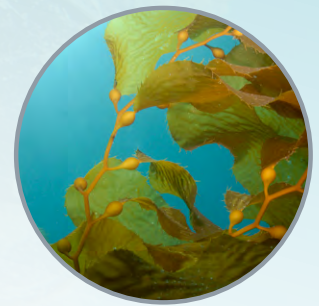


SHELLFISH AND SEAWEED AQUACULTURE PROGRAM

DISCUSSION DRAFT

AUGUST, 2024

PREPARED BY
DUDEK



PORT of
SAN DIEGO
Waterfront of Opportunity



PORT of
SAN DIEGO

Waterfront of Opportunity

**SHELLFISH
AND SEAWEED
AQUACULTURE
PROGRAM**

SAN DIEGO UNIFIED PORT DISTRICT

Discussion Draft



**PORT of
SAN DIEGO**
Waterfront of Opportunity

2024 Board of Port Commissioners

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Introduction

Discussion Draft Introduction A Note to Reviewers

The San Diego Unified Port District (District) is pleased to release this Discussion Draft of the proposed Shellfish and Seaweed Aquaculture Program (SSAP or program), which will support and facilitate development of shellfish and seaweed aquaculture in and around San Diego Bay. This Discussion Draft represents the SSAP as the District has envisioned it today. We are currently in the early stages of the process to develop the SSAP, and stakeholder feedback is an important component to the successful development of this program. The purpose of the Discussion Draft is to spark discussion between stakeholders and the District so that we can better understand whether the proposed program as described in the Discussion Draft is on track, where there is support for the program, and where there are opportunities for improvement. Seeking and incorporating public and stakeholder review and input early in the process can help to provide assurance that the SSAP is comprehensive and based on the most relevant scientific research, data, farming techniques, and regulatory and policy frameworks.

In this Discussion Draft, we have detailed our process for identifying the various components of the SSAP, including potential in-water and landside locations, species, and gear types. We welcome all feedback on this Discussion Draft, including input on opportunities and benefits that may result from shellfish and seaweed aquaculture and any potential issues or concerns that may result from the proposed concepts, as well as suggestions for additional in-water or landside locations to consider. As you review, if you notice data gaps in our analysis, or other pieces of information that you would like for us to consider through the development of this program, please note that in your comments and provide any data or information that could help to fill those gaps.

During recent stakeholder engagement discussions, we have received feedback to consider additional in-water locations to avoid use conflicts between future shellfish and seaweed aquaculture locations and existing marine uses, such as recreational boating, recreational fishing, and commercial fishing. While the maps and images included in this Discussion Draft have not yet been updated, we are actively exploring the



possibility of including these additional locations in future iterations of the SSAP.

This is the first of several opportunities to provide input on the SSAP. Following circulation of the Discussion Draft, the District will continue to engage with agencies, stakeholders, and the public as the SSAP continues to be developed, and there will be additional opportunities for future engagement on the SSAP, including for public comment during environmental review. District staff will continue to be available to meet with interested parties during this process. The process to develop the SSAP is designed to be iterative and responsive to feedback, and this process will likely continue to evolve as the SSAP evolves.

We look forward to receiving and reviewing your comments throughout this initial comment period. As this is the first time the District has worked to establish a program of this type, comments from stakeholders and the public at large are essential to ensuring we have as much information as possible to make informed and thoughtfully-considered recommendations to the Board of Port Commissioners during the decision-making process. For that reason, the District very much appreciates your time and effort, comments on this document will be accepted through October 25, 2024. Please submit your comments to SSAP@portofsandiego.org.

Thank you.





Executive Summary

San Diego Bay and surrounding areas have several characteristics supportive of shellfish and seaweed aquaculture, including a temperate climate, proximity to markets, and existing shore-side infrastructure. Shellfish and seaweed aquaculture have the potential to provide sustainable commercial opportunities in multiple areas, including food production, biofuel, bioplastics, and other alternative materials. When properly planned and managed, shellfish and seaweed aquaculture can co-exist with other maritime functions and provide many benefits such as improving water quality, habitat enhancement, carbon sequestration, and ecosystem restoration. San Diego can support viable shellfish and seaweed aquaculture businesses that also align with the District's mission, advance science, and grow a new industry sector with strong potential for job creation and related economic and environmental benefits for the region.

The District is proposing the Shellfish and Seaweed Aquaculture Program (SSAP) to support and facilitate the development of

shellfish and seaweed aquaculture in and around San Diego Bay. The SSAP provides a framework for the District to guide and approve future shellfish and seaweed aquaculture activities through the program. The SSAP is a proposed set of policies, procedures and best practices that the District would apply when considering specific aquaculture projects.

The goals of the SSAP include:

Leverage the District's unique role as a port and government partner to:

- Create new opportunities to complement existing maritime uses and diversify the Port's portfolio of sustainable business lines
- Balance existing and emerging maritime, recreational, and blue economy industries to promote prosperous working seascapes
- Explore sustainable use of the ocean space while enhancing surrounding marine ecology

Proposed future operations for the growing of shellfish and/or seaweed in and around San Diego Bay would need to be reviewed for consistency with the objectives of the SSAP and regulated to minimize environmental effects, seek co-benefits, and maximize sustainable production. Through the SSAP, the District will require

that aquaculture farms and facilities meet compliance and environmental standards, including permit requirements.

To that end, the SSAP encourages methods, species, equipment, and practices that are commonly used and generally accepted within the aquaculture industry.



SSAP LOCATIONS *(see Figure ES1)*

The SSAP identifies three in-water locations and three landside locations where shellfish and seaweed aquaculture activities could occur.

IN-WATER LOCATIONS:

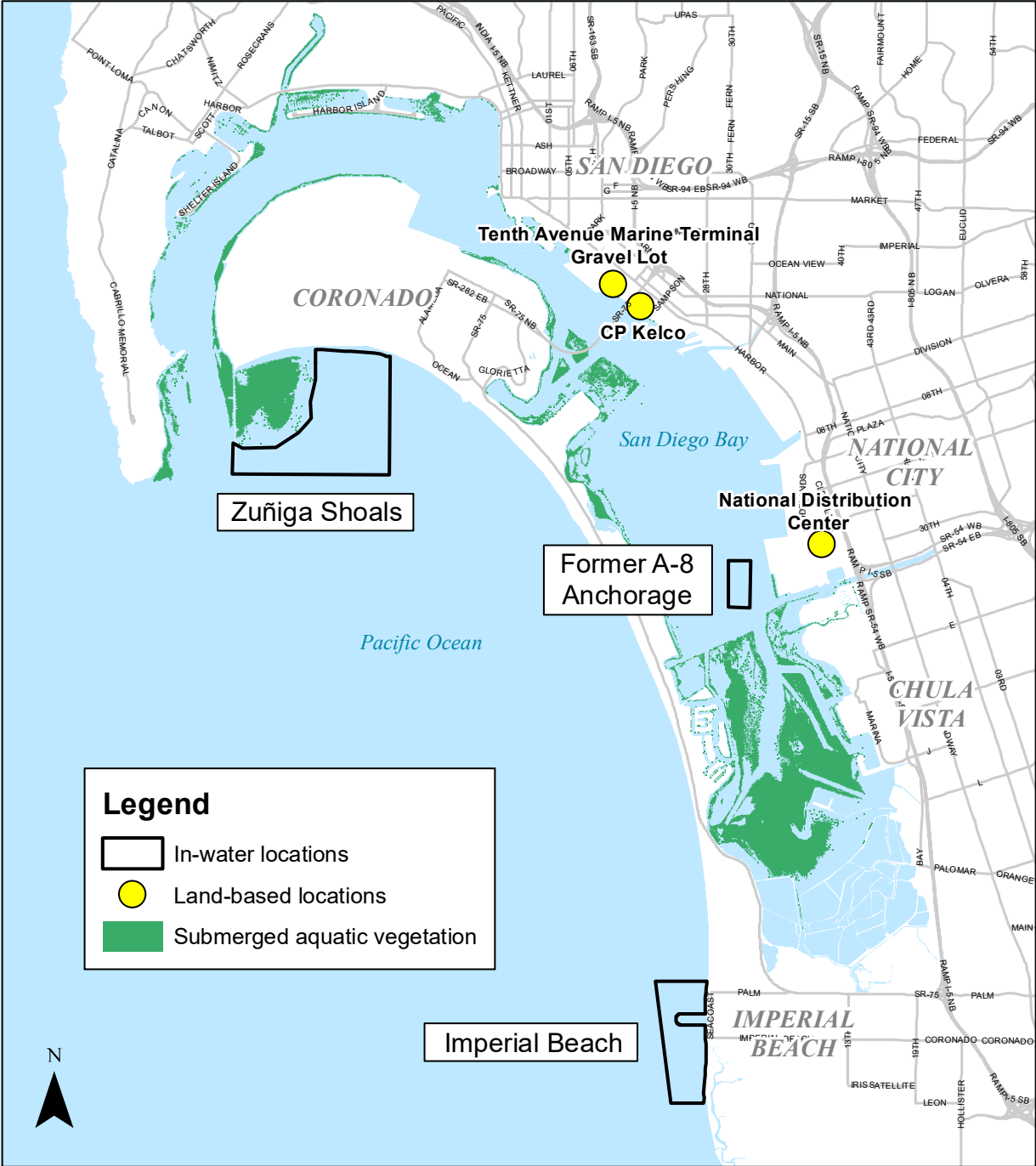
- up to 270 acres of open ocean areas west of **Imperial Beach**;
- up to 80-acres west of the National City Marine Terminal formally designated as the **Former A-8 Anchorage**; and
- up to 945 acres of nearshore open-ocean area, currently outside of the District's jurisdiction, known as **Zuñiga Shoals**, south of Zuñiga Jetty.

INITIAL LANDSIDE LOCATIONS:

- existing infrastructure at **CP Kelco**, located on the eastern shore of the Bay, southeast of the Coronado Bridge;
- a gravel lot adjacent to, and outside the **Tenth Avenue Marine Terminal**; and
- a warehouse (currently vacant) at the **National Distribution Center**, located just east of the National City Marine Terminal and Pasha Automotive Services.



Potential Sites for Shellfish and Seaweed Aquaculture Program (SSAP)



version date - Oct 2023

Figure ES1. Proposed initial in-water and landside locations for the Shellfish and Seaweed Aquaculture Program.



Figure ES2. Some examples of mussel and brown kelp longline cultures.



Species proposed for the SSAP are native or naturalized to the San Diego region and include:

- **Shellfish:** mussels, oysters, and scallops
- **Seaweed:** brown kelp, and red and green seaweed

Species proposed for the SSAP are native or naturalized to the San Diego region and include:

- **Shellfish:** mussels, oysters, and scallops
- **Seaweed:** brown kelp, and red and green seaweed

Each of these species may rely upon different gear types or configurations, harvesting techniques, and regulatory or permitting requirements. In addition, the District anticipates that future aquaculture operators may propose operations where shellfish and seaweed species would be grown within the same footprint. As research and technology advance, new species or gear types and configurations may be considered as part of the SSAP, either through a program update or an individual operator's proposal. Any future additions to the SSAP must be consistent with the program's overall established intent, objectives, standards, and requirements. Only shellfish and seaweed species are included in the SSAP (**i.e., Finfish aquaculture is not a part of the SSAP**).

Implementation of the SSAP would be guided by its program objectives and each individual SSAP operation would be administered by a site-specific operations plan.





1

Shellfish and Seaweed Aquaculture Program (SSAP)

1.1 Goals

1.2 Purpose

1.3 Objectives of the SSAP

1

Shellfish and Seaweed Aquaculture Program (SSAP)

1.1 Goals

The goals of the SSAP include:

Leverage the District's unique role as a port and government partner to:

- Create new opportunities to complement existing maritime uses and diversify the Port's portfolio of sustainable business lines
- Balance existing and emerging maritime and blue economy industries to promote prosperous working seascapes
- Explore sustainable use of the ocean space while enhancing surrounding marine ecology

1.2 Purpose

The District is proposing the SSAP to support and facilitate the development of shellfish and seaweed aquaculture in and around San Diego Bay (or Bay). The SSAP provides a framework for the District to guide and approve future shellfish and seaweed aquaculture activities through the program. The SSAP is a proposed set of policies, procedures and best practices that the District would apply when considering specific aquaculture projects.

Under the SSAP, proposed operations for the growing of shellfish and/or seaweed in and around San Diego Bay would be reviewed for consistency with the objectives of the SSAP and regulated to minimize environmental effects, seek co-benefits, and maximize sustainable production. Through the SSAP, the District would require that aquaculture farms and facilities maintain compliance with environmental standards and permitting requirements. To that end, the SSAP encourages methods, equipment, and practices that are commonly used and generally accepted within the aquaculture industry.

1.3 Objectives of the SSAP

- Support growth of the regional blue economy through opportunities for new businesses and employment within the shellfish and seaweed sector.
- Develop and implement a fair, timely, and transparent permitting and entitlement process for shellfish and seaweed aquaculture projects in and around San Diego Bay.
- Provide opportunities for the renewal and expansion of maritime uses in and around the Bay, including shellfish and seaweed processing operations.
- Support shellfish and seaweed projects that can provide environmental benefits, such as habitat enhancement, nutrient uptake or filtration, enhancement of native fish populations, and other ecosystem services (e.g., bioremediation and coastal resilience), to the surrounding San Diego Bay ecosystem and facilitate studies to monitor and quantify such benefits.
- Support existing and future aquaculture industries by removing barriers to entry and diversify the industry in San Diego by conducting program-level analysis of specific sites and associated environmental review to improve efficiency of future project-specific analysis for potential individual aquaculture operations proposed through the SSAP.
- Identify performance standards and best management practices that would be employed by future aquaculture projects to minimize potential negative environmental impacts and use conflicts associated with shellfish and seaweed aquaculture cultivation, which may be amended over time as technology and practices advance.
- Enhance public knowledge and understanding of sustainable shellfish and seaweed farming practices and promote community collaboration and community connections to the water.
- Advance knowledge and innovation, through scientific and environmental research and development related to shellfish and seaweed operations, including research on climate-related solutions like carbon sequestration.



The SSAP only considers shellfish and seaweed aquaculture activities. **Finfish aquaculture is not a part of the SSAP.**



2

Background

**2.1 Shellfish and
Seaweed Aquaculture**

**2.2 Shellfish and Seaweed
Aquaculture in California**

2

Background

2.1 Shellfish and Seaweed Aquaculture

Shellfish, specifically bivalves such as mussels, clams, and oysters, and seaweeds consume nutrients and food naturally occurring within the water without the input of additional food, vitamins, additives, fertilizer, or freshwater. While shellfish and seaweeds can be available from wild harvest, increasing demand for consistent high-quality shellfish and seaweed has resulted in a significant increase of cultivating these products through aquaculture. As California considers the resource costs associated with food production (e.g., limited freshwater and carbon footprint), shellfish aquaculture can offer a sustainable alternative to land-based protein production. Shellfish are excellent sources of protein with essential amino acids and contain vitamins such as iron, zinc, magnesium, B12, and omega-3 fatty acids. There is also a developing market for seaweed food products. In addition to being sources of fiber, protein and essential fatty acids, seaweed contains up to ten times more vitamins and minerals - such as magnesium, calcium, iron, and iodine - than leafy green vegetables.



Section 30100.2 of the California Coastal Act refers to Section 17 of the Fish and Game Code for the definition of “aquaculture.” The SSAP relies upon this Fish and Game Code definition, as interpreted by the California Department of Fish and Wildlife:

- **“Aquaculture”** means that form of agriculture devoted to the propagation, cultivation, maintenance, and harvesting of aquatic plants and animals in marine, brackish, and fresh water. “Aquaculture” does not include species of ornamental marine or freshwater plants and animals not utilized for human consumption or bait purposes that are maintained in closed systems for personal, pet industry, or hobby purposes, however, these species continue to be regulated under Chapter 2 (commencing with Section 2116) of Division 3 of the Fish and Game Code.

The SSAP does not include fish species aquaculture (finfish).



Figure 1. Rope cultures of red seaweed (left) and mussels (right) on longlines.

The U.S. is the world’s largest importer of seafood. On average, up to 80% of the seafood consumed annually in the U.S. is imported. Farmed seafood products already make up over half of the world’s seafood supply, but U.S. production lags behind much of the world, leading to a \$20.3 billion seafood deficit in the United States in 2023.¹

Marine aquaculture provides a domestic source of economically and environmentally sustainable seafood that complements and supports our wild fisheries production. According to the latest science, up to 38% of seafood consumed in the U.S. is produced domestically, with aquaculture currently accounting for 21 percent.²

Global and domestic demand for seafood is poised to grow. Even as we maintain and rebuild our wild fisheries, we cannot meet increasing domestic demand for seafood alone through wild-caught fisheries. Shellfish and increasingly seaweed farming is a steady source of safe,

nutritious, sustainable seafood for consumers in the United States and worldwide.

In addition to food production, shellfish and seaweed aquaculture can provide valuable ecosystem services and products, such as:

- **bioremediation** to improve water quality via the absorption of contaminants, such as excess nitrogen from on-land runoff;
- **fisheries enhancement** by providing habitat, foraging opportunities, and refuge for local fisheries;
- **carbon sequestration** by storing atmospheric carbon in seaweed tissue;
- **protection of coastal habitats** and infrastructure by reducing storm surge caused by sea level rise; and
- **a range of other potential products** including seaweed-based biofuels, bioplastics, textiles, fertilizers, stabilizing agents, human food supplements, and livestock feed additives.

1 NOAA. <https://www.fisheries.noaa.gov/insight/marine-aquaculture>

2 Ibid

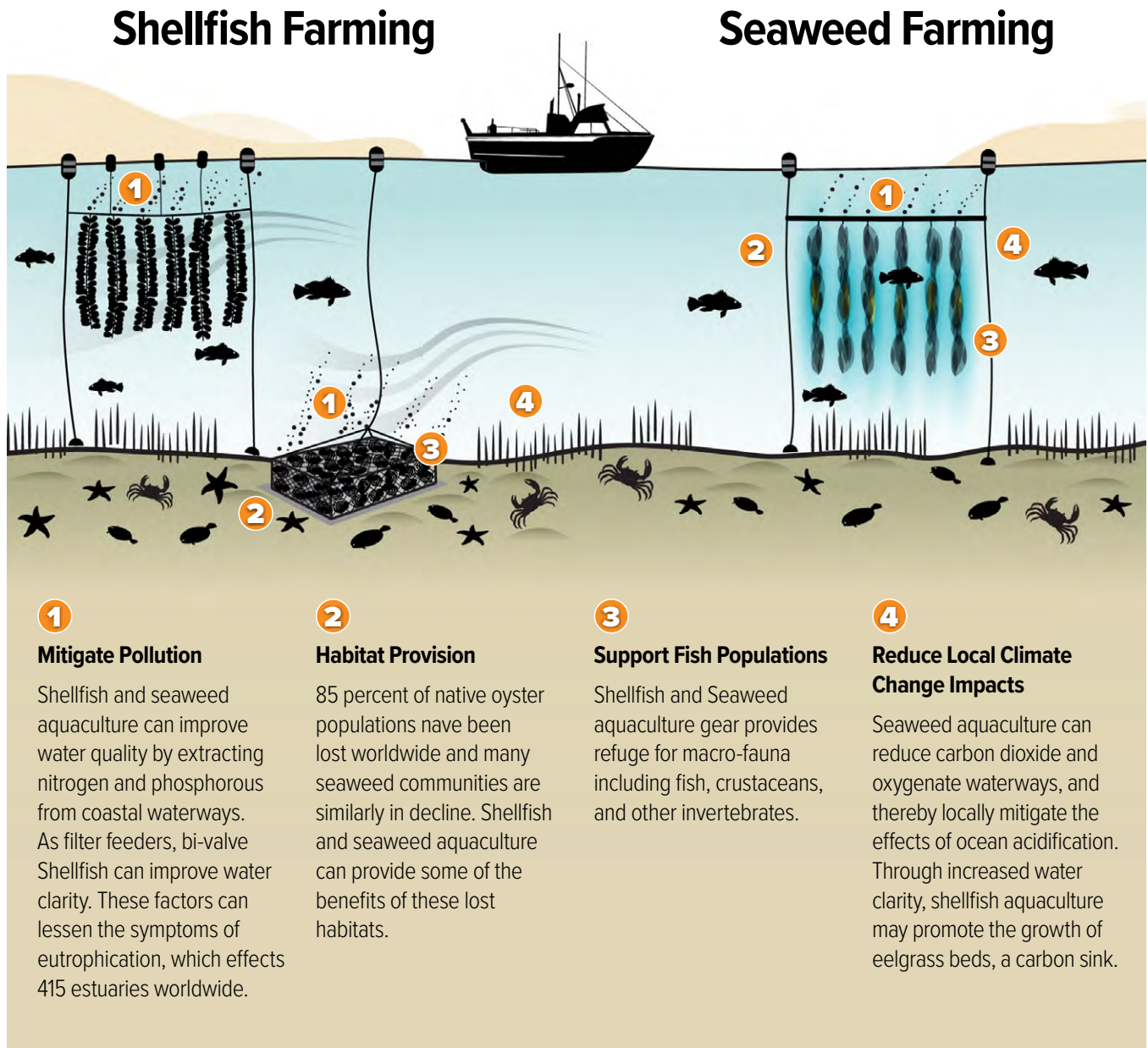


Figure 2. Some of the environmental benefits of shellfish and seaweed aquaculture. (The Nature Conservancy)

There is also an economic benefit from growing shellfish and seaweed. Shellfish aquaculture in the United States generates approximately \$300 million annually. The

global commercial seaweed market size was valued at \$16.6 billion in 2020 and is expected to expand at a compound annual growth rate of 10.5% from 2021 to 2028.³

3 [Grandviewresearch.com](https://www.grandviewresearch.com)



THERE ARE MANY BENEFITS ASSOCIATED WITH AQUACULTURE, INCLUDING:

- **commercial food production**, which includes seed production, nursery operations, and market-ready products;
- **opportunities for employment and economic development**;
- **ecosystem benefits**, which include habitat restoration, bioremediation, mitigation banking, and pathways for addressing climate-related challenges like coastal resilience, and carbon sequestration; and
- **alternatives** to commonly used (and often resource-intensive) products such as fertilizer, animal feed, and bioplastic material.



Figure 3. Locations of shellfish and seaweed aquaculture operations in California, as of 2024.

2.2 Shellfish and Seaweed Aquaculture in California

California's shellfish and seaweed aquaculture industry consists of 22 operators in both coastal waters and private land-based facilities. In 2021, California Department of Fish & Wildlife (CDFW), stated the commercial value of California's shellfish aquaculture

exceeded \$7.8 million, which does not include indirect economic benefits like jobs or other supporting industries. California's seaweed production is currently nascent but there is growing interest among state and federal agencies, venture capitalists, entrepreneurs, and culinary professionals to expand opportunities, not just for food production but also for non-consumptive uses.



The Western Regional Aquaculture Center (van Senten et al, 2020)⁵ calculated the average regulatory cost for west coast shellfish farms to be over \$240,000 (over \$171,000 per farm in Washington State and over \$470,000 in California) with approximately \$141,000 related to obtaining permits (\$109,000 in WA, \$261,000 in CA) and the remaining to satisfy annual compliance obligations required by the permits (\$62,000 in WA and \$211,000 in CA). The research indicated that the actual cost of permits and licenses themselves are only 7.1% of obtaining permit costs. In CA that number is 2.5% and in WA it's 11%. **The greatest regulatory cost per farm were indirect costs such as legal fees and consultants.**

5 van Senten J, Engle CR, Hudson B, and Conte FS (2020) Regulatory costs on Pacific coast shellfish farms. *Aquaculture Economics & Management* 24 (4) 447-479. doi: 10.1080/13657305.2020.1781293. Link: <https://www.tandfonline.com/doi/full/10.1080/13657305.2020.1781293#abstract>

The demand for California-grown shellfish and seaweed is unmet; however, California has not issued a new State lease for shellfish farming since 1993 and has only issued one experimental State lease for seaweed. According to the Report on California Aquaculture⁴, “the timeframe for receiving permits and authorizations (in California) varies from two to ten years.” As discussed in Section 4. Regulatory Framework, the federal and state permitting process for aquaculture projects is complex, requiring review and approval from numerous regulatory agencies. There are also several points during the permitting and environmental review process when legal challenges can occur, adding more costs and complexity, lengthening the permitting timeline, and resulting in uncertainty for project applicants. This complex and lengthy permitting process can result in very significant permitting costs even before a company can install, plant, and operate an aquaculture farm, which has had the effect of dissuading many small and emerging aquaculture businesses from entering the industry in California and thereby reducing the diversity and variety of businesses that currently operate in the state aquaculture industry in comparison to other states. The length and unpredictability of the current permitting pathway also makes it difficult for businesses to secure loans and funding.

4 CEA Consulting, October 2022





Shellfish and Seaweed Aquaculture in San Diego

3.1 The Port of San Diego's Unique Role

3

Shellfish and Seaweed Aquaculture in San Diego

There are several competitive advantages for growing shellfish and seaweed in and around San Diego Bay, including:

- **Climate:** The region's warm, year-round climate and nutrient rich water
- **Species selection:** Species evaluated for inclusion in the SSAP are local, commercially available, and grow well in the region.
- **Proximity to markets:** Population centers in Southern California and along the west coast provide strong consumer demand for shellfish and seaweed. Additionally, given the State's increasing interest in nature-based solutions and alternatives to resource-intensive production, shellfish and seaweed have the potential to be applied in a variety of areas, including bioremediation, carbon sequestration, protection of coastal habitats and infrastructure, as well as a range of other potential products including seaweed-based biofuels, fertilizers, stabilizing agents, human food supplements, and livestock feed additives.

3.1 The Port of San Diego's Unique Role

Ports can and are increasingly playing a critical role in the development of sustainable aquaculture opportunities, given their familiarity and expertise in the permitting and entitlements process for a variety of coastal and ocean uses, the unique role they often play as landlord, operator and/or regulator, and as champions of the blue economy. As manager of the Tidelands Trust, the District is a long-time champion and catalyst of San Diego's blue economy and continues to explore new business opportunities to diversify its portfolio and strengthen its collective economic impact. By making District assets including water and land areas available for shellfish and seaweed aquaculture, the District can further diversify maritime industries in the San Diego regional blue economy ecosystem, while expanding sources of locally sourced and sustainable seafood and aquatic products. For example, the District's SSAP is intended to complement the existing commercial fishing industry by developing commonly needed infrastructure (i.e., space for landing, processing, and storage) and supporting skilled labor that can assist both aquaculture and wild-caught fisheries.

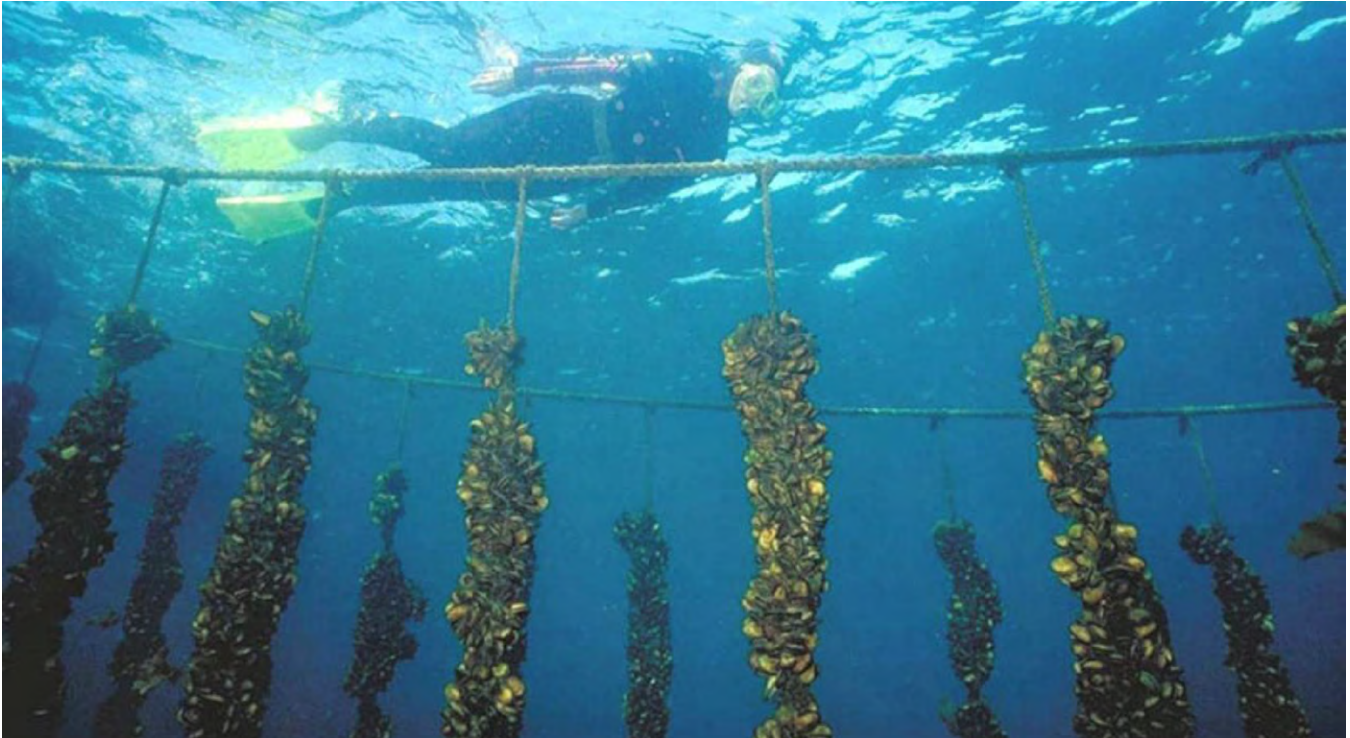


Figure 4. Some of the established and emerging industries in the blue economy in San Diego.



The District plays many roles in and around San Diego Bay, such as an operator of maritime assets, a regulator, a landlord, and an environmental steward. As a landlord, the District can issue short or long term real estate agreements with tenants for the use of Tidelands. These agreements must be issued consistent with Board of Port Commissioner's (BPC) Policy No. 355 – Real Estate Leasing Policy. Determination of compensation, qualifications of prospective tenants, amendments, transaction processing and option terms are detailed in BPC 355 and the associated Administrative Practices – Real Estate Leasing.

With the District's knowledge and proficiency as an asset and land manager, including enforcement and regulatory functions, the District can provide significant resources to address the major barriers to entry for shellfish and seaweed operations. Prior to approval and implementation, the SSAP would undergo programmatic environmental review pursuant to the California Environmental Quality Act (CEQA). The programmatic environmental review would analyze the anticipated environmental impacts associated with the aquaculture species, gear, and operations anticipated at the locations identified in the SSAP, which could be further refined through supplemental environmental analysis for specific applications. It is anticipated that this can significantly reduce the cost associated with environmental review for



individual applicants and provide a more streamlined entitlement experience for future individual shellfish and seaweed proposals under the SSAP, through incorporating operational guidance, applicable mitigation measures, and relevant data from special studies. This approach could provide a more predictable and cost-effective process for future aquaculture operators, particularly small companies and those trying to enter the industry. By reducing the costs and time associated with permitting efforts, which have been identified as the most significant barrier to the expansion of aquaculture in California,

this approach may facilitate and support growth of the aquaculture industry in the state.

The SSAP supports the District's mission by introducing and encouraging shellfish and seaweed aquaculture operations as a new maritime industry to the San Diego region. There is unrealized potential for these activities to improve economic vitality by bringing new businesses and jobs to the region; create community benefits through local food production; and provide environmental stewardship by enhancing the regional marine ecology.



The District's mission: "Protect the Tidelands Trust resources by providing economic vitality and community benefit through a balanced approach to the maritime industry, tourism, water and land recreation, environmental stewardship, and public safety."

4

Regulatory Framework

4.1 Primary Federal Permits or Verifications

4.2 Additional Federal Authorizations and Agencies

4.3 Federal Consultation and Review

4.4 National Policies in Support of Aquaculture

4.5 The Subcommittee on Aquaculture (SCA)

4.6 Interagency Working Group for Farming Seaweeds and Seagrasses

4.7 State of California

4.8 Port of San Diego

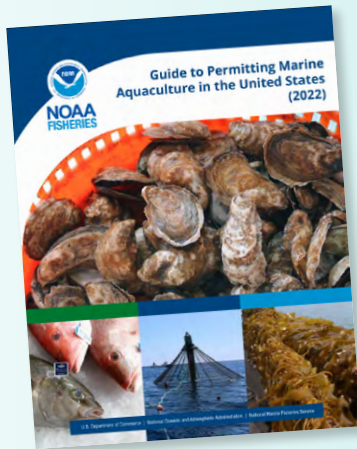
4

Regulatory Framework

The District is committed to coordinating with state and federal regulatory agencies as it develops the SSAP. The state and federal regulations related to shellfish and seaweed aquaculture consider more than the physical location of the activity. There are a suite of legislative actions, policies, and regulatory statutes that provide a framework for evaluating aquaculture. These are in place to address foreseeable issues with new or enhanced aquaculture operations, including but not limited to: potential conflicts with other uses (e.g., military, fishing, and navigation); proximity to, and interaction with, critical species and habitats; water quality within the growing area, and processing elements to support human consumption. While the specific permits required for a shellfish or seaweed aquaculture project will ultimately depend on the nature of the proposed operation, below is a general summary of the permits and approvals that are likely to be necessary for most aquaculture projects anticipated as a part of the SSAP in San Diego Bay and the surrounding areas.

4.1 Primary Federal Permits or Verifications

- **Army Corps of Engineers (Corps)** maintains jurisdiction of the navigable water under Section 10 of the River and Harbors Act of 1899 to protect navigation for commerce. In certain cases, the Corps may need to conduct environmental review under the National Environmental Policy Act (NEPA). Permits issued by the Corps are considered “federal actions” and associated applications must be reviewed in consultation with National Oceanographic and Atmospheric Administration National Marine Fisheries Service (NOAA Fisheries) and US Fish and Wildlife Service for compliance with the Endangered Species Act and Marine Mammal Protection Act.
- **NOAA Fisheries** maintains jurisdiction under the Magnuson-Stevens Fishery Conservation and Management Act (MSA) to ensure activities and operations relating to the catching, taking, or harvesting species comply with the MSA.



Guide to Permitting Marine Aquaculture

In 2022, NOAA published, in consultation with the Subcommittee on Aquaculture (SCA) and National Science and Technology Council, the Guide to Permitting Marine Aquaculture in the United States. This document provides a listing of state and federal agencies involved in aquaculture permitting and operations and details the federal permitting process.

4.2 Additional Federal Authorizations and Agencies

- **US Coast Guard** – ensures safe navigation and authorizes private aid to navigation.
- **US Department of Defense** – aims to minimize conflicts with military readiness operations.
- **US Department of Agriculture Animal and Plant Health Inspection Services (USDA APHIS)** – maintains authority over the prevention, detection, control, and eradication of animal diseases, including aquaculture.
- **US Food and Drug Administration (FDA)** – exerts jurisdiction when shellfish and seaweed are produced with the intention of being available for human consumption.
- **Seafood Hazard Analysis and Critical Control Point Regulation (HACCP)** applies to processors of fish and fishery products for human food and is implemented through a system of preventative controls to reduce hazards associated with their processes and products.
- **National Shellfish Sanitation Program (NSSP)** is regulated through the Interstate Shellfish Sanitation Conference (ISSC) which is a Federal/ State cooperative effort between FDA, NOAA, Environmental Protection Agency (EPA), state shellfish sanitation programs (i.e., CA Department of Public Health), academia, tribes, and the shellfish industry. The ISSC ensures that all molluscan shellfish (mussels, clams, scallops, and oysters) sold raw (live, fresh, or fresh frozen) are grown in, and harvested from, approved shellfish growing areas, handled by state-certified dealers, appropriately tagged, and tracked, and processed in plants that meet NSSP requirements.
- **The Food Safety Modernization Act (FSMA)** regulates aquaculture operations that manufacture, process, pack or hold human food.

4.3 Federal Consultation and Review

Permits issued by the Corps are considered “federal actions” and associated applications must be reviewed in consultation with NOAA Fisheries and US Fish and Wildlife Service, often referred to as “the services”. The following laws are commonly part of a consultation for aquaculture projects: Endangered Species Act, Essential Fish Habitat (under MSA), National Environmental Policy Act (NEPA), Marine Mammal Protection Act, Fish and Wildlife Coordination Act, National Historical Preservation Act, Coastal Zone Management Act, National Aquaculture Health Plan and Standards, and the National Marine Sanctuary Resources Act.

4.4 National Policies in Support of Aquaculture

As early as the National Aquaculture Act (1980), NOAA began focusing attention towards facilitating domestic aquaculture. The National Marine Aquaculture Policy issued in 2011 recognized that aquaculture is important for nutrition, local jobs and, when combined with wild capture fisheries, is a climate-ready food system that helps meet the growing demand for seafood.

In 2013, NOAA further expanded upon its support for aquaculture⁶ through the National Shellfish Initiative. Also, that year, the National Ocean Council issued the National Ocean Policy Implementation Plan, an element of which called for increased efficiencies in the permitting process and encouraged agency coordination to facilitate additional marine aquaculture development. Most recently, Executive Order 13921, Promoting American Seafood Competitiveness and Economic Growth was issued in 2021. NOAA’s implementation of the Policy and Executive Order is being carried out through the identification of aquaculture opportunity areas, research funding, and various programs, signal federal interest in and support of marine aquaculture. One of the aquaculture opportunity areas is in federal waters off Southern California.

⁶ NOAA defines aquaculture as “the breeding, rearing, and harvesting of animals and plants in all types of water environments” <https://www.fisheries.noaa.gov/topic/aquaculture>

4.5 The Subcommittee on Aquaculture (SCA)

The Subcommittee on Aquaculture (SCA) serves as the Federal interagency coordinating group to increase the overall effectiveness and productivity of Federal aquaculture research, regulation, technology transfer, and assistance programs. This interagency coordinating group which includes representation from USDA, NOAA, Fish and Wildlife Service, Office of Science and Technology Policy, Department of Defense, Department of Commerce, Environmental Protection Agency, and Department of Health and Human Services has been functioning since before the National Aquaculture Act was signed into law in 1980. In addition to the National Aquaculture Act, the group is also authorized through the National Aquaculture Improvement Act of 1985.

SCA operates through three distinct task forces, which have focused efforts on three specific elements relating to aquaculture development in the United States.

- **Science Planning** – to document Federal science and technology opportunities and priorities for aquaculture by revising and updating the National Strategic Plan for Aquaculture Research (2021–2025).
- **Regulatory Efficiency** – through the creation of a national Strategic Plan to Enhance Regulatory Efficiency in Aquaculture that outlines actions Federal agencies plan to take within their existing statutory authorities and budgetary resources to improve the efficiency, predictability, and timeliness and reduce the costs of reviewing, approving, monitoring, and enforcing regulatory requirements for commercial marine aquaculture ventures.
- **Economic Development** – to supplement the above efforts and create a strategic plan for economic growth through aquaculture.



4.6 Interagency Working Group for Farming Seaweeds and Seagrasses

The Interagency Working Group for Farming Seaweeds and Seagrasses is overseeing the development of a report focusing on the state of the science, growing considerations and methodology, and opportunities to advance collaboration with this sector both in the United States and abroad.

The report, due in 2024 is expected to review the current understanding of research for farming seaweeds and seagrass and how seaweeds and seagrasses may (1) deacidify ocean environments, (2) become feedstocks in the agriculture sector, or (3) be used to develop novel products in our Blue Economy.

4.7 State of California

The SSAP is intended to further the policies identified in California’s Aquaculture Development Act (CA Public Resources Code, Sections 826-828), which encourages the practice of aquaculture to augment food supplies, expand employment, promote economic activity and protect and better use the land and water resources of the state, and Assembly Joint Resolution 43 (2014), wherein the State Legislature states its support “to protect existing shellfish beds and access to additional acreage for shellfish farming and restoration”.



The Coastal Act defines development in Section 30106:

“Development” means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land... change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z’berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511)

4.7.1 California Coastal Commission

Activities that meet the California Coastal Act’s (Coastal Act) definition of “development” within California’s Coastal Zone must be authorized through the issuance of a coastal development permit (CDP) issued by the California Coastal Commission (CCC) or a local government with a certified local coastal program (LCP) or port master plan (PMP), unless the activity is specifically exempted from the permit requirements. Generally, aquaculture activities meet the definition of “development” and require review under the Coastal Act or a certified LCP or PMP. To aid aquaculture applicants in navigating the CDP application process and in response to Senate Bill 262, the CCC developed the “Coastal Development Permit Application Guidance for Marine Aquaculture and Restoration.”

The Coastal Act supports the development of aquaculture within the Coastal Zone and establishes it as a priority use in certain cases. Section 30222.5 of the Coastal Act states: “Oceanfront land that is suitable for coastal dependent aquaculture shall be protected for that use, and proposals for aquaculture facilities located on those sites shall be given that priority, except over other coastal dependent developments or uses.” In addition, Section 30233 lists limited development types permitted within open coastal waters, wetlands, estuaries, and lakes, and in (a)(7) includes “Nature study, aquaculture, or similar resources dependent activities” as development that would be permitted in those areas.”

For information about locations proposed in the SSAP that are not within the District’s coastal permitting authority and would require a CDP from the CCC, please **see Section 12.1 and Section 12.2.**

4.7.2 California Fish and Game Commission (Commission)

While the District may issue leases for areas within its jurisdiction, for areas currently outside its jurisdiction, such as the Zuñiga Shoals area, aquaculture leases are issued by the California Fish and Game Commission on behalf of the State. Fish and Game Code Section 15400 requires the Fish and Game Commission to conduct a Public Interest Determination prior to issuing a state water bottom lease for aquaculture purposes. The analysis to support a determination by the Commission is structured around a series of criteria, divided into two categories:

- **“Requirements”**, which list regulatory constraints on lease locations or activities identified by statute or regulation; and
- **“Considerations”**, which include a suite of potential impacts, concerns, and potential benefits for the Fish and Game Commission to evaluate in deciding if public interest exists to issue the proposed aquaculture lease.

For more information about locations proposed in the SSAP that are not within the District’s jurisdiction and would require a lease from the Commission, please **see Section 12.1.**

4.8 Port of San Diego

4.8.1 Port Master Plan and Port Policies

The Coastal Act, Public Trust Doctrine, the San Diego Unified Port District Act (Port Act), and the District's certified Port Master Plan (PMP) serve as the legislative and policy framework for the District's management of tidelands and guide the District in carrying out its core mission. These laws and regulations provide the foundation for District programs, initiatives, and policies and will guide development of the SSAP.

The Port Act, Public Trust Doctrine, and the PMP govern the District's management authority to balance commerce, navigation, fisheries, recreation, and environmental stewardship in and around San Diego Bay. For example, Section 4(a) of the Port Act states that for the establishment of the District that it is "A port district ... for the development, operation, maintenance, control, regulation, and management of the harbor of San Diego upon the tidelands and lands lying under the inland navigable waters of San Diego Bay, and for the promotion of commerce, navigation, fisheries, and recreation thereon..." Further, Section 4(b) continues that "...the district may use the powers and authority granted pursuant to this section to protect, preserve, and enhance all of the following: (1) The physical access to the bay. (2) The natural resources of the bay, including plant and animal life. (3) The quality of water in the bay."

The District's Port Master Plan (PMP) is an implementing vehicle for the Coastal Act, Public Trust Doctrine, and Port Act. Aquaculture is currently described as an allowable use within the certified PMP in certain water and land use designations. As of the publication date of this document, the PMP is undergoing an update

(PMPU) by the District. Once certified, the PMPU would serve as the basis of water and land use consistency for aquaculture activities planned within the jurisdiction of the District. In addition, in 2020 per Senate Bill (SB) 507, the District was granted approximately 8,300 additional acres of submerged lands within San Diego Bay from the California State Lands Commission to manage. As a requirement of the legislation, the District is in the process of developing a Trust Lands Use Plan (TLUP) for this newly granted area. The TLUP must be certified by the CCC to be incorporated into the certified PMP and approved by the State Lands Commission before the District can exercise coastal permitting authority over the newly granted area.

4.8.2 Port of San Diego - Aquaculture & Blue Technology Department

In 2015, the District established its Aquaculture & Blue Technology Department (AQ&BT), recognizing the growth opportunities of the blue economy sector and its strategic position within one of the world's leading blue technology clusters. The AQ&BT Department has been conducting planning and pre-development work to support and inform opportunities in the blue economy in and around San Diego Bay. In 2016, the District created the Blue Economy Incubator (BEI) to assist in the creation, early development, and initial scaling of sustainable aquaculture and port-related blue technology ventures. Through its BEI, the District is seeking innovative aquaculture and blue technology proposals to address environmental challenges and inform future blue economy opportunities. The SSAP would complement and further these policy objectives and the mission of the AQ&BT Department.

5 Activities Within the SSAP

5

Activities Within the SSAP

S SAP activities must support shellfish and seaweed aquaculture. These activities could include but are not limited to the propagation, cultivation, maintenance, harvesting, and processing of shellfish and seaweed.

The SSAP supports activities which occur on land or in water during multiple phases of the aquaculture process. In general, shellfish and seaweed aquaculture activities occur in three different, often sequential phases:

- **Upstream** – the period before the plants or animals reach the “farm,” or growing operation. This phase consists of activities related to the rearing of seed, which generally occurs in hatcheries and/ or nurseries. Activities within this phase can occur in water or on land.
- **Grow-out** – when plants or animals are in the location where they are allowed to grow (i.e., the “farm”) into a marketable product. This phase includes seeding, culling, and harvesting and more broadly includes installing, accessing, and maintaining aquaculture gear and infrastructure to support these activities. These activities can occur at in-water sites and/or landside locations.
- **Downstream** – the period when product is being prepared for its intended purpose. Activities within this phase typically occur on land and include depuration, processing, refrigeration, packaging, and distribution and any installation, access to and maintenance of each activity within this phase.



In the SSAP:

an “aquaculture operator” or “operator” is an individual or entity who performs shellfish and seaweed aquaculture activities

an “aquaculture operation,” “growing operation,” or “operation” is the area in which shellfish and seaweed aquaculture activities take place. This area may also be referred to as a “farm.”

There are some aquaculture activities that are not exclusive to any individual phase and could occur in multiple phases. Examples of these types of activities include storage/warehousing, maintenance, employee-support (e.g., parking, breakroom) and administrative functions. The District also anticipates that there could be multiple aquaculture operations within an in-water or landside location – depending on the size constraints of a site or operation.



SSAP Locations in and Around San Diego Bay

6.1 Preliminary SSAP Analyses

6.2 In-Water Locations

6.3 Landside Facilities

6

SSAP Locations In and Around San Diego Bay

6.1 Preliminary SSAP Analyses

Since 2016, the District has conducted a series of preliminary studies and analyses in order to consider where and how to support shellfish and seaweed aquaculture in and around San Diego Bay. In partnership with National Oceanic and Atmospheric Administration (NOAA), National Ocean Service (NOS), National Centers for Coastal Ocean Science (NCCOS), the District supported coastal marine spatial analyses (collectively referred to as the NOAA-NOS-NCCOS analyses). This analysis highlights the following:

- Marine spatial planning to identify in-water sites where shellfish and seaweed aquaculture activities could occur in and around San Diego Bay

For more information on the marine spatial planning analyses and the identified locations, please **see Section 6.2**.

- Land-based feasibility to identify space and infrastructure appropriate to facilitate landside shellfish and seaweed aquaculture operations.

For more information on the land-based feasibility analysis, please **see Section 6.3**.

Baseline water quality analysis to demonstrate whether areas are healthy enough to support the growing of shellfish and seaweed.



The District has been working with the CDFW and US Department of Agriculture (USDA) to pursue the required health permits to support shellfish and seaweed operations. This includes collecting data to support the safe importation and exportation of shellfish seed and juveniles to and from San Diego Bay. Additionally, the District is working with the California Department of Public Health (CDPH) to complete necessary water quality sampling and shellfish testing to further define appropriate locations for shellfish and seaweed aquaculture as well as grow out facilities to take future product to market.



6.2 In-Water Locations

6.2.1 Marine Spatial Planning Analyses

In partnership with NOAA and NOS-NCCOS, the District supported two coastal marine spatial analyses. The first analysis, Spatial Opportunity Analysis to Inform Aquaculture Development Planning in San Diego, CA, identified nearly 5,400 submerged acres of potentially usable area, as well as suitable species and gear types for a variety of shellfish and seaweed aquaculture opportunities. This analysis considered major potential use conflicts between future aquaculture and current uses in the San Diego offshore region and identified the potentially usable area to avoid or minimize those conflicts to the greatest extent possible. A second analysis, Coupling Spatial Aquaculture Opportunity Analysis with Habitat Interactions Predictions, further refined the

specific opportunity locations and evaluated potential interactions with sensitive and essential fish habitat. These studies culminated into a published, peer-reviewed paper titled “Balancing conflict and opportunity - spatial planning of shellfish and macroalgae culture systems in a heavily trafficked maritime port” in *Frontiers of Marine Science* in January 2024.⁷

Based on these analyses, three in-water areas in and around San Diego Bay were identified as suitable for shellfish and seaweed aquaculture. The culture methods identified for each are not exhaustive but represent examples of what could be feasible in each area. These areas could support multiple operators and it is anticipated that different cultivation methods and/or different species could be utilized in the same area. Permitting and siting requirements and allowances for buffers and access corridors will be incorporated, reducing the actual amount of farmed acreage.

7 Wickliffe LC, Jossart JA, Theuerkauf SJ, Jensen BM, King JB, Henry T, Sylvia PC, Morris JA Jr. and Riley KL (2024) Balancing conflict and opportunity - spatial planning of shellfish and macroalgae culture systems in a heavily trafficked maritime port. *Front. Mar. Sci.* 10:1294501. doi: 10.3389/fmars.2023.1294501. Link: <https://www.frontiersin.org/journals/marine-science/articles/10.3389/fmars.2023.1294501/full>

Potential Sites for Shellfish and Seaweed Aquaculture Program (SSAP)

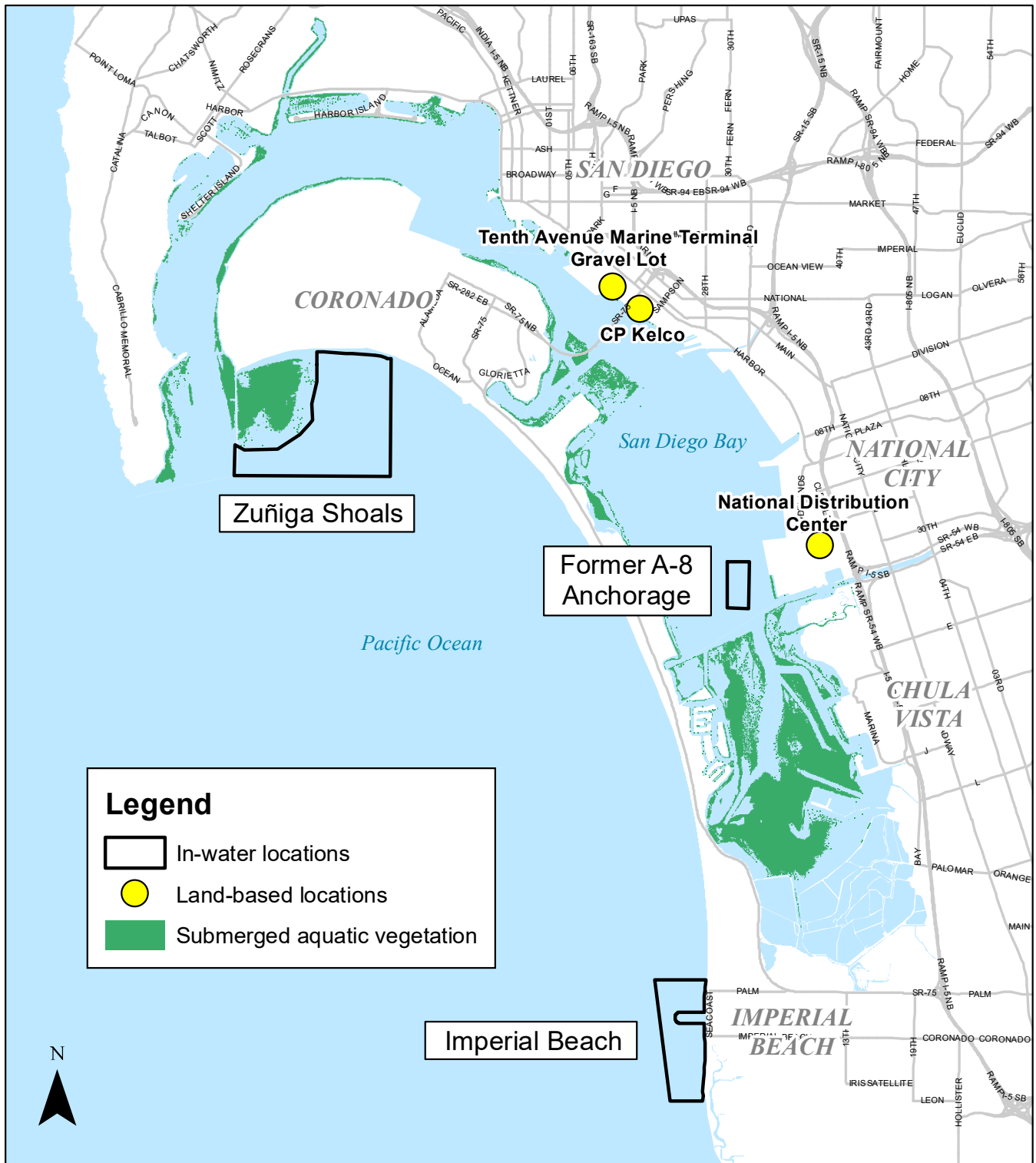


Figure 5. Proposed initial in-water and landside locations for the Shellfish and Seaweed Aquaculture Program

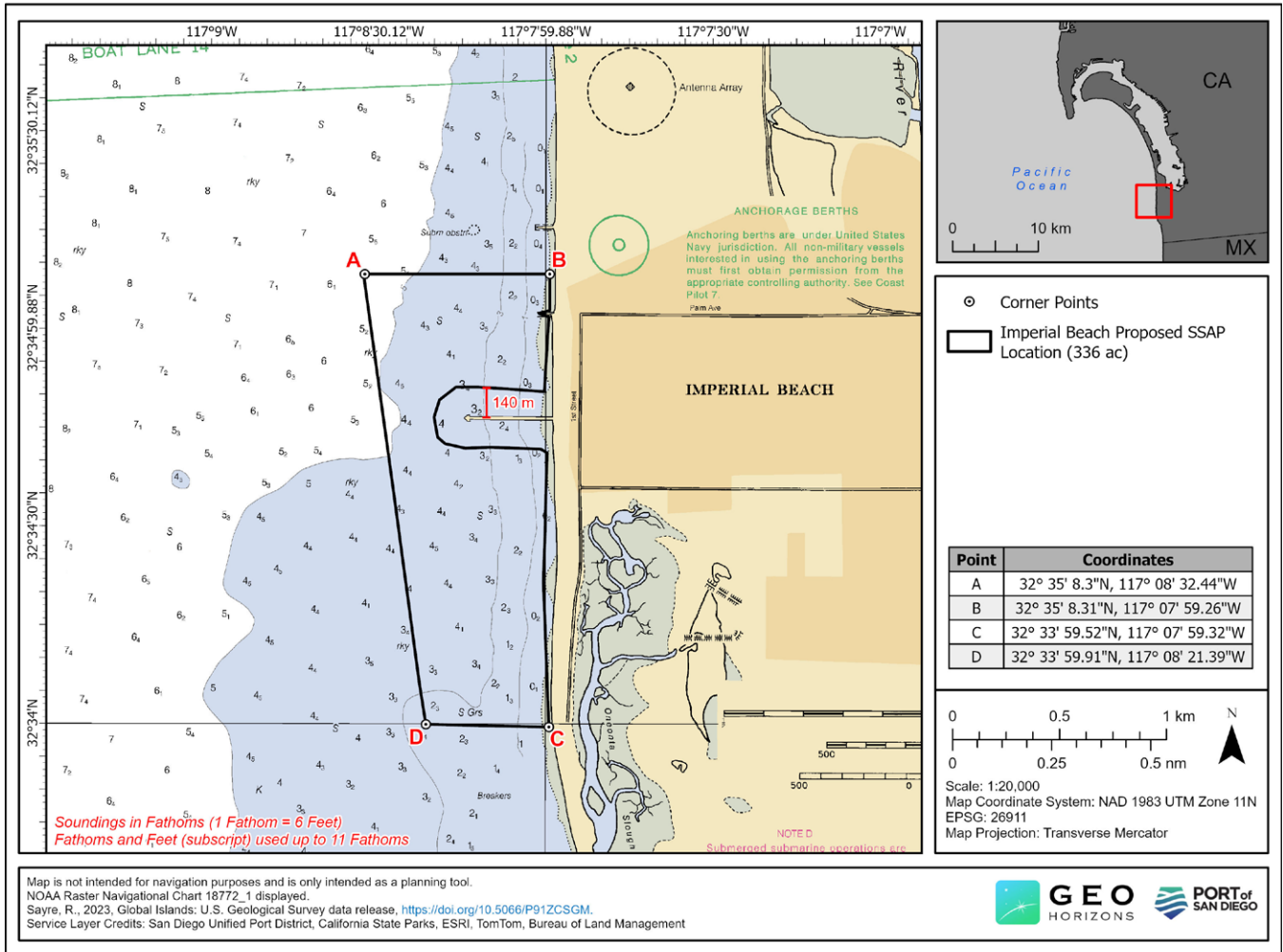


Figure 6. Map of the proposed location offshore the City of Imperial Beach.



The identification of suitable in-water sites for aquaculture is an iterative process. While the acreages provided below have been identified as suitable for aquaculture, it is expected that proposed leases would be considered within a more defined and potentially smaller section of the suitable acreage, and that operations may occupy a smaller footprint than the overall leased acreage. Therefore, it is not anticipated that all of the area identified as suitable for aquaculture would actually be fully occupied for aquaculture uses, and that actual leased and occupied areas would be further refined during the permit application process described in Section 10.

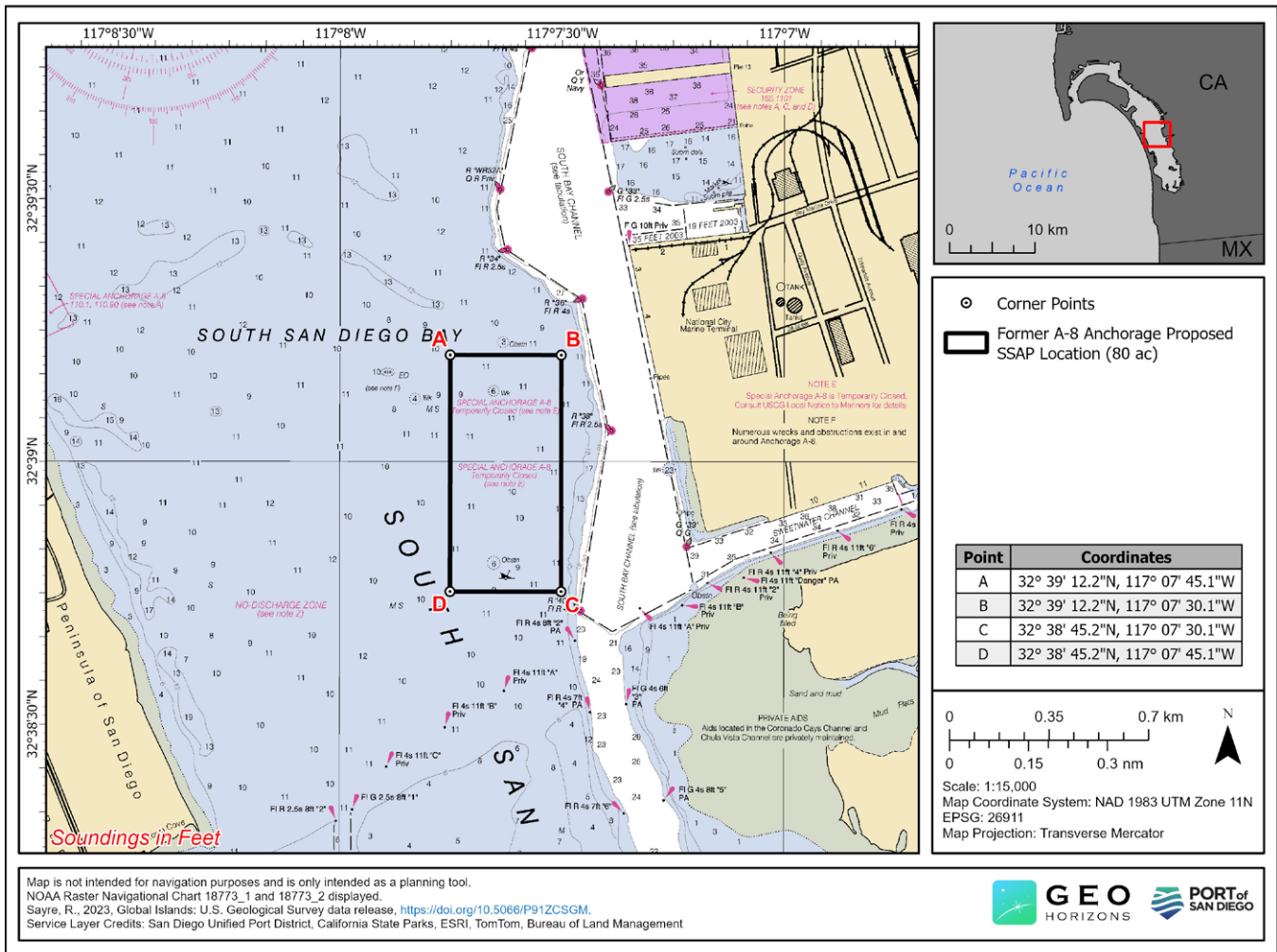


Figure 7. Map of the proposed location at the Former A-8 Anchorage.

