



State of California - Department of Fish and Wildlife
2020 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (Rev. 12/10/19) Previously DFG 753.5a

RECEIPT 37-2020- 0822
STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY SAN DIEGO UNIFIED PORT DISTRICT PLANNING & GREEN PORT	LEAD AGENCY EMAIL	DATE 11/18/2020
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COUNTY/STATE AGENCY OF FILING San Diego County	DOCUMENT NUMBER 37-2020-0822
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PROJECT TITLE
 AMENDMENT TO THE SAN DIEGO UNIFIED PORT DISTRICT TARIFF NO. 1-G TO INCREASE RATES ADD RATES AND UPDATE THE FORMAT AND LANGUAGE

PROJECT APPLICANT NAME SAN DIEGO UNIFIED PORT DISTRICT (SDUPD)	PROJECT APPLICANT EMAIL	PHONE NUMBER 619-686-6371
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PROJECT APPLICANT ADDRESS 3165 PACIFIC HIGHWAY	CITY SAN DIEGO	STATE CA	ZIP CODE 92101
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PROJECT APPLICANT (Check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,343.25	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,406.75	\$	0.00
<input type="checkbox"/> Certified Regulatory Program document (CRP)	\$1,136.50	\$	0.00

- Exempt from fee
 Notice of Exemption (attach)
 CDFW No Effect Determination (attach)
 Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	50.00
<input type="checkbox"/> Other		\$	0.00

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ 50.00

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County NAIME BAJRAMI, Deputy
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Payment Reference #: CHK #194700



SAN DIEGO COUNTY CLERK
CEQA FILING COVER SHEET

FILED
Nov 18, 2020 09:33 AM
Ernest J. Dronenburg, Jr.
SAN DIEGO COUNTY CLERK
File # 2020-000878
State Receipt # 37-20200822

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

AMENDMENT TO THE SAN DIEGO UNIFIED PORT DISTRICT TARIFF NO. 1-G TO
INCREASE RATES, ADD RATES, AND UPDATE THE FORMAT AND LANGUAGE

Check Document being Filed:

- Environmental Impact Report (EIR)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Notice of Exemption (NOE)
- Other (Please fill in type):

**FILED IN THE OFFICE OF THE SAN DIEGO
COUNTY CLERK ON** November 18, 2020
Posted November 18, 2020 **Removed** _____
Returned to agency on _____
DEPUTY _____

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

Notice of Exemption
Appendix E

CEQA Guidelines

<p>To:</p> <ul style="list-style-type: none"> ■ Office of Planning and Research 1400 Tenth Street, Room 121 Sacramento, CA 95814 ■ <i>San Diego County Recorder/County Clerk</i> <i>1600 Pacific Highway, Suite 260</i> <i>San Diego, CA 92101-2480</i> 	<p>From: (Public Agency) <i>San Diego Unified Port District</i> <i>Planning & Green Port</i> <i>3165 Pacific Highway</i> <i>San Diego, CA 92101</i></p>
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Project Title: Amendment to the San Diego Unified Port District Tariff No. 1-G to Increase Rates, Add Rates, and Update the Format and Language

Project Location – Specific: San Diego, CA 92101 and National City, CA 91950

Project location – City: San Diego and National City

Project Location – County: San Diego

Description of Nature, Purpose, and Beneficiaries of Project: The proposed project involves an amendment to the San Diego Unified Port District's Tariff No. 1-G (Tariff) to increase rates, add two new rates (Anchorage at B Street Cruise Terminal and Photography at all District Marine Terminals), 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 review is typically performed during the beginning of the prior fiscal year; however it was postponed due to the COVID-19 event.

The proposed Tariff amendment involves a General Rate Increase (GRI) for dockage, wharfage, demurrage, storage, space occupancy, and miscellaneous rates and charges, effective January 1, 2021. 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 (CPI-U), Producers Price Index for Navigational Services (PCU), rate recommendations made by California Association of Port Authorities (CAPA) member ports, actual rate increases by other CAPA ports, and regional market conditions.

