



**CEQA and COASTAL DETERMINATIONS  
and  
NOTICE OF APPROVAL**

**Project:** Amendment to the San Diego Unified Port District Tariff No. 1-G to Increase Rates and Update the Format and Language  
**Location:** San Diego, CA 92101 and National City, CA 91950  
**Parcel No.:** Various  
**Project No.:** 2025-051  
**Applicant:** Josefina Khalidy, Principal, Maritime Business Retention, Maritime, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101; (619) 686-6507  
**Date Approved:** 5/6/2025

**PROJECT DESCRIPTION**

The proposed project involves an amendment to the San Diego Unified Port District Tariff No. 1-G (Tariff) to increase rates and update the format and language. The Tariff governs the rates and charges applicable for all maritime-related commercial activity under the District’s jurisdiction. The Tariff is reviewed annually to ensure that the District’s rates and charges are competitive, and the rules are current. In addition, the rates and charges are reviewed to reflect the prevailing market rates and economic climate.

The proposed Tariff amendment involves a General Rate Increase (GRI) for dockage, wharfage, demurrage, storage, space occupancy, and miscellaneous rates and charges, effective July 1, 2025. There are several factors that are considered during staff’s Tariff 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), 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. Staff also considered potential impacts of the current Administration’s tariff actions as they relate to the District’s cargo book of business.

The amendment would be effective July 1, 2025, with the exception of list item (2), and includes the following changes:

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.
2. Implement a rate increase of 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.
4. Implement a rate increase of three-hundred dollars (\$300.00) for (c) Start-Up Charge for Mobile Harbor Crane Fees – Items No. 0738.
5. Implement a rate increase of three-hundred dollars (\$300.00) for (d) Close-Down Charge for Mobile Harbor Crane Fees – Item No. 0738.
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.
7. Perform an amendment to modify Tariff language and remove an obsolete item for Commercial Vehicles, Heavy-weight – Item No. 0664.
8. Perform an amendment of Tariff language and other minor language modifications.

The proposed rate increases would aid in balancing the rising operational and maintenance costs, and the financial reserve needs while maintaining a rate structure that is comparable to competitor ports. Additionally, while some of the Tariff will be used for maintenance, such maintenance shall not be for capital improvements to expand systems.

The following categorical determinations are based on the agenda sheet and all project information known to the District as of the date of this determination.

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## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

### *CATEGORICAL DETERMINATION*

Based upon the above description, the proposed project is determined to be statutorily exempt pursuant to CEQA Guidelines Section 15273 (Rates, Tolls, Fares, and Charges) and/or categorically exempt pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and Sections 2.h. and/or 3.a. of the District's *Guidelines for Compliance with CEQA*. Sections 2.h. and 3.a. of District's CEQA Guidelines are as follows:

- 2.h. Rates, Tolls, Fares, and Charges (SG § 15273): CEQA does not apply to rates or other charges established by the District for the purpose of meeting operational expenses; purchasing or leasing supplies, equipment, or materials; meeting financial reserve needs; obtaining funds for capital projects necessary to maintain service; or obtaining funds necessary to maintain intra-city transfers as are authorized by city charter. The public agency shall incorporate written findings in the record of any proceedings in which an exemption under this section is claimed, setting forth with specificity the basis for the claim of the exemption.

### AND/OR

- 3.a. Existing Facilities (SG § 15301) (Class 1): Includes operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing.

The Statutory Exemption listed above is appropriate for the proposed project because it is an amendment to the Tariff to increase rates, add new rates, and update format and language for the following purposes:

1. The proposed project generally consists of an amendment to the Tariff to:
  - a. 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.
  - b. Implement a rate increase of 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.
  - c. 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.
  - d. Implement a rate increase of three-hundred dollars (\$300.00) for (c) Start-Up Charge for Mobile Harbor Crane Fees – Items No. 0738, effective July 1, 2025.
  - e. Implement a rate increase of three-hundred dollars (\$300.00) for (d) Close-Down Charge for Mobile Harbor Crane Fees – Item No. 0738, effective July 1, 2025.
  - f. 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.
  - g. Perform an amendment to modify Tariff language and remove an obsolete item for

Commercial Vehicles, Heavy-weight – Item No. 0664, effective July 1, 2025.

- h. Perform an amendment of Tariff language and other minor language modifications, effective July 1, 2025.
2. The proposed project is projected to increase Fiscal Year 2026 revenues to the District by approximately \$0.7 million.
3. The proposed project will maintain a rate structure that is competitive with other West Coast ports.
4. The proposed project is to meet operational expenses, financial reserve needs, and the requirements of the District.
5. The proposed project is not to 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.

The existing facilities categorical exemption listed above is appropriate for the proposed project because the activity in question would only involve an amendment to the Tariff to increase rates and update format and language and will involve no expansion of use beyond that previously existing. Additionally, the increase in rates may be used for maintenance activities that do not constitute capital improvements that expand systems.

The District has further determined none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2) because the project is not located in an area that would impact an environmental resource of hazardous or critical concern, would not have cumulative impact of successive projects of the same type in the same place, would not have a significant effect on the environment due to unusual circumstances, is not within a highway officially designated as a state scenic highway, is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code, and would not cause a substantial adverse change in the significance of a historical resource.

Pursuant to CEQA Guidelines Section 15062, a 35-day statute of limitations for this CEQA exemption shall apply from the date a Notice of Exemption is posted with the San Diego County Clerk, or a 180-day statute of limitations for this CEQA exemption shall apply if no Notice of Exemption is filed.

### **CALIFORNIA COASTAL ACT**

#### *PORT MASTER PLAN CONSISTENCY*

Planning Districts: 3 - Centre City Embarcadero (Precise Plan Figure 11); 4 - Tenth Avenue Marine Terminal (Precise Plan Figure 13); and 5 - National City Bayfront (Precise Plan Figure 15)

Land Use Designations: Commercial Recreation; Marine Terminal; and Marine Related Industrial

The proposed project conforms to the certified Port Master Plan because it would involve an amendment to the Tariff to increase rates and update format and language consistent with the existing certified Land Use designations. The proposed project would not change the use of the site nor would it interrupt or expand the existing conforming uses of the site.

#### *CATEGORICAL DETERMINATION*


The proposed project 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.

**CALIFORNIA PUBLIC TRUST DOCTRINE**


The proposed project complies with Section 36 of the Port Act, which specifically gives the Board of Port Commissioners the 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. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed project is consistent with the Public Trust Doctrine.

SCOTT CHADWICK  
President/CEO

Determination by:  
Davin Cox  
Assistant Planner  
Development Services

Signature:   
Date: 5/6/2025

Assistant/Deputy General Counsel

Signature:   
Date: 5/6/2025