6.2.2 Proposed In-Water Locations

The following are the three SSAP in-water locations along with a brief description and approximate size:

Imperial Beach

This site contains submerged lands in the open ocean west of the City of Imperial Beach that were granted in trust to the District and within the District’s coastal permitting authority. It is estimated that up to 270 acres of this site could be used to grow kelp (brown seaweed) and juvenile shellfish via horizontal longlines, hanging ropes and baskets.

Due to the current water quality conditions of this area, this site could only be utilized for non-consumptive uses, such as shellfish seed, fertilizers, bioplastics, or bioremediation. However, if the water quality issues are resolved, and the District receives the necessary confirmations from regulatory agencies such as CDPH, then consumptive uses could be considered in the future.

Former A-8 Anchorage

This site consists of approximately 80 acres of submerged lands located 1,200 feet west of the National City Marine Terminal within San Diego Bay. The area is currently within submerged lands

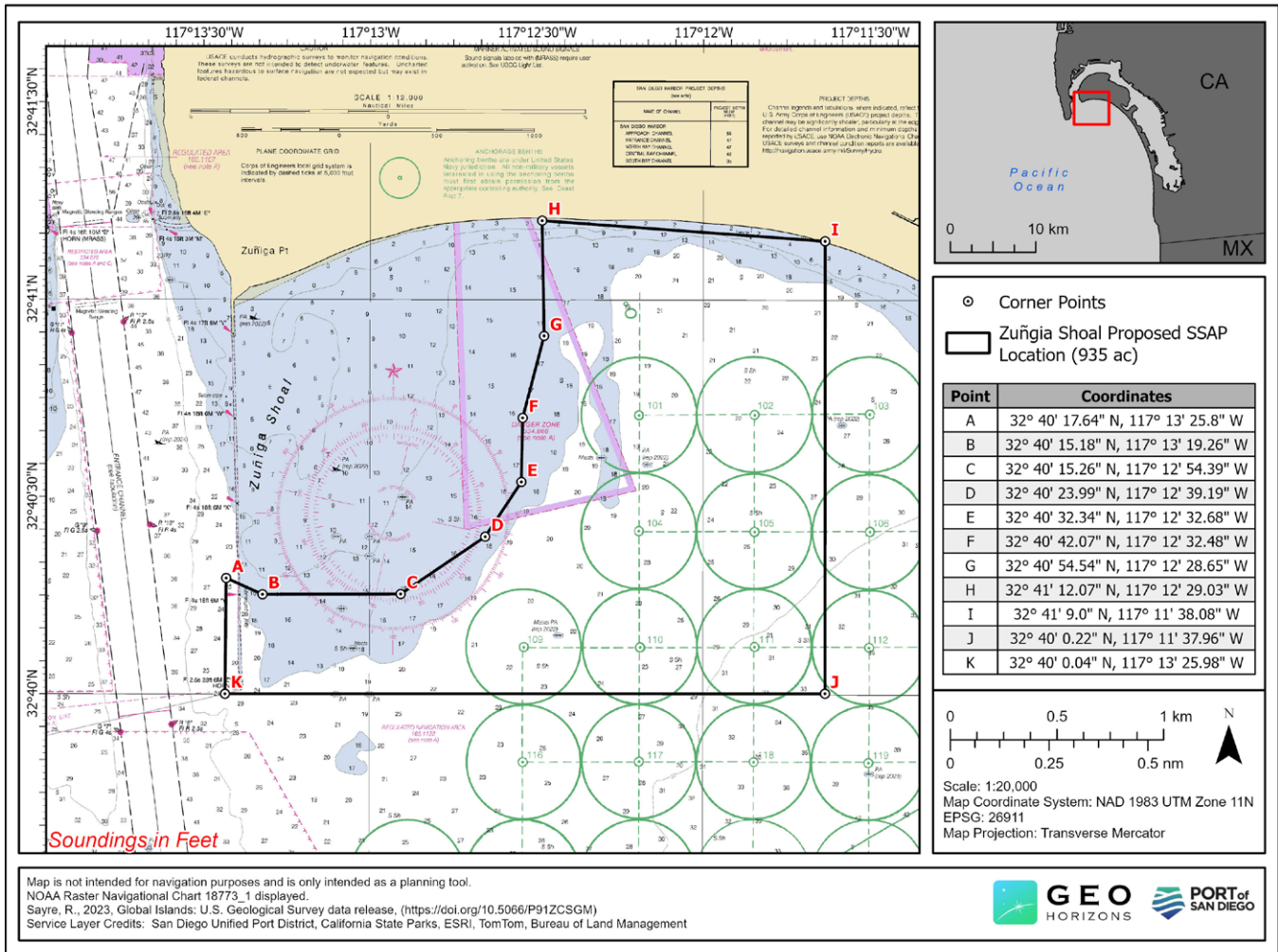


Figure 8. Map of the proposed location at the Zuñiga Shoals.

that were granted in trust to the District per SB 507; however, it is within the CCC’s permitting authority because it is not yet incorporated into the District’s Certified PMP. Potential aquaculture operations include growing juvenile shellfish in floating or suspended gear and growing red and green seaweeds via horizontal longlines, hanging ropes and baskets. Currently, this site could only be utilized for non-consumptive uses, such as shellfish seed, fertilizers, bioplastics, or bioremediation. However, in the future, if the District receives the necessary confirmations from regulatory agencies such as CDPH, then consumptive uses could be considered in the future.

Zuñiga Shoals

This nearshore, open-ocean, site is south of the western end of the City of Coronado. The submerged lands are within the CA Fish and Game Commission’s aquaculture leasing jurisdiction and within the CCC’s permitting authority. Based on the wave, tidal, and bottom conditions at Zuñiga Shoals, kelp (brown seaweed), oysters, and blue mussels would be suitable species. There are approximately 945 acres for cultivation which would likely utilize horizontal longlines, hanging ropes and baskets.

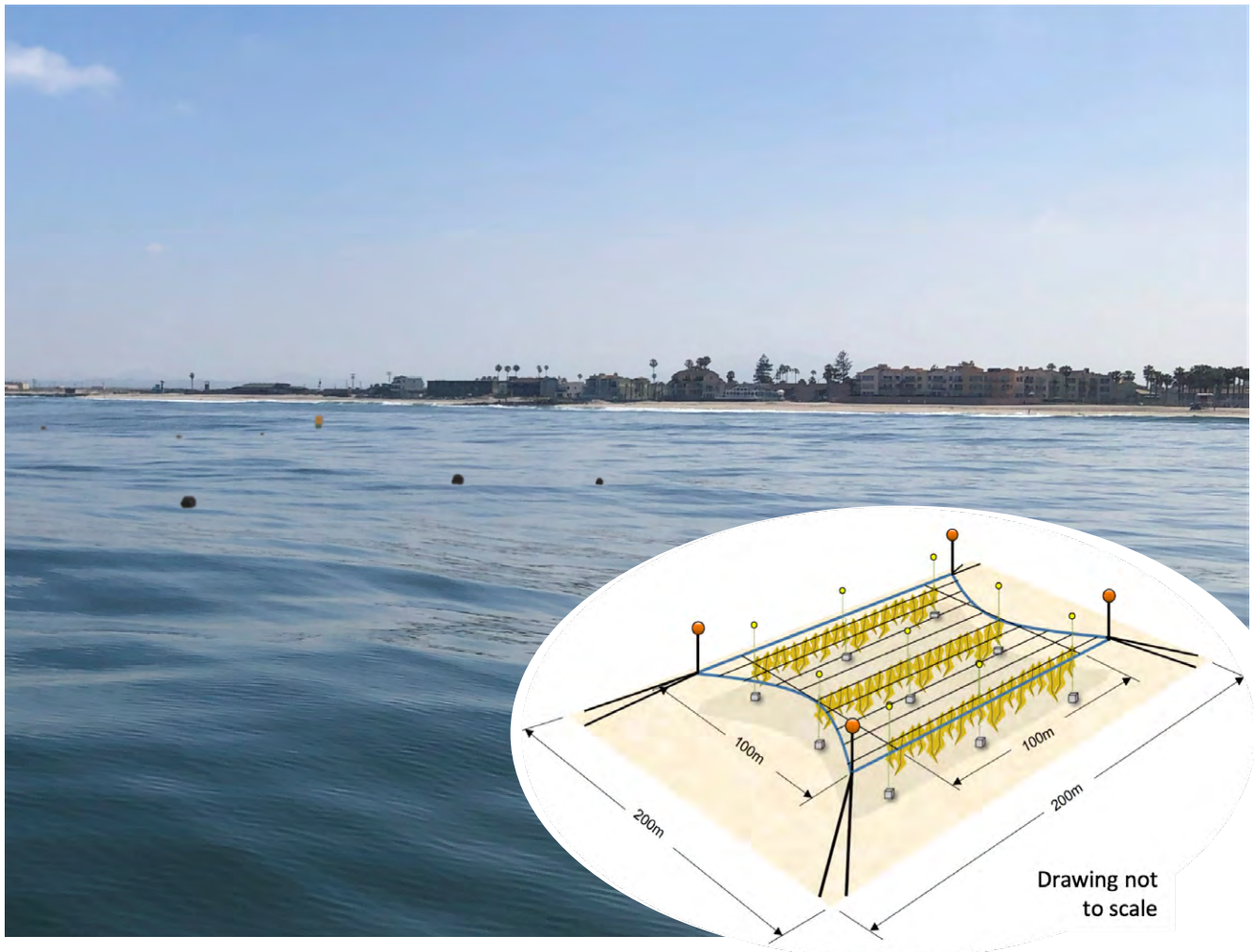


Figure 9. Example of seaweed cultivation utilizing a catenary design system at depth, while reducing the surface footprint.

