

**DRAFT****RESOLUTION 20xx-xxx****RESOLUTION FINDING THE AMENDMENT TO THE  
SAN DIEGO UNIFIED PORT DISTRICT TARIFF NO.  
1-G, RATES AND CHARGES, TO INCREASE RATES,  
ADD NEW RATES, AND UPDATE TARIFF FORMAT  
AND LANGUAGE, AS EXEMPT FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT  
(CEQA) PURSUANT TO SECTIONS 15273 AND  
15301 OF THE CEQA GUIDELINES**

**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 I (Act); and

**WHEREAS**, District staff conducts an annual review of the District Tariff No. 1-G (Tariff), which governs the rates, charges, rules and regulations applicable for all maritime-related commercial activity within the District's jurisdiction; and

**WHEREAS**, staff recommends that the Board of Port Commissioners (BPC) adopt an amendment to the District's Tariff as follows:

1. Implement a three percent (3%) General Rate Increase (GRI) in General items, Dockage items, Wharfage items, Demurrage, Storage & Space Occupancy items, and Miscellaneous items, effective July 1, 2025.
2. Implement a rate increase to zero point one hundred eighteen cents (\$0.118 for (a) Rates Per Lineal Foot of Length Per Day for Dockage Charge for Commercial Fishing Vessel – Item No. 0570, effective May 1, 2026.
3. Perform an amendment to modify Tariff language and add a corresponding rate of three dollars and fifty-eight cents (\$3.58) for (6) Dockage Charge for Private and Commercial Yachts Per Lineal Foot Per Day for Rates for Full Dockage – Item No. 0575, effective July 1, 2025.
4. Implement a rate increase to three-hundred dollars (\$300.00) for (c) Start-Up Charge for Mobile Harbor Crane Fees – Item No. 0738, effective July 1, 2025.
5. Implement a rate increase to three-hundred dollars (\$300.00) for (d) Close-Down Charge for Mobile Harbor Cranes Fees – Item No. 0738, effective July 1, 2025.

20xx-xxx

6. Implement a five percent (5%) Annual Rate Increase (ARI), plus an eight percent (8%) Producers Price Index (PPI) to Pilotage Rates and Charges – Item No. 0800, effective July 1, 2025.
7. Perform an amendment to modify Tariff language and remove an obsolete Item for Commercial Vehicles, Heavy-Weight – Item No. 0664, effective July 1, 2025.
8. Perform an amendment of Tariff language and other minor language modifications, effective July 1, 2025.

**WHEREAS**, several factors were considered during staff's Tariff's analysis, including relevant economic indicators such as the Bureau of Labor Statistics (BLS) Consumer Price Index for the West Region, All Urban Consumers; All Items in Los Angeles-Long Beach-Anaheim, California; and All Items San Diego-Carlsbad, California (CPI-U's), the Producer Price Index (PPI) for Navigational Services to Shipping, rate recommendations made by California Association of Port Authorities' (CAPA) as well as actual rate increases by other CAPA member ports; and

**WHEREAS**, staff also considered the potential impacts of the current Administration's tariff actions as they relate to the District's cargo book of business; and

**WHEREAS**, the proposed Tariff rate increase for Fiscal Year 2026 is expected to result in a positive impact of approximately \$0.7 million annually and have been included in the Fiscal Year 2026 budget; and

**WHEREAS**, the proposed BPC actions to amend the District's Tariff No. 1-G to increase rates, add new rates, and update format and language is statutorily exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15273 (Rates, Tolls, Fares, and Charges) and/or categorically exempt pursuant to CEQA Guidelines 15301 (Class 1 – Existing Facilities) and Sections 2.h. and/or 3.a. of the District's Guidelines for Compliance with CEQA; and

**WHEREAS**, these exemptions are proper because the activity in question will only involve an operational change and will involve no expansion of use beyond that previously existing; and

**WHEREAS**, the proposed BPC action complies with Section 36 of the Port Act, which specifically gives the BPC authority to "by ordinance fix the rate of wharfage charges and other charges which are appropriate for the use of any of the facilities owned and constructed or services furnished or provided by the District" and therefore, it is within the District's authority to set Tariff rates on Tidelands; and

20xx-xxx

**WHEREAS**, the proposed BPC action is consistent with the Port Act, and accordingly, the Public Trust Doctrine in accordance with CEQA for the proposed project; and

**WHEREAS**, the proposed BPC 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 Regulations, therefore, issuance of a Coastal Development Permit or an exclusion finding is not required; and

**WHEREAS**, staff recommends the BPC adopt a resolution finding the amendment to the San Diego Unified Port District Tariff No. 1-G, Rates and Charges, to increase rates, add new rates, and update Tariff format and language exempt from CEQA as specified under Sections 15273 and 15301 of the CEQA Guidelines; and

**WHEREAS**, the BPC conducted a public hearing on the proposed changes on May 6, 2025; and

**WHEREAS**, having reviewed and considered all testimony and materials made available to the BPC, including, but not limited to, the staff reports and all of the testimony and evidence in the record of the proceedings with respect to the item, the BPC took the actions hereinafter set forth.

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

1. The facts recited above are true and this BPC has jurisdiction to consider, approve and adopt the subject of this Resolution.
2. The applicable provisions of CEQA, the State CEQA Guidelines, and the District Guidelines have been duly observed in conjunction with said hearing and the considerations of this matter and all of the previous proceedings related thereto.
3. The proposed project (Project), generally consists of Tariff 1-G to be amended as follows:
  - Implement a three percent (3%) General Rate Increase (GRI) in General items, Dockage items, Wharfage items, Demurrage, Storage & Space Occupancy items, and Miscellaneous items, effective July 1, 2025.
  - Implement a rate increase to zero point one hundred eighteen cents (\$0.118 for (a) Rates Per Lineal Foot of Length Per Day for Dockage Charge for Commercial Fishing Vessel – Item No. 0570, effective May 1, 2026.

20xx-xxx

- Perform an amendment to modify Tariff language and add a corresponding rate of three dollars and fifty-eight cents (\$3.58) for (6) Dockage Charge for Private and Commercial Yachts Per Lineal Foot Per Day for Rates for Full Dockage – Item No. 0575, effective July 1, 2025.
- Implement a rate increase to three-hundred dollars (\$300.00) for (c) Start-Up Charge for Mobile Harbor Crane Fees – Item No. 0738, effective July 1, 2025.
- Implement a rate increase to three-hundred dollars (\$300.00) for (d) Close-Down Charge for Mobile Harbor Cranes Fees – Item No. 0738, effective July 1, 2025.
- Implement a five percent (5%) Annual Rate Increase (ARI), plus an eight percent (8%) Producers Price Index (PPI) to Pilotage Rates and Charges – Item No. 0800, effective July 1, 2025.
- Perform an amendment to modify Tariff language and remove an obsolete Item for Commercial Vehicles, Heavy-Weight – Item No. 0664, effective July 1, 2025.
- Perform an amendment of Tariff language and other minor language modifications, effective July 1, 2025.

4. The BPC finds that the proposed Tariff amendment results in the following:

- Maintains a rate structure that is competitive with other ports.
  - Meets operational expenses, financial reserve needs, and requirements of the District.
  - Does not obtain funds for capital projects for the expansion of systems and will involve no expansion of use beyond that previously existing; however, some of the fees may be used for maintenance activities.
5. The proposed Project is more fully described in the Staff Report and the administrative record before the BPC.

**THEREFORE, BE IT FURTHER RESOLVED**, that the proposed Project is exempt from CEQA as specified under Section 15273 and 15301 of the CEQA Guidelines, as supported by the administrative record, including without limitation, the staff report and the Categorical Determination issued by the District on May 6, 2025.

APPROVED AS TO FORM AND LEGALITY:

20xx-xxx

GENERAL COUNSEL

---

By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 6<sup>th</sup> day of May 2025, by the following vote: