife; marine insurance coverage for “in-transit” vessels and all new mooring permittees; regular vessel safety inspections for all vessels by the United States Coast Guard; credit checks for prospective permittees; and regulation of overnight commercial fishing activities or preparations.

### Commercial Fishing Report Commissioned by 1HWY1:

The G Street Mole and adjacent Tuna Harbor Basin are included in the Central Embarcadero Redevelopment Area. Since being selected for the redevelopment of Central Embarcadero, 1HWY1,

LLC (1HWY1) has been meeting with the Commercial Fishing Steering Group (CFSG), which includes representatives of the San Diego Fishermen's Working Group, on a bi-weekly basis. District staff attends these meetings regularly as observers and to provide information on related District initiatives, such as the PMPU. The purpose of the CFSG meetings has been to obtain information from the commercial fishermen in order for 1HWY1 to address commercial fishing as part of its Central Embarcadero redevelopment proposal. As part of these efforts, 1HWY1 hired West Coast Fisheries Consultants and Marine Alliances Consulting to prepare an analysis of commercial fishing in District Tidelands. A report was prepared summarizing these efforts titled "An Analysis of Commercial Fishing in the San Diego Area with a Primary Focus on Commercial Fishing Facilities and Infrastructure within the Port of San Diego at Tuna Harbor and Driscoll's Wharf," which was delivered to the District in August 2018 and is provided as Attachment E to this agenda sheet. The three primary goals of this report were to: (1) validate the demand for commercial fishing operations; (2) justify any new or recommended infrastructure improvements to satisfy demand for commercial fishing operations; and (3) inform design and implementation of Tuna Harbor for the Central Embarcadero Redevelopment project and Driscoll's Wharf. This report was not prepared by the District; however, during preparation of the report, the report's authors consulted District staff on factual information related to commercial fishing. Any opinions, advice, statements, or other information or content expressed in the report by third parties, are those of the authors and do not necessarily state or reflect those of the District.

The report indicates that "San Diego's share of California's commercial fishing landings and associated revenues are artificially depressed because of a lack of suitable infrastructure" and that a "revitalization necessarily requires consideration of both Tuna Harbor and Driscoll's Wharf..." because "[W]hile some redundancies are necessary and unavoidable, an opportunity exists to plan and develop a unified, mutually supporting system which offers synergistic possibilities." A summary of the report's conclusions and recommendations, as included in the Executive Summary of the report, is as follows:

- There is a lack of available, and properly maintained, infrastructure necessary to support and enhance the District's commercial fishermen and fisheries.
- A growing movement is fueling the public's demand for fresh, locally-sourced, and sustainable food products.
- Cultivate a pipeline for a new generation of fishermen.
- Reclaim San Diego as a leader and model for the [commercial fishing] industry.
- Create a sustainable resilient governance structure [to represent the interests of the San Diego fishing community].
- Create a viable funding strategy [to fund maintenance and improvements of existing infrastructure].
- Create a phasing strategy to plan for the potential future, but incorporate contingencies, to accommodate future uncertainties [in the commercial fishing industry].
- Use aquaculture and commercial fishing in a mutually supportive system to expand the fishing industry in the future and reduce the nation's dependence on imported seafood products.

The report also contains recommendations for infrastructure improvements at G Street Mole/Tuna Harbor and Driscoll's Wharf, ranked in order of high priority, medium priority, and low priority.

Based on the conclusions of both studies, there is a correlation between the success of a commercial fishing facility (i.e., viability, profitability, and long-term sustainability) and the availability of properly

maintained commercial fishing infrastructure. Considering this correlation, in addition to the importance of commercial fishing pursuant to the Coastal Act and Port Act, staff will recommend the PMPU include potential future infrastructure and maintenance projects on the appealable<sup>2</sup> projects lists for the commercial fishing facilities located in Planning Districts 1 and 3.

### **Commercial Fishing Designated Areas**

One of the objectives of the PMPU is to modernize the existing Port Master Plan, which includes digitizing the land and water use maps contained within the Port Master Plan. The existing maps for each planning district will each be digitized, or converted to Geographic Information Systems (GIS), as part of the PMPU process.

The acreage tables in the existing Port Master Plan that represent the areas allocated to land and water designations include several inaccuracies based on hand calculations and exaggerated line work related to two previous amendments to the Port Master Plan - the 2001 North Embarcadero Visionary Plan project, and the 2006 Old Police Headquarters project. Converting the existing maps to GIS results in a more accurate reflection of the allocation of land and water uses than is currently shown on the acreage tables in the existing Port Master Plan. The resulting differences in acreage has been a frequent topic of discussion at the above-referenced Commercial Fishing Steering Group (CFSG) meetings. More specifically, digitizing the existing paper maps has required a particular focus on the commercial fishing acreages in the Central Embarcadero subdistrict, especially in context to the District's Coastal Act and Port Act mandates to protect commercial fishing facilities, and also to provide guidance to 1HWY1's Central Embarcadero Redevelopment project, whose redevelopment area includes two commercial fishing areas - the G Street Mole and Chesapeake Fish Company.

#### *Board Direction on Commercial Fishing from March 28, 2018*

At the March 28, 2018 PMPU Board workshop, staff received concurrence from the Board to shift some of the commercial fishing berthing designation currently located in the Embarcadero Planning District to the Shelter Island Planning District. The Board direction consisted of the following:

- 1) Change approximately 4.46 acres of water area adjacent to and southeast of Driscoll's Wharf in the Shelter Island Planning District from a Navy small craft berthing water use to commercial fishing berthing; and
- 2) Change approximately 2.1 acres of water area adjacent to the G Street Mole in the Embarcadero Planning District from a commercial fishing berthing water use to sportfishing berthing.

In summary, these water use redesignations would result in addition of 4.46 acres of commercial fishing berthing in the Shelter Island Planning District, and a reduction of 2.1 acres of commercial fishing berthing in Embarcadero Planning District. Figure 1 of Attachment F to this agenda sheet identifies the location of these proposed water use redesignations in Shelter Island and Embarcadero Planning Districts.

#### *Methods to Memorialize the Existing Commercial Fishing Acreage in the Embarcadero Planning District*

Method 1: In the existing Centre City Embarcadero Planning District (Embarcadero Planning District), the existing Port Master Plan acreage table identifies 5.4 acres of land for commercial fishing and 13.1 acres for commercial fishing berthing, as shown on Figure 2 of Attachment F to this agenda sheet, and is identified as **METHOD 1** in Table 1 below.

Method 2: The GIS conversion of the Embarcadero Planning District land and water use map indicates that there is 3.68 acres of land for commercial fishing and 18.62 acres of water for commercial fishing berthing, as shown on Figure 3 of Attachment F to this agenda sheet, and is identified as **METHOD 2** in Table 1 below.

Method 3: While discussions on these acreage differences were ongoing with staff and the CFSG, public comment suggesting the need for a land survey of the Central Embarcadero commercial fishing areas was made at the March 28, 2018 PMPU Board workshop. In response, the Board directed staff to work with the commercial fishermen and the District’s surveyor to complete a survey of the existing land-side commercial fishing areas in the Central Embarcadero subdistrict. Staff worked with the commercial fishermen to identify, via outlines on an aerial map, the land and water areas that the fisherman considered to be used for commercial fishing. The District surveyor then surveyed the boundaries identified by the commercial fishermen. The survey identified that there are 3.99 acres of land for commercial fishing and 18.78 acres of water for commercial fishing berthing, as shown on Figure 4 of Attachment F to this agenda sheet, and is identified as **METHOD 3** in Table 1 below. As part of the current redevelopment program proposed by 1HWY1, a commitment has been made to provide 3.99 acres of commercial fishing land area within the G Street Mole adjacent to the Tuna Harbor Basin berthing area.

For the Embarcadero Planning District, a comparison of the existing Port Master Plan acreages, the acreages associated with the GIS conversion of the existing Port Master Plan map, and the acreages from the land survey are shown below on Table 1.

**TABLE 1 – Embarcadero Planning District – Existing Totals**

<b>Commercial Fishing (CF) Designation</b>	<b><u>METHOD 1</u> Current Port Master Plan</b>	<b><u>METHOD 2</u> GIS Conversion of Current Port Master Plan</b>	<b><u>METHOD 3</u> Survey</b>
<b>Land</b>	5.4 ac	3.68 ac	3.99 ac
<b>Berthing</b>	13.1 ac	18.62 ac	18.78 ac
<b>Embarcadero Planning District Totals</b>	18.5 ac	22.3 ac	22.77 ac

Given the District’s Coastal Act and Port Act mandates to protect commercial fishing facilities, staff supports using the acreages from the survey (**METHOD 3**), instead of the acreages associated with the GIS conversion, as the representation of the existing commercial fishing land acreage for the Central Embarcadero subdistrict. This additional 0.31-acre increase to commercial fishing land acreage results in an equivalent reduction to the total “visitor-serving recreation commercial” land acreage in the Central Embarcadero sub-district.

*Options to Increase Commercial Fishing Acreage in the Embarcadero Planning District*

As part of the PMPU process, staff also believes there is an opportunity to more accurately reflect the existing commercial fishing uses at the two Grape Street piers, and to further expand those uses. As noted above, commercial fishing uses are currently and have historically been located at the two

Grape Street piers, but the existing Port Master Plan identifies the area as being designated with a “specialized berthing” water use. The two piers are the same size and configuration - a length of 550 feet, a width of 20 feet for the first 440 feet of the piers, and a width of 30 feet for the last 110 feet (the westernmost part of the piers) of the piers. As part of the PMPU, staff recommends the two Grape Street piers, which together total 0.56 acre be assigned a commercial fishing land use designation. This would result in a 0.56 acre reduction in the specialized berthing water use designation, which is the current water use designation assigned to the location of the two Grape Street piers. The potential acreage gain from the two Grape Street piers is shown below on Table 2 as **OPTION 1**. Figure 5 of Attachment F to this agenda sheet shows the location of the potential acreage gain from the two Grape Street piers, as well as the potential acreage change to the commercial fishing berthing area.

In addition, there may be a potential future opportunity to enhance or expand those Grape Street piers by 0.2 acre by widening the 20-foot-wide portions of the piers to be 30 feet wide so that they are the same width for the entire length of the piers. This would result in an additional 0.2 acre of commercial fishing land acreage above the 0.56 acre existing acreage on the two Grape Street piers. This potential additional acreage, resulting in a total of 4.75 acres of designated commercial fishing land area, is shown on Figure 6 of Attachment F to this agenda sheet, and is shown below on Table 2 as **OPTION 2**. Note that if staff receives Board feedback supporting the inclusion of these piers within the commercial fishing land designated acreage, the team will work to identify an alternative location and/or configuration for the public pier (often referred to as the curvilinear pier) currently depicted on the planning district map in accordance with the North Embarcadero Visionary Plan.

Table 2 below shows a comparison of the existing Port Master Plan acreage table, the acreages associated with the GIS conversion of the existing Port Master Plan map plus the potential acreage increases by adding in the existing two Grape Street piers (**OPTION 1**), and the potential expansion of those piers (**OPTION 2**).

**TABLE 2 – Embarcadero Planning District – Options for Increasing Commercial Fishing Acreage**

<b>Commercial Fishing (CF) Designation</b>	<b>Current Port Master Plan</b>	<b><u>OPTION 1</u> GIS Conversion of Current Port Master Plan, with Survey Adjustment + Two Existing Grape Street Piers</b>	<b><u>OPTION 2</u> GIS Conversion of Current Port Master Plan, with Survey Adjustment + Two Existing Grape Street Piers + Expansion of the Two Grape Street Piers</b>
<b>Land</b>	5.4 ac	4.55 ac	4.75 ac
<b>Berthing</b>	13.1 ac	16.68 ac*	16.68 ac*
<b>Embarcadero Planning District Totals</b>	18.5 ac	21.23 ac*	21.43 ac*

\* Includes deduction of 2.1 acres of commercial fishing berthing in Embarcadero Planning District to Shelter Island Planning District.

***Requested Board Direction on Commercial Fishing Designated Areas***

The discussion above includes three methods for memorializing the existing commercial fishing acreage in the Embarcadero Planning District of the PMPU, as well as two options for increasing

commercial fishing acreage in the Embarcadero Planning District of the PMPU. Related to these, the Board may direct staff to proceed with any of the following methods and options, including others deemed appropriate by the Board:

**Methods for Memorializing Existing Commercial Fishing Acreage in the Embarcadero Planning District**

- ***METHOD 1***: Maintain the acreages in the **existing Port Master Plan**, which may require additional coordination with the 1HWY1 team to accommodate additional commercial fishing land area in or around the Tuna Harbor Basin within the Central Embarcadero redevelopment area (5.4 land acres, as shown on Figure 2 of Attachment F to this agenda sheet).
- ***METHOD 2***: Maintain the acreages included in the **baseline GIS conversion** (3.68 land acres, as shown on Figure 3 of Attachment F to this agenda sheet).
- ***METHOD 3***: Maintain the acreages calculated as part of the **survey** (3.99 land acres, as shown on Figure 4 of Attachment F to this agenda sheet). **This is the staff recommendation.**

**Options for Increasing Commercial Fishing Acreage in the Embarcadero Planning District**

- ***OPTION 1***: Add 0.56 acre to any of the above methods to reflect the inclusion of the Grape Street Piers. This would result in a total of 4.55 acres of commercial fishing land acreage, as shown on Figure 5 of Attachment F to this agenda sheet.
- ***OPTION 2***: Add 0.76 acre to any of the above methods to reflect the potential future extension to the Grape Street Piers, as shown on Figure 6 of Attachment F to this agenda sheet

Table 3 below summarizes the total baywide acreage of commercial fishing facilities under the methods and options provided above.

**TABLE 3 – Shelter Island and Embarcadero Planning Districts – Commercial Fishing Acreage Under Methods 1-3 and Options 1-2**

<b>Commercial Fishing (CF) Designation</b>	<b><u>METHOD 1</u> Current Port Master Plan CF Acreage – Shelter Island + Embarcadero Planning Districts</b>	<b><u>METHOD 2</u> Total CF Acreage Using GIS Conversion of Current Port Master Plan – Shelter Island + Embarcadero Planning Districts</b>	<b><u>METHOD 3</u> Total CF Acreage Using GIS Conversion for Shelter Island + Survey Adjustment for Embarcadero</b>	<b><u>OPTION 1</u> Total CF Acreage in Shelter Island + Embarcadero Planning Districts, with <u>METHOD 3</u> Incorporated</b>	<b><u>OPTION 2</u> Total CF Acreage in Shelter Island + Embarcadero Planning Districts, with <u>METHOD 3</u> Incorporated</b>
<b>Land</b>	8.3 ac	6.11 ac	6.42 ac*	6.98 ac	7.18 ac
<b>Berthing</b>	18.8 ac	27.64 ac*	27.8 ac*	27.8 ac*	27.8 ac*
<b>TOTALS</b>	27.1 ac	33.75 ac*	34.22 ac*	34.78 ac*	34.98 ac*

\* Includes the berthing acreage changes from the March 28, 2018 PMPU Board workshop where staff received concurrence from the Board to shift some of the commercial fishing berthing designation currently located in the Embarcadero Planning District to the Shelter Island Planning District.

**Allowed Secondary Uses within Commercial Fishing Designations**

Over the past two years, staff has been coordinating with stakeholders, including the San Diego Fishermen’s Working Group and 1HWY1, to confirm the appropriateness - from perspectives of both commercial fishing operations and redevelopment opportunities - of proposed secondary uses within the commercial fishing land and berthing designations.

***Staff is seeking Board feedback confirming the inclusion of the uses specified below within the Land and Water Use Designations Table to be circulated in the upcoming PMPU Discussion Draft. Definitions supporting these uses and the designations will also be circulated in the Discussion Draft.***

Commercial Fishing - Allowed Secondary Uses

- Land
  - Aquaculture, and associated fish laboratories and testing
  - Food Service/Restaurant (full service) that does not occupy ground floor areas and does not involve access or operations that conflict with Commercial Fishing
- Berthing\*
  - Spill Response Services
  - Marine and Towing Services
  - Aquaculture
  - Other coastal-dependent commercial uses that do not interfere, conflict, or are not incompatible with commercial fishing operations

\*All secondary uses within the commercial fishing berthing designation are subject to

termination provisions when space is needed by commercial fishing, along with a commitment to establish an administrative process requiring consultation with the San Diego Fishermen's Working Group for management, monitoring and conflict resolution.

### **Allowed Ratio of Secondary to Primary Uses**

The allowed ratio of secondary to primary uses within all land and water use designations has also been a focused topic of discussion with stakeholders, primarily in context of the commercial fishing designations. Concerns focus on the need to ensure protection of high-priority, coastal-dependent uses while allowing for the flexibility to introduce secondary uses in areas that are not fully utilized by primary uses or when appropriate to help activate an area. As presented during the March 28, 2018 PMPU Board workshop, stakeholder support was, and remains to be, divided between an allowed ratio of 1/4 (3:1 ratio of primary to secondary uses) or 1/3 (2:1 ratio of primary to secondary uses). To date, consensus amongst the SDFWG and the 1HWY1 team on this issue has not been reached.

***In consideration of the inherent importance of the industry pursuant to the Coastal Act and Port Act, staff recommends advancing an allowed ratio of 1/4 (3:1 ratio of primary to secondary uses) in the PMPU Discussion Draft. Although it is not yet known what position will be taken on this topic by the Coastal Commission, staff believes that the more conservative approach demonstrating the greatest protection of these uses will ensure a stronger likelihood for certification of the PMPU.***

### **Next Steps**

The Board's feedback regarding the Embarcadero public outreach will inform the team's advancement of a recommended land and water use plan for the Embarcadero Planning District, which will be presented at the February 25, 2019 Board Workshop. In support of that workshop, the team is preparing a comprehensive review of all past and current concepts for the Embarcadero area. This review will also incorporate the mobility concepts included in the District's North Harbor Drive Mobility and Access Study. Consideration of both the public space and mobility concepts together is intended to provide a holistic view of the public realm within the Embarcadero and help inform a recommendation to present the Board for an additional land and water use map configuration for the North Embarcadero sub-district to include in the PMPU Discussion Draft and subsequent PEIR. In addition, refined policy concepts specific to the North Embarcadero and Central Embarcadero sub-districts will be presented as part of this discussion.

### **PMPU Discussion Draft**

After the completion of the Embarcadero Planning District workshops, the team is anticipating following steps for completion of the PMPU Discussion Draft:

- Board Workshop (March/April 2019). Prior to launching the public review period for the PMPU Discussion Draft, staff will present the Board with an overview of the document and confirm direction to kick-off the public review period. In keeping with the transparent and proactive approach to planning consistently taken throughout the Integrated Planning process, the Discussion Draft PMPU will be made available to provide the Board and the public an opportunity to review the entire draft PMPU document, including the introduction, element goals and policies, and Planning Districts, in a holistic manner. This workshop is anticipated to be scheduled for late March or early April.
- Public Open House Events (April 2019). Following the Board's workshop on the Discussion

Draft, two public open house events will be held to allow for members of the general public to ask questions and interact with the PMPU team regarding the content of the PMPU Discussion Draft. These events will take place in early April with one to be located at the Port Administration building and the other in the South Bay.

- Stakeholder Meetings (March-May 2019). Ongoing one-on-one and/or group meetings with stakeholders and agencies to address specific issue areas will continue as necessary through the completion of the Discussion Draft review period.
- Board Workshop (May 2019). Once the review period has concluded, the written comments received on the Discussion Draft will be transmitted to the Board and reviewed by the PMPU team. Public comments and Board feedback on the Discussion Draft may result in revisions to the Draft PMPU. Depending on the number and complexity of the comments received, it is anticipated that a workshop with the Board will be scheduled in May to present the updated Draft PMPU and obtain direction to use it as the project description for the Draft Programmatic EIR for the PMPU.

### **CEQA and Coastal Commission Processing**

As a part of the environmental review process, it is anticipated the Draft Programmatic EIR will be circulated for public review by the end of 2019 with the Board's targeted consideration of the certification of the Final Programmatic EIR and approval of the PMPU in Spring of 2020. Processing of the PMPU with the California Coastal Commission is expected to take place through the remainder of 2020. As depicted in Attachment G, these anticipated milestones are dependent upon the direction received by the Board and the volume and complexity of comments received; therefore, the timeline may require adjustment as the PMPU process progresses.

### **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:**

This item provides a presentation on regarding the results of the Embarcadero Planning District public outreach, as well as draft policy concepts specific to commercial fishing. This presentation is informational in nature and is intended to give staff initial and preliminary feedback on the topic being presented. The item and any Board feedback do not constitute an "approval" or a "project" under the definitions set forth in CEQA Guidelines Sections 15352 and 15378 because no direct or indirect changes to the physical environment would occur. While the Board may request certain policy concepts, uses and other project components be included, alternatives studied or other direction, such direction to staff will not bind the District to a definite course of action prior to CEQA review. Additionally, Board endorsement of the policy concepts presented does not constitute a binding commitment to approve the PMPU or its contents prior to consideration of the PEIR. These components may be altered through the public engagement process, future Board feedback, and the CEQA process. Full CEQA analysis will be completed prior to the District's commitment to the PMPU of components thereof, in whole or in part. Moreover, the Board reserves its discretion to adopt any and all feasible mitigation measures, alternatives to the PMPU, including a no project alternative, a statement of overriding consideration, if applicable, and approve or disapprove the PMPU. Those decisions may be exercised in the sole and absolute discretion of the Board. Based on the totality of

the circumstances and the entire record, the Board's direction and action do not commit the District to a definite course of action prior to CEQA review being conducted. Therefore, no further CEQA review is required.

In addition, this informational report allows for the District to implement its obligations under the Port Act and/or other laws. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, this informational report is consistent with the Public Trust Doctrine.

Finally, this informational report to the Board does not allow for "development," as defined in Section 30106 of the 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 CDP 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 the informational report, 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.

**PREPARED BY:**

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**Attachments:**

- Attachment A: Facilitator Agenda
- Attachment B: Preliminary Draft Staff Presentation for February 12, 2019 Board Meeting  
Agenda File No. 2019-0058
- Attachment C: Embarcadero Public Outreach (December 2018-January 2019) Summary Report
- Attachment D: "West Coast Commercial Fishing Facilities Benchmarking Study" prepared for District
- Attachment E: "An Analysis of Commercial Fishing in the San Diego Area with a Primary Focus on Commercial Fishing Facilities and Infrastructure within the Port of San Diego at Tuna Harbor and Driscoll's Wharf" prepared by West Coast Fisheries Consultants and Marine Alliance Consulting for 1HWY1
- Attachment F: Commercial Fishing Acreage Figures
- Attachment G: Port Master Plan Update Public Outreach Timeline and Drafting Process

<sup>1</sup>Recent awards for the Integrated Planning initiative include:

- [-2018 Gold International MarCom Award, PMPU Public Outreach & Engagement \(Category: Strategic Communications, Communications/Public Relations - Communications Program\) Association of Marketing and Communications Professional](https://enter.marcomawards.com/winners/) <<https://enter.marcomawards.com/winners/>>s
- [2018 Award of Excellence - Community Education/Outreach \(Port Master Plan Update\), American Association of Port Authorities \(AAPA](https://port.informz) <<https://port.informz>.
- [2018 \(CAPIO\) Excellence in Public Information and Communications \(EPIC\) Awar](https://www.portofsandiego.org/press-releases/general-press-releases/port-san-diego-honored-california-association-public) <<https://www.portofsandiego.org/press-releases/general-press-releases/port-san-diego-honored-california-association-public>>d
- [2017 Silver Bernays Award of Excellence for Community Relation](https://www.portofsandiego.org/press-releases/general-press-releases/port-san-diegos-integrated-planning-vision-wins-2017-silver) <<https://www.portofsandiego.org/press-releases/general-press-releases/port-san-diegos-integrated-planning-vision-wins-2017-silver>>s
- [2017 National Environmental Excellence Award, National Association of Environmental Professional](http://www.naep.org/eea2017homepage) <<http://www.naep.org/eea2017homepage>>s
- [2016 National Planning Excellence Award for a Planning Advocate \(Commissioner Ann Moore\), American Planning Associatio](https://www.planning.org/newsreleases/2016/mar30-f/) <<https://www.planning.org/newsreleases/2016/mar30-f/>>n
- [-2016 Silver Bernays Award of Excellence Public Affairs \(Cook and Schmid\), Public Relations Society of Americ](http://prasadic.org/news/prsa-chapter-honors-2016-edward-l-bernays-award-winners) <<http://prasadic.org/news/prsa-chapter-honors-2016-edward-l-bernays-award-winners>>a
- [2016 Presidents Award \(HKS Urban Design Studio/Randy Morton\), American Institute of Architects San Dieg](http://www.aiasandiego.org/2016-design-award-recipients) <<http://www.aiasandiego.org/2016-design-award-recipients>>o

<sup>2</sup>Pursuant to Section 30715 of the Coastal Act, any development (as defined by Section 30106 of the Coastal Act) at a commercial fishing facility is considered to be an "appealable" category of development. In other words, any coastal development permit authorized by the Board for an infrastructure or maintenance project at a commercial fishing facility can be appealed to the Coastal Commission.