

DRAFT**RESOLUTION 20xx-xxx****RESOLUTION APPROVING THE TRUST LANDS
USE PLAN PORT MASTER PLAN AMENDMENT
(PMPA), AND DIRECTING ITS FILING WITH THE
CALIFORNIA COASTAL COMMISSION FOR
CERTIFICATION**

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 Port Master Plan provides the official planning policies, consistent with a general statewide purpose, for the physical development of the tidelands and submerged lands conveyed and granted in trust to the District; and

WHEREAS, the Port Master Plan was prepared, adopted and certified pursuant to the Port District Act, the Coastal Act and other applicable laws, and

WHEREAS, on January 1, 2020, Senate Bill (SB) 507 was enacted, which granted in trust certain submerged lands and tidelands in and around San Diego Bay (Bay) to San Diego Unified Port District (District) management from the California State Lands Commission (CSLC). The newly granted area is predominantly water area within the Bay, including approximately 7,900 acres of submerged lands and approximately 100 acres of tidelands (land area); and

WHEREAS, one requirement of the legislation is for the District to prepare a Trust Lands Use Plan (TLUP) for the newly granted area (TLUP Area). Per SB 507, the TLUP should describe any proposed development, preservation, or other use of this area. Based on the legislation and further confirmation from CSLC staff, the TLUP has been prepared as a Port Master Plan Amendment (PMPA), pursuant to Section 30711 of the California Coastal Act (Coastal Act), as a PMPA will include the required contents of the TLUP. Once certified by the California Coastal Commission (CCC), the TLUP PMPA will provide the District with coastal permitting authority over the granted area. The TLUP only addresses the newly granted area and does not address the submerged lands and tidelands included in the District's jurisdiction prior to 2020; and

WHEREAS, to prepare the Final Draft TLUP (Attachment A), the District prepared previous drafts of the plan to solicit stakeholder and public feedback throughout the process. These drafts include the TLUP Discussion Draft (July 2023), Draft TLUP (September 2023), and Revised Draft TLUP (February 2025); and

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WHEREAS, the Final Draft TLUP has six Elements: Water and Land Use, Mobility, Ecology, Safety and Resiliency, Environmental Justice, and Economics. Each of these elements contains goals, objectives, and policies that apply throughout the TLUP Area. In addition to the six Elements, the TLUP also includes TLUP Area Development Standards, that establish requirements for the physical development of sites in the TLUP Area, specifically addressing Recreation Open Space and Activating Features Standards, View Standards, Structure Height Standards, and Wayfinding Signage Standards; and

WHEREAS, the Final Draft TLUP includes a chapter devoted to the Planning Districts. Planning District is the term used to describe distinct geographic areas within and around the Bay. The TLUP Area is divided into four planning districts with boundaries that conform closely to established San Diego Bay ecoregion boundaries referenced by resources agencies and memorialized in the Integrated Natural Resources Management Plan. Within each Planning District, there are specific Special Allowances, Planned Improvements, and Development Standards; and

WHEREAS, when viewed holistically and in combination, the contents of the Final Draft TLUP, including the Elements, TLUP Area Development Standards, and the Planning Districts' Setting, Vision, Planned Improvements, and Development Standards demonstrate consistency with the applicable policies of the Coastal Act. The TLUP has been prepared in accordance with the requirements of the Coastal Act, and in alignment with the Port Act and Public Trust Doctrine, and specifically with the contents required by Section 30711 of the Coastal Act; and

WHEREAS, in compliance with Coastal Act Section 30712, the District issued a Notice of Completion and Public Hearing of the proposed PMPA on November 6, 2025 in the San Diego Daily Transcript newspaper, as well as by mail and email to members of the public, organizations, and governmental agencies to provide notice of the completion of the proposed PMPA and 30-day advance notice of public hearing before the Board of Port Commissioners (BPC) to consider the proposed PMPA for adoption, and

WHEREAS, pursuant to the Coastal Act, the public hearing on the proposed PMPA was conducted at the BPC meeting on December 9, 2025; and

WHEREAS, if the BPC approves the proposed PMPA, staff will transmit the PMPA application to the CCC for consideration at a future CCC meeting; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the District CEQA Guidelines, the District prepared an Environmental Initial Study Checklist and Mitigated Negative Declaration (collectively, MND) for the TLUP, which was adopted by the BPC and its contents considered; and

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WHEREAS, staff prepared the Final Draft TLUP, which includes revisions based on the comments received during the 30-day public review period for the MND and Revised Draft TLUP. An Errata to the Final Draft TLUP (Attachment D) has also been prepared to include minor clarifying revisions since its publication on November 6, 2025; and

WHEREAS, staff recommends that the BPC adopt a resolution approving the proposed PMPA and directing staff to file the PMPA with the CCC for certification.

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

1. That the BPC finds that the Port Master Plan Amendment (PMPA) pertaining to the Trust Lands Use Plan (TLUP), on file in the Office of the District Clerk as Document No. _____, was fully analyzed and is approved.
2. That the Executive Director or their designated representative is hereby authorized and directed to transmit this PMPA and all relevant information to the California Coastal Commission (CCC) for its review and certification pursuant to Public Resources Code Section 30714.
3. That the Executive Director or their designated representative is hereby authorized to amend the PMPA application prior to the CCC's certification; provided, however, that the PMPA, as certified by the CCC, shall be presented to the BPC for its final approval at a subsequent date.
4. That consistent with Public Resources Code Sections 30714 and 30716, and California Code of Regulations Title 14, Section 13632(e), the PMPA shall not be effective until: (a) the CCC certifies the PMPA; (b) the BPC adopts the PMPA as certified by the CCC; and (c) the CCC has received notice of such BPC action and accepts the same as consistent with its certification.

BE IT FURTHER RESOLVED that the BPC also finds that the BPC's action complies with Section 87 of the Port Act as it allows for the establishment and maintenance of trust lands for the uses described in the TLUP, including 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 BPC actions are consistent with the Public Trust Doctrine.

APPROVED AS TO FORM AND LEGALITY:

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GENERAL COUNSEL

By: Assistant/Deputy General Counsel

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: