



San Diego UPD Code Section 4.37 Regulation of Charter Vessel Operations in San Diego Bay and District Tidelands

Port Tenant Association Meeting on August 17, 2021

Review of changes to Port Code 4.37

Previous Port Code Section 4.37:

- Original Code 4.37 from 20 years ago to regulate 6-Pack sportfishing charters
- Did not address current needs of San Diego Bay and was not consistent with leases

Key changes effective July 1, 2021:

- To help “Level the Playing Field” the Code now addresses current needs:
 - Applies to ALL charters,
 - Requires Charter vessels and operators to uniformly meet safety requirements, have adequate insurance, and comply with all applicable laws and USCG regulations
- Lease compliance required to get decals
- Charters prohibited from using Port’s public facilities, i.e., launch ramps & dinghy docks
- Violations can be enforced by infraction/misdemeanor and/or civil penalties

Effective Sept 1, 2021:

- Decals required for Charter vessels

What is not changing:

- Marinas/landings continue to manage charter ops the same as before
- Marinas/landings still decide which charter operators have permission to operate
- Port is not involved in any business decisions made by marina managers
- Lease compliance has always been a requirement of a Port tenant

New Web Page for Charters Information

[Link to Charter Vessel Regulations Page](#)

The page can be found on the Port's website through the following:

- Visit www.portofsandiego.org/chartervessels
- Main Page – Rotating ribbon will display the Charters Page
- “Visit the Waterfront” tab → Boating tab → Charter Vessel Regulations
- “What We Do” tab → Charter Vessel Regulations
- Search: Charter



ABOUT THE PORT

WHAT WE DO

VISIT THE WATERFRONT

Charter Vessel Regulations



Initial Decal Process for 2021

1. Tenant requests decals for eligible charter vessels:

- Marina or landing submits a “Decal Request Form” for all charter vessels
- Sublease Summaries must be on file for each charter operator and vessel (if required by Lease)
- Staff checks for lease compliance and sends notice to confirm eligibility
- Decals provided to marinas and landings for confirmed eligible vessels

2. Marina issues decals to eligible vessels and sends “Report of Issuance” to District:

- Tenants may issue the provided Decals to those charter vessels confirmed as eligible, by completing and submitting the Tenant Report of Issuance (TRI) form
- Staff reviews TRI for completeness and provides notice to tenant
- Only correctly completed TRI forms will go into law enforcement database as compliant vessels
- Database of compliant vessels will be used by HP officers for law enforcement purposes
- Database of compliant vessels will ultimately be available to public on website, once we have initial round of decals issued

Charter Decals for 2021

- Each vessel will require a set of 2 decals
- Decals will be issued each calendar year
- New Decals will be required for 2022 CY and will be a new color
- Cost approx. \$10 per set of 2 decals
- Permission required for each location where charter vessels load passengers (could involve sublease for each location)
- Decals arrive late August, we will do our best to get them to you before Sept 1st



A photograph of the San Diego skyline across the water, featuring several prominent skyscrapers under a blue sky with light clouds. The water in the foreground is dark blue with gentle ripples.

What's Next

- Sign up for updates on Ports website.
- Please Review the Charters page www.portofsandiego.org/charter vessels before calling with questions.
- Decal Request Form will be posted this week and we will notify you when available. Please submit as soon as possible to be ready to receive your decals when they arrive.
- This is a Pilot Program – we are collecting your suggestions and appreciate your input and your patience.
- Please reach out if you have additional questions or have not yet talked with me about your lease.
 - Annette Dahl
 - Phone: 619-686-6306
 - Email: adahl@portofsandiego.org

Harbor Police Enforcement Update

Enforcement of New Code Provisions

- Public Facilities – signage in place to prohibit charters
- Public Docks are prohibited for embarking & disembarking passengers
- Rack Cards for distribution to educate public →

September 1st Decal Requirement:

- Decals should be available by Sept 1.
- If any delays, we will work with everyone until they are issued.



San Diego Bay Charter Vessel Regulations

As a result of extensive stakeholder and public outreach and engagement, the Port of San Diego has updated its charter vessel regulations for San Diego Bay to help standardize and create a more even playing field for charter businesses, and to protect consumer and public safety. Scan the QR code on the back of this flyer or go to portofsandiego.org/chartervessels for full details.

The updated regulations include but are not limited to:
As of July 1, 2021, charter vessel operators:

- Cannot use Port public facilities for charter operations. This includes:
 - The Shelter Island, National City, and Chula Vista boat launch ramps and docks
 - Guest/Visitor's Dock at the Harbor Police Sub Station at 1401 Shelter Island Drive
 - Dinghy docks
- Must meet certain minimum requirements, as applicable to the vessel type.

San Diego Bay Charter Vessel Regulations

Beginning **September 1**:

- Charters operating from a Port tenant marina or landing must visibly display a valid Charter Vessel Operation Decal – this can be obtained from the Port tenant marina or sportfishing landing from which you are operating and signifies that the marina or sportfishing landing has verified compliance with the Port's charter vessel regulations.

"Charter Vessel" means a boat, vessel or any type of watercraft which is less than 100 gross tons and carrying 150 passengers or fewer and includes but is not limited to, fishing charter, Bareboat Charter, sailing charter, Six Pac Charter, Small Passenger Vessel charter, Uninspected Passenger Vessel, personal watercraft, jet ski, kayak, canoe or paddleboard that operates on San Diego Bay for the purpose of taking passengers on the water for business or pleasure.

Read the entire amended Port Code Section 4.37 – Regulation of Charter Vessel Operations in San Diego Bay and District Tidelands – and find more information about how to ensure your charter operation is compliant at portofsandiego.org/chartervessels.





Thank you!

Questions?