

DRAFT**RESOLUTION 2020-xxx****RESOLUTION ADOPTING AN ADDENDUM TO THE
PIER 1 NORTH DRYDOCK, ASSOCIATED REAL
ESTATE AGREEMENTS AND REMOVAL OF
COOLING TUNNELS PROJECT FINAL
ENVIRONMENTAL IMPACT REPORT FOR THE
SILVERGATE TUNNEL ABANDONMENT PROJECT
AND AUTHORIZING STAFF TO FILE A NOTICE OF
DETERMINATION**

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 (Port Act); and

WHEREAS, the proposed action would allow the abandonment in place of formerly operating cooling tunnels at the BAE Systems Maritime Solutions San Diego (BAE Systems) shipyard located at 2205 Belt Street within the city of San Diego and within District jurisdiction (see Project Location Map, Exhibit 1 of Attachment B to the corresponding agenda item on file with the Office of the District Clerk); and

WHEREAS, the tunnels were previously used to provide seawater intake and discharge for the former Silvergate Power Plant and are no longer operational; and

WHEREAS, funding for engineering analyses was previously approved by the Board of Port Commissioners (BPC) on September 13, 2022 (Ordinance No. 3060); and

WHEREAS, engineering design is in the process of being finalized and construction documents will be advertised for public bid consistent with BPC Policy 110; and

WHEREAS, any construction contract would require subsequent BPC approval at a future BPC meeting; and

WHEREAS, a Final Environmental Impact Report (Final EIR) for the Pier 1 North Drydock, Associated Real Estate Agreements and Removal of Cooling Tunnels Project (previous Project) (SCH #2014041071; Resolution No. 2015-152; Clerk Document No. 64501) was certified by the BPC on November 17, 2015; and

WHEREAS, since the Final EIR was certified, the tunnels are now proposed to be abandoned in place (proposed Project) rather than fully removed; and

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WHEREAS, updated studies identified the presence of eelgrass in the proposed Project area that was assumed not present at the time of preparation of the EIR; and

WHEREAS, an Addendum, dated November 2025, (Attachment A to the corresponding agenda item on file with the Office of the District Clerk) to the Final EIR, has been prepared for the Silvergate Tunnel Abandonment Project (proposed Project) to analyze and document that none of the conditions in CEQA Guidelines Section 15162, triggering preparation of a subsequent EIR, have occurred; and

WHEREAS, the District finds that there are no substantial changes in the Project, nor substantial changes with respect to circumstances under which the Project is undertaken, nor new information of substantial importance that shows any new or more severe environmental impacts or any substantially different mitigation measures than were previously identified and adopted; and

WHEREAS, the Final EIR and Addendum are available online at <https://www.portofsandiego.org/public-records/port-updates/notices-disclosures/ceqa-documents>; and

WHEREAS, the proposed BPC action complies with Section 87 of the Port Act, which allows for all commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of commercial and industrial buildings, plants, and facilities; and

WHEREAS, the Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine and consequently, the proposed BPC action is consistent with the Public Trust Doctrine; and

WHEREAS, funds required for the construction contract award, subject to BPC approval at a future BPC date, are budgeted for in the Engineering-Construction FY 2026 Equipment Outlay and Other Capital Projects appropriation; and

WHEREAS, Project funding is supported by a settlement payment received from San Diego Gas & Electric (SDG&E) in July 2022 (Clerk Document No. 74333), which resolved District litigation pertaining to the tunnels; and

WHEREAS, staff recommends the BPC adopt the Addendum to the Pier 1 North Drydock, Associated Real Estate Agreements and Removal of Cooling Tunnels Project Final Environmental Impact Report for the Silvergate Tunnel Abandonment Project and authorize staff to file a Notice of Determination.

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

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1. The BPC finds the facts recited above are true and further finds that this BPC has jurisdiction to consider, approve and adopt the subject of this Resolution.

2. The BPC finds and determines that the applicable provisions of CEQA, the 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 BPC has independently reviewed, analyzed, and considered the Addendum to the Pier 1 North Drydock, Associated Real Estate Agreements and Removal of Cooling Tunnels Project Final Environmental Impact Report for the Silvergate Tunnel Abandonment Project and authorizing staff to file a Notice of Determination.

4. The Addendum to the Final Environmental Impact Report is hereby adopted in relation to the subject of this Resolution.

5. Pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075, the District Clerk of the San Diego Unified Port District shall cause a Notice of Determination to be filed with the Clerk of the County of San Diego and the State Office of Planning and Research.

6. Pursuant to Public Resources Code Section 21081.6(a)(2) and CEQA Guidelines Section 15074(c), the location and custodian of the documents and other materials which constitute the record of proceedings on which this Resolution is based is the District Clerk, San Diego Unified Port District, 3165 Pacific Highway, San Diego, California 92101.

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 9th day of December 2025, by the following vote: