

FILE NUMBER: 2025-087

DATE: Tuesday, April 15, 2025

SUBJECT: Environmental Advisory Committee 2025 Work Plan

DESCRIPTION: Resolution Approving Calendar Year 2025 Annual Work Plan for the Environmental Advisory Committee Pursuant to the Board of Port Commissioners Policy 018, Board Advisory Committees.

EXECUTIVE SUMMARY:

The Board of Port Commissioners (Board) is committed to protecting and improving the environmental conditions of San Diego Bay and Port tidelands.

On June 6, 2006, the Board adopted Policy No. 730, the Port Environmental Advisory Committee (EAC) Policy. Policy No. 730, which has been subsequently amended and updated, outlines the organization, structure, and functions of the EAC and management of the Environmental Fund. The purpose of the EAC is to advise the Board with respect to the protection and improvement of environmental conditions within the bay. Policy No. 730 details the membership of the EAC and the purpose of the Environmental Fund, which is to fund projects that address the quality, management, protection, improvement, and/or sustainability of natural resources in the bay and on tidelands. The EAC provides comments and feedback to the Board on environmental projects and initiatives.

The Board of Port Commissioners (Board) Policy No. 018 states that each advisory committee shall forward to the Board a general work plan for the year for the Board's consideration. The Environmental Advisory Committee (EAC) has recommended the attached work plan for 2025. Completion of the entire work plan will be dependent upon the availability of resources, both staffing and funding, and will be subject to Board approval of the FY26 budget. Staff recommends that the Board approve the 2025 work plan. Staff also recommends that any new work initiated by the EAC be approved by the Board.

RECOMMENDATION:

Adopt a Resolution approving the 2025 annual work plan for the Environmental Advisory Committee pursuant to BPC Policy No. 018.

FISCAL IMPACT:

There is no direct fiscal impact related to staff's recommendation.

A portion of the projects included in the proposed work plan are budgeted for in the Planning & Environment Division FY 2025 budget. Projects planned in future fiscal years will be budgeted for in the appropriate fiscal year including in the preliminary Planning & Environment Division budget proposal and will be subject to Board approval upon adoption of each fiscal year's budget. Funding for future fiscal years is subject to Board

approval and appropriation, which could occur during each fiscal year's budget. Accordingly, this action does not commit funding for future fiscal years.

COMPASS STRATEGIC GOALS:

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

- A Port that the public understands and trusts.
- 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.

DISCUSSION:

History of Environmental Advisory Committee

San Diego Bay is one of this region's most precious natural resources. The bay is often referred to as the "Crown Jewel" of San Diego and it performs a number of important ecological roles, such as a spawning and foraging ground for local fish species, a key rest stop for a migratory birds traveling along the Pacific Fly Way, a discharge point for creeks and rivers within the San Diego Bay watershed, supporting unique coastal wetland and eelgrass habitats that provide important water quality and other ecosystem services, and providing recreational benefits to the bay's surrounding communities and visitors. The Board is committed to protecting these natural habitats and ecosystem services, which ensures the long-term sustainability of the bay and its resources.

The bay also plays an essential role in supporting the growth of the region's population and economy. The development of working waterfronts, hotels, roads, and businesses has significantly altered the natural condition of the bay and, in the past, resulted in negative environmental impacts, such as pollution, hardened shorelines, and loss of habitat. Robust environmental regulations and regulatory compliance have shifted the focus of coastal projects to be both environmentally and economically compatible. Restoration to a more pristine condition requires the concerted, coordinated efforts of all the bay's stakeholders, including the District, as an environmental champion of the bay.

To guide the District's environmental efforts, the Board adopted BPC Policy No. 730 (Clerk No. 56746) on June 6, 2006, per Resolution #2006-111 (Clerk No. 50787), which has been subsequently amended, with the most recent amendment approved by the Board on April 11, 2024 (Clerk No. 76605). The purpose of the policy was to establish the Environmental Advisory Committee (EAC) and the Environmental Fund. The EAC was created to advise the Board and provide input and recommendations for accomplishing the District's strategic goal to "protect and improve the environmental conditions of San Diego Bay and the Tidelands."

The EAC reviews and provides comments and feedback on a variety of environmental projects and initiatives to help ensure the District's compliance with environmental laws and regulations. The EAC also provides comments to staff on funding environmental projects and initiatives to improve environmental conditions within the bay. The EAC has

provided feedback on several topics including, but not limited to, air quality, aquaculture, blue technology and the Blue Economy, climate action planning, energy and sustainability, greenhouse gas emissions, living shorelines, restoration and enhancement projects, mitigation banking, natural resource monitoring, sea level rise, water quality, environmental education, and long-range planning.

History of the Environmental Fund

The purpose of the Environmental Fund is to restore and enhance San Diego Bay and surrounding tidelands by funding projects that address air, water, and sediment quality; sustainability and climate action planning; natural resources and endangered species management; habitat creation, restoration, or protection; reclaiming natural shoreline conditions; environmental education, research, and monitoring; and other environmental issues in the bay and on District tidelands.

