

RESOLUTION 2013-33

RESOLUTION AUTHORIZING ISSUANCE OF A NON-APPEALABLE COASTAL DEVELOPMENT PERMIT FOR TENTH AVENUE MARINE TERMINAL SHORE POWER PROJECT

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 District has proposed the Tenth Avenue Marine Terminal Shore Power Project (Proposed Project), which proposes to install shore power equipment at the three berths at the Tenth Avenue Marine Terminal (TAMT) so that berthing cargo ships can use electrical power from the shore rather than from their own engines while at berth, in compliance with the California Air Resources Board Shore Side Power Rule; and

WHEREAS, the property which is subject to the Proposed Project consists of a portion of the existing TAMT which is located along the eastern shoreline of central San Diego Bay in the area bounded by Harbor Drive and Water Street and Terminal Street, approximately one-half mile south of downtown San Diego, California; and

WHEREAS, improvements implemented by the Proposed Project will provide enhanced marine-related, water-dependent industrial uses and infrastructure; and

WHEREAS, the Proposed Project site is located in Planning District 4 (Tenth Avenue Marine Terminal) of the Port Master Plan (PMP), and is designated for Marine Terminal and Marine Related Industrial uses; and

WHEREAS, the Port District is the trustee of said tidelands; and

WHEREAS, an application has been prepared for a Coastal Development Permit to provide for implementation of the Proposed Project; and

WHEREAS, the Board of Port Commissioners (Board) finds that said application and attachments contain correct and accurate statements of fact; and

WHEREAS, the Board has concluded that the Proposed Project conforms to the District Master Plan; and

WHEREAS, as a "lead agency" under the California Environmental Quality Act (CEQA) and pursuant to Section 15074, *et seq.* of Title 14 of the California Code of Regulations ("CEQA Guidelines"), the Board has considered and certified the Final Mitigated Negative Declaration (Final MND) for the Proposed Project as required by law.

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

1. The Proposed Project, in general, consists of improvements on the existing TAMT that will include the installation of shore power equipment at three berths so that berthing cargo ships can use electrical power from the shore rather than from their own engines while at berth, in compliance with the California Air Resources Board Shore Side Power Rule, a new San Diego Gas and Electric Company (SDG&E) service station at the northeastern corner of the TAMT, and a new shore power substation at the northwestern corner of the TAMT, with 5,300 feet of trenching and 6,400 feet of new cable, located within Planning District 4 (Tenth Avenue Marine Terminal), of the District Master Plan.

2. In accordance with the District's CDP Regulations, the Project is considered "Non-Appealable" because it does not qualify as an "Excluded," "Appealable," or "Emergency" development. The Proposed Project is consistent with the use and development concept for the project area as provided in the District Master Plan and, as such, is a Non-Appealable Development which conforms to the certified District Master Plan. The Proposed Project is located between the sea (as defined in the Coastal Act) and the first inland continuous public road paralleling the sea, and the Proposed Project is consistent with Public Resources Code Sections 30604(a) and 30210-30224, and the Coastal Act public access and recreation policies referenced therein.

3. The Proposed Project which is entitled the "Tenth Avenue Marine Terminal Shore Power Project" is consistent with and conforms to the District Master Plan, and accordingly, the Executive Director or his authorized representative is hereby authorized and directed to issue a Coastal Development Permit for the Proposed Project, said Coastal Development Permit shall require compliance with the Standard Provisions and Short-Term Constructions Measures incorporated therein, and in particular the conditions listed under the Special Provisions section, including the Mitigation Monitoring Reporting Program contained in the Final MND for the Proposed Project.

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 12th day of February, 2013, by the following vote:

AYES: Malcolm, Moore, Nelson, Smith, Valderrama

NAYS: None.

EXCUSED: None.

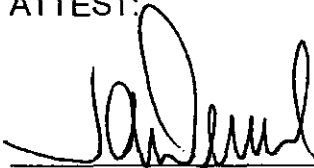
ABSENT: None.

ABSTAIN: None.



Ann Y. Moore, Chair
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)