The amendment would be effective January 1, 2021 and includes the following changes:

- Implement a two percent (2%) General Rate Increase (GRI) for:
 - Minimum Charge—Item Nos. 0510, 0650, 0740, 0745, 0748
 - Permit Fees—Item Nos. 0515, 0520
 - Full Dockage—Item No. 0575
 - Wharfage—Item Nos. 0603, 0605, 0610, 0614, 0615, 0617, 0618, 0619, 0620, 0625, 0626, 0627, 0629, 0630, 0635, 0637, 0640, 0641, 0645, 0647(b), (c), (d), 0650, 0655, 0660, 0662, 0663, 0664, 0665, 0666, 0670, 0671, 0672, 0673, 0674
 - Wharf Demurrage for All Commodities, Lumber and Forest Products, Containers—Item No. 0705
 - Wharf Storage Rates –Item No. 0720 and Per Container Wharf Storage Rates—Item No. 0725
 - Space Occupancy Rates—Item No. 0735
 - Temporary Office Occupancy—Item No. 0736

- o Temporary Area Assignments—Item No. 0737
- o Mobile Harbor Crane—Item No. 0738
- o Electrical Service Rates for Refrigerated Containers—Item No. 0747
- o Redelivery of Merchandise—Item No. 0750
- o Environmental Surcharge for Dry Bulk Cargo—Item No. 0758
- Exceptions to the 2% GRI include:
 - o Commercial Fishing Vessels—Item No. 0570 – No Rate Increase
 - o Dockage Charge for Transient Vessels—Item No. 0572 – No Rate Increase
 - o Credit Rule (Minimum Delinquent Charge)—Item No. 0535 – Subject to \$1.00 Rate Increase
 - o Passenger Fees for Cruise Ships—Item No. 0647(a) – No Rate Increase
 - o Merchandise N.O.S—Item No. 0600 – Subject to a 50% Rate Increase
 - o Project Cargo Rates—Item No. 0631 – Subject to a 50% Rate Increase
 - o Vehicles (Import/Inbound) RTTF (Rail | Truck Transfer Fee)—Item No. 0660 – Subject to \$1.25 Rate Increase
 - o Commercial Vehicles (Light & Medium Weight) RTTF (Rail | Truck Transfer Fee)—Item No. 0663 –Subject to a \$1.25 Rate Increase
 - o Pilotage Rates and Charges—Item No. 0800 – No Rate Increase
- New Rates include:
 - o Anchorage—Item No. 0441

"B" Street Cruise Terminal Merchant Vessel Anchorage "Anchorage" is reserved for the use of merchant vessels calling at the Port of San Diego while awaiting a berth. The administration of this Anchorage is exercised by the Executive Director, San Diego Unified Port District. Vessels anchoring in San Diego Harbor shall leave a free passage for the other craft and shall not obstruct the approaches to the wharves in the harbor.

The waters bounded by a line connecting the following points:

Latitude	Longitude
32°43'00.8" N	117°10'36.3" W
32°43'00.8" N	117°11'23.0" W
32°43'05.0" N	117°11'30.5" W
32°43'27.2" N	117°11'14.0" W
32°43'20.2" N	117°10'53.0" W

and thence due east to the shoreline, and thence along the shoreline and pier to the point of beginning. When space is available, the Executive Director at his or her own discretion may authorize the use of the anchorage for non-commercial vessels upon receipt of an anchorage application.

'Anchorage' charges for non-commercial vessels will be assessed at fifty percent (50%) of full dockage rates as per Item No. 0575--Rates for Full Dockage.

- o Photography on the Terminal—Item No. 0541

The Port of San Diego owns and operates the Tenth Avenue Marine Terminal, National City Marine Terminal, "B" Street Cruise Ship Terminal and Broadway Pier Cruise Ship Terminal under the San Diego Unified Port District Act. All photography or videography activity on the Port's Marine Terminals requires

permission and preapproval from the Maritime Division. An approved Photography and Videography Permit ("Permit") is required for any activities within the Port District facilities, prior to filming. Companies or individuals can acquire the Permit application from the Maritime Operations Office at (619) 686-6345 or via e-mail to TAMT@portofsandiego.org.

- Updates to Format and Language:
 - Title Page
 - Commissioners, Officers and Administrative Staff
 - Correction Number Sheet
 - Correlation of Federal Maritime Commission Definitions—Item No. 0125
 - Hazardous and Dangerous Cargo Permit Required—Item No. 0465
 - Regulations Governing Petroleum Products—Item No. 0480
 - Rates for Full Dockage—Item No. 0575

(5) 'Anchorage' as defined in Item No. 0441—"B" Street Cruise Terminal Merchant Vessel Anchorage for non-commercial vessels will be assessed at fifty percent (50%) of full dockage rates.

- Application of Wharfage Rates—Item No. 0580
- Free Time Allowed—Item No. 0685: (a) Hawaiian Trade Vehicles

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.

Name of Public Agency Approving Project: *San Diego Unified Port District (SDUPD)*

Name of Person or Agency Carrying Out Project: Brenda Gonzales, Maritime, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101, (619) 686-6371

Exempt Status:

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption: (see below)
- Statutory Exemption. State code number: 15273 (Rates, Tolls, Fares, and Charges)

Reason why project is exempt:

Both categorical and statutory exemptions apply to the project.

The Statutory Exemption listed above is appropriate for the proposed project because it is an amendment to Port of San Diego Tariff No. 1-G to increase rates and charges and updated language for the following purposes:

1. The proposed project, generally consists of an amendment to the Tariff to:
 - a. Increase rates and charges to items including: General, Permits, Dockage, Wharfage, Demurrage, Storage & Space Occupancy, Temporary Office Occupancy, Temporary Area Assignments, Mobile Harbor Crane, Electrical

Service Rates for Refrigerated Containers, Redelivery of Merchandise, and Environmental Surcharge for Dry Bulk Cargo, with exceptions to Commercial Fishing Vessels, Dockage Charge for Transient Vessels, Credit Rule, Passenger Fees for Cruise Ships, Merchandise N.O.S., Project Cargo Rates, Vehicle (Import/Inbound) RTTF, Commercial Vehicles (Light and Medium Weight) RTTF, and Pilotage;

- b. Update format and language based on relevant economic indicators such as the Bureau of Labor Statistics (BLS) Consumer Price Index for West Region, All Urban Consumers (CPI-U), rate recommendations made by California Association of Port Authorities (CAPA) as well as actual rate increases by other CAPA member ports, and regional market conditions;
 - c. Include two (2) new tariff items for Anchorage, and Photography on the Terminal; and
 - d. Other minor language modifications.
2. The proposed project is projected to increase revenues to the District by approximately \$227,100 for the remaining six (6)-month period of Fiscal Year 2021.
 3. The proposed project will maintain a rate structure that is competitive with other ports.
 4. The proposed project is to meet operational expenses, and financial reserve needs and requirements of the District.
 5. The proposed project is not to obtain funds for capital projects for 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 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* because the activity in question would only involve an amendment to the Tariff to increase rates, add new rates, and updated 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.

Sections 2.h. and 3.a. of District's CEQA Guidelines are as follows:

- 2.h. Rates and Charges (SG § 15273): CEQA does not apply to rates or other charges established by the Port 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 proceeding in which an exemption under this section is claimed, setting forth with specificity the basis for the claim of exemption. The public agency shall incorporate written findings in the record of any proceeding in which an exemption under this section is claimed, setting forth with specificity the basis for the claim of 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.

Lead Agency Contact Person and telephone number: Michael Paul, 619-686-8112

Signature:  **Date:** 11-12-20 **Title:** Assistant Planner

- Signed by Lead Agency
- Signed by Applicant

Date received for filing at OPR/Clerk:



San Diego County



Transaction #: 5078620
Receipt #: 2020614767

Ernest J. Dronenburg, Jr.
Assessor/Recorder/County Clerk
1600 Pacific Highway Suite 260
P. O. Box 121750, San Diego, CA 92112-1750
Tel. (619) 237-0502 Fax (619) 557-4155
www.sdarcc.com

Cashier Date: 11/18/2020
Cashier Location: SD

Print Date: 11/18/2020 9:34 am

COUNTY CLERK
1600 PACIFIC HIGHWAY RM 260
SAN DIEGO, CA 92101

Payment Summary

Total Fees:	\$50.00
Total Payments:	\$50.00
Balance:	\$0.00

Payment	
CHECK PAYMENT #194700	\$50.00
Total Payments	\$50.00
Filing	
CEQA - NOE	Document #: 2020-000878 Date: 11/18/2020 9:33AM Pages: 6 Map #: 20200822
Fees: Fish & Wildlife County Administrative Fee	\$50.00
Total Fees Due:	\$50.00
Grand Total - All Documents:	\$50.00