Pursuant to Board Policy No. 730, the Environmental Fund is funded annually with $\frac{1}{2}$ of 1% of the District's projected gross revenues for that year. For the purpose of this calculation, gross revenue shall not include anticipated grants from any source or any other restricted revenue source. Environmental Funds set aside may accumulate for more than one year, and all funding is subject to the discretion of the Board.

Environmental Advisory Committee Structure and Governance

Pursuant to BPC Policy No. 730, the EAC provides advice regarding the protection and improvement of the environmental conditions of the bay and the tidelands. The EAC is advisory in nature and has no authority to negotiate for, represent, or commit the District in any respect. EAC membership includes up to 18 representatives from environmental and community stakeholder groups, including Port tenants, environmental advocacy groups, the U.S. Navy, regulatory agencies, resource agencies, academia, and local businesses. The chair of the EAC is a Port Commissioner and up to three Commissioners may be appointed to the EAC.

The 2025 EAC includes the following members:

- Board of Port Commissioners, Port Commissioner & Committee Chair
- Board of Port Commissioners, Port Commissioner & Committee Vice Chair
- California Coastal Conservancy
- Center for Sustainable Energy
- Environmental Health Coalition
- Industrial Environmental Association
- National Oceanographic & Atmospheric Administration, National Marine Fisheries Service
- San Diego Air Pollution Control District
- San Diego Coastkeeper
- San Diego Regional Water Quality Control Board
- San Diego State University
- The San Diego Foundation

- San Diego Working Waterfront, additionally represented by NASSCO and Shelter Island Marina
- University of California San Diego, Scripps Institute of Oceanography
- University of San Diego, Energy Policy Initiatives Center
- U.S. Fish & Wildlife Service, Ecological Services
- U.S. Navy Region Southwest

EAC members vote on items considered for recommendation to the Board, with the exception of the Commissioner(s) who do not vote. Although the EAC was initially established to recommend environmental projects for funding through the District's Environmental Fund, the EAC no longer votes on recommendations that pertain to funding. The EAC only provides comments on staff's recommendation for funding. This change was made in order to avoid potential, perceived, or actual conflicts of interest.

BPC Policy No. 018 also requires committees, including the EAC, to create an annual work plan of topics for the committee to discuss, either as presentations at committee meetings or via memos, and provide feedback. Presently, the EAC meets quarterly.

Environmental Advisory Committee Recommended Annual Work Plan for 2025

On March 12th, 2025, the EAC approved its recommended 2025 work plan as detailed in Attachment A. The EAC requested that staff submit the recommended work plan to the Board for approval. The recommended work plan includes the following priorities for the year, which support the District's goals of: "A Port that the public understands, trusts, and values. 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."

Pursuant to the proposed work plan, the EAC would provide input on the following projects and initiatives during the 2025 calendar year:

Blue Economy

- Blue Economy Incubator Update

Environmental Outreach

- Environmental Education Program

Ecological Monitoring

- Endangered & Invasive Species Management
- Green Marine Certification & Verification Update
- Natural Resource & Environmental Surveys

Collaborations & Stewardship

- Bay-wide Collaborations & Partnerships
- Habitat Restoration Efforts
- Port & Navy Collaborations
- Air Quality and Electrification Update

Nature-Based Solutions

- Sustainable Shorelines Update

Planning

- Long Range Planning Update

Conclusion

Staff recommends the Board approve the 2025 EAC annual work plan, which represents a work plan that can be accomplished with existing staff resources and available funding. In addition, staff is recommending that any new work initiated by the EAC be approved by the Board.

General Counsel's Comments:

The General Counsel's Office reviewed this agenda and the proposed work plan as presented as to form and legality.

Environmental Review:

The proposed Board action, including without limitation approving the Calendar Year 2025 Annual Work Plan for the Environmental Advisory Committee, does not constitute a project under the definition 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 the action requiring the District or the Board's discretionary approval resulting in a physical change to the environment would 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 exercise of this discretion is in no way limited by this proposed Board action. Therefore, no further CEQA review is required.

The proposed Board action complies with Section 87 of the Port Act, which allows for the establishment and maintenance of tidal and submerged lands for open space, ecological preservation, and habitat restoration. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed Board action is consistent with the Public Trust Doctrine.

The proposed Board action 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 there will not be, without limitation, a physical change, change in use or increase in intensity of uses. Therefore, issuance of a Coastal Development Permit or exclusion is not required. However, development within the District requires processing under the District's CDP Regulations. Future development would remain subject to its own independent review pursuant to the District's certified CDP Regulations, Port Master Plan (PMP), and the relevant chapter(s) of the Coastal Act. The exercise of the District's discretion under the District's CDP Regulations is in no way limited by the proposed Board action.

Diversity, Equity, and Inclusion Program:

This agenda sheet has no direct impact on District workforce or contract reporting at this time.

PREPARED BY:

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Attachment:

Attachment A: Environmental Advisory Committee 2025 Annual Work Plan