

**RESOLUTION 2014-180**

**RESOLUTION FINDING THE AMENDMENT TO THE  
SAN DIEGO UNIFIED PORT DISTRICT TARIFF NO.  
1-G TO INCREASE RATES AND CHARGES AND  
UPDATE LANGUAGE EXEMPT FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT  
(CEQA) AS SPECIFIED UNDER SECTION 15273  
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 1, (Port Act); and

**WHEREAS**, Section 21 of the Port Act authorizes the Board of Port Commissioners (BPC) to pass all necessary ordinances and resolutions for the regulation of the District; and

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

**WHEREAS**, the District proposes to increase certain rates and make other additions and amendments to Tariff No. 1-G; and

**WHEREAS**, the Board conducted a public hearing regarding the recommended rate increases and other amendments on September 16, 2014; 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 Board took the actions hereinafter set forth.

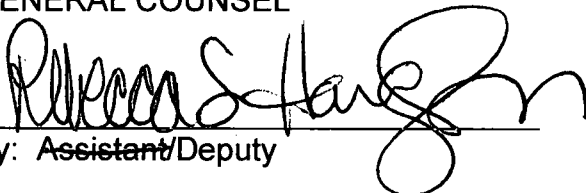
**NOW, THEREFORE, BE IT RESOLVED** by the Board of Port Commissioners of the San Diego Unified Port District, as follows:

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15273 (Rates, Tolls, Fares, and Charges) and/or Section 15301 (Class 1 - Existing Facilities), as well as Sections 2.h and/or 3.a of the District's Guidelines for compliance with CEQA, the Board of Port Commissioners finds as follows:

1. The facts recited above are true and further finds that this Board of Port Commissioners 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 increased fees and other amendments are to meet operational expenses of the District.
4. The amendment to Port of San Diego Tariff No. 1-G to increase rates and charges and update language will be based on relevant economic indicators such as the Consumer Price Index for West Region, All Urban Consumers and the Producer Price Index for Port and Harbor Operations and is to meet operational expenses of the District, including rising costs of maintenance and infrastructure associated with maritime operations.
5. The amendment to Port of San Diego Tariff No. 1-G to increase rates and charges and update language may increase revenues to the District by approximately \$237,000 in Fiscal Year 2014/2015 (\$334,300 annually) and is to meet financial reserve needs and requirements of the District.
6. The amendment to Port of San Diego Tariff No. 1-G to increase rates and charges and update language will maintain a rate structure that is competitive with other competitor ports and is not to obtain funds for capital projects for expansion of systems.

Further, the Board of Port Commissioners finds the proposed project is considered an "excluded development" pursuant to Section 8.a (Existing Facilities) of the District's Coastal Development Permit Regulations; therefore, issuance of a Coastal Development Permit is not required.

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 16<sup>th</sup> day of September 2014, by the following vote:

AYES: Bonelli, Castellanos, Malcolm, Merrifield, Moore, Nelson, and Valderrama.

NAYS: None.

EXCUSED: None.

ABSENT: None.

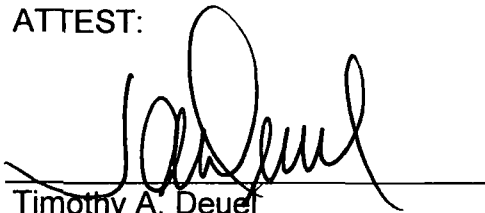
ABSTAIN: None.



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Robert E. Nelson, Chairman  
Board of Port Commissioners

ATTEST:



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Timothy A. Deuel  
District Clerk



(Seal)