6.2.3 In-Water Farm Siting and Farming Improvements

The number, location, size, and orientation of the farms within each of the in-water locations will be informed by spatial and precision site modeling to be conducted as part of the SSAP process. Offshore aquaculture systems differ slightly based on the species, culture methods, intended use of the cultivated product, and environmental conditions (i.e., bottom substrate, wave energy, presence of sensitive habitat, etc.). These factors will influence buffer distances between

farms, design elements such as anchor placement and line spacing, and installation requirements. Farm and gear configuration will be specifically engineered for ocean or bay conditions with respect to size and strength of all line, anchoring, hardware, buoyancy, and other mooring system considerations. Operators will be responsible for in-water installation, deployment, and maintenance that comply with federal and state laws and District requirements and standards.

6.3 Landside Facilities

6.3.1 Land-based Feasibility Analysis

The District conducted a preliminary land-based infrastructure feasibility analysis for landside upstream and downstream activities. The multi-step exclusion, suitability, and opportunity analysis evaluated potential land areas and sites of interest within the District's jurisdiction. Suitable landside aquaculture sites were identified based on alignment with the District's certified Port Master Plan, production-specific infrastructure needs and site attributes such as:

- covered/enclosed space;
- access to electricity;
- outdoor space;
- access to municipal water and sewer;
- seawater intake and discharge;
- recirculating aquaculture system/filtration technologies; and
- access to transportation (vessel or vehicular).

Sites were identified based on the availability of appropriate infrastructure and space, the ease to which appropriate infrastructure or assets could be added, dependent on consistency with the certified Port Master Plan, and availability.

Landside aquaculture activities could occur in existing or newly constructed onshore warehouses or facilities. Such facilities could house equipment and storage space to be used during the hatchery and nursery stage as well as the harvesting and processing stages of the aquaculture cycle. The facilities could house shellfish/seaweed hatchery and nursery tanks, recirculation filtration equipment, drying racks, workshop, equipment storage areas, office space, and/or refrigeration equipment, depending on the needs of the species being farmed. The facilities could include outdoor laydown yard/equipment storage space and seawater intake infrastructure. Other infrastructure could also include waterside access for working vessels.

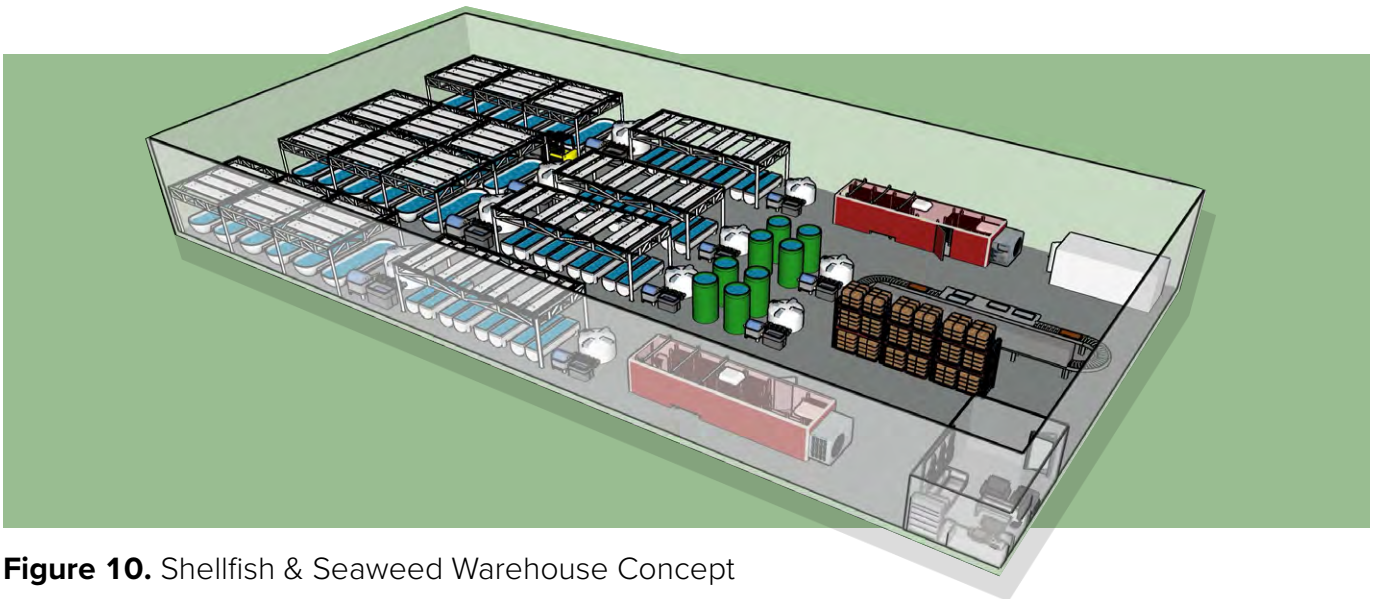


Figure 10. Shellfish & Seaweed Warehouse Concept

6.3.2 Proposed Initial Landside Locations

The District identified three preliminary sites as possible locations for the development of landside aquaculture activities and are being evaluated for inclusion into the SSAP:

- **CP Kelco Leasehold** – Located at 2031 E. Belt Street in the City of San Diego. The specific site is located on the eastern shore of the Bay, southeast of the Coronado Bridge (State Route 75);
- **Gravel Lot Outside and Adjacent to Tenth Avenue Marine Terminal (TAMT)** – Located at 1800 Crosby Road, in the City of San Diego. The specific site, a gravel lot, is located on the eastern shore of the Bay, southwest of East Harbor Drive and the railroad tracks, north of the Coronado Bridge and Cesar Chavez Park; and
- **National Distribution Center Leasehold** – Located at 1022 Bay Marine Drive in the City of National City. Specific space has been identified within the warehouse located east of the National City Marine Terminal and Pasha Automotive Services and just west of the railroad tracks, combined with adjacent outdoor space.



These sites are all within the District’s jurisdiction and are designated in the certified PMP as Marine-Related Industry (CP Kelco and National Distribution Center) or Marine Terminal (TAMT), land use designations that allow for aquaculture uses. These preliminary sites also offer existing infrastructure that is compatible with aquaculture uses and would support the development of aquaculture warehouses and equipment. The construction of onshore facilities would include the construction and/or renovation of one or more warehouses that would be used for an office space, preparation of shellfish seed or seaweed specimens, as well as processing the harvested shellfish and seaweed products. It is anticipated that the District may periodically evaluate locations, based on land-based aquaculture production and infrastructure needs, and that more landside locations may be incorporated into the SSAP over time.

6.3.3 Landside Site-Specific Information

CP Kelco

Direct Shoreline Access

This site would include use of the existing onshore warehouse (or similar structure), and outdoor storage and processing/drying space. While some improvements may be needed, operations at this site could utilize existing indoor infrastructure and equipment including: a processing room, office space, equipment storage space, a refrigerator/freezer/ice maker, and a back-up generator. Similarly, existing outdoor equipment could also be utilized, including: a loading dock that could accommodate a commercial vehicle for distribution of the aquaculture product, and the existing dock could be used for commercial vessel access. The existing parking could be used for staff vehicle parking. The District anticipates that the existing intake system would need to be upgraded to be used by SSAP activities. The CP Kelco site and proposed location of warehouse facilities are shown in **Figure 11**.

Gravel Lot Outside and Adjacent to TAMT

Direct Shoreline Access

This site would include the construction of an onshore warehouse (or similar structure) and outdoor storage and processing/drying space in the existing unused gravel lot. The onshore warehouse would include waterside access for loading and off-loading of product, room for processing, office space, equipment storage space, refrigerator/freezer and ice-making, access for distribution, and back-up generator(s). Similarly, the outdoor areas could be used for equipment storage, seawater intake and discharge system and recirculating aquaculture systems infrastructure.

In addition to the waterside access along the apron, operations could utilize the existing floating dock and existing fixed commercial-grade dock. These features can be used for loading and off-loading product and accommodate commercial vessels and vehicles to support the distribution channel. The existing parking could be used for staff vehicle parking. The TAMT Gravel Lot site and possible location of warehouse facilities are shown in **Figure 11**.



Figure 11. Initial proposed landside facilities

National Distribution Center

Lacks Direct Shoreline Access

This site would include the renovation of industrial warehouse space to be repurposed as aquaculture landside warehouse. The structure would include access for loading and off-loading of product, room for processing, office space, equipment storage space, refrigerator/freezer and ice-making, access for distribution, and back-up generator(s) and related infrastructure. Similarly, the outdoor areas could be used for equipment storage and recirculating aquaculture systems infrastructure. The existing commercial loading dock at National Distribution Center would be used for commercial vehicle access. The existing parking lot would be used for worker vehicle parking. The National Distribution Center site and potential industrial buildings identified for renovation and reuse are shown in **Figure 11**.

7

Species for Growing within the SSAP

7.1 Shellfish Species

7.2 Seaweed Species (Macroalgae)

7

Species for Growing within the SSAP

During the NOAA-NOS-NCCOS and District analyses, dozens of shellfish and seaweed species were considered for growing in and around the Bay. As part of that work, species and growing methods were evaluated at the in-water locations. Typical growing configurations for species within the SSAP utilize a system of horizontal longlines, dropper lines, mooring lines, anchors, stakes, and buoys. For examples and descriptions of commonly used growing methods, see Appendix A. Based on the analyses, and the District’s understanding of the market and habitat conditions, the list was narrowed to possible species, all of which are native or naturalized to the Bay. Based upon this analysis, the species listed below currently represent the most realistic and best opportunity species for aquaculture development in and around San Diego Bay and are proposed to be permitted within the SSAP. Finfish aquaculture would not be permitted as part of the SSAP.

As research and technology advance, other species or gear types and configurations may be considered as part of the SSAP, either through a program update or an individual operations proposal. Any future additions to the SSAP must be consistent with the program’s overall established intent, objectives, standards, and requirements. Additional species must be consistent with the CDFW approved list of species for growing in California’s waters.



Naturalized species are those that are not native to the area but have established, self-sustaining populations in California, and are not considered invasive species by CDFW.

SHELLFISH Species

Blue or Blue Bay Mussels



Mytilus edulis



Mytilus galloprovincialis

Mytilus trossulus

California mussels



Mytilus californianus

Scale: 10 mm

Author: Joop Trausel & Frans Slieker

7.1 Shellfish Species

7.1.1 Mussels

- Blue or Blue Bay Mussels (*Mytilus edulis* complex, which consist of *M. edulis*, *M. galloprovincialis* and *M. trossulus*)
- California mussels (*Mytilus californianus*)

Mussels are grown commercially on the continents of Asia, Australia, Europe, and North America. In North America mussel farmers rely on hatchery-produced seed and for SSAP activities, mussels would be obtained from nurseries that are CDFW approved facilities or through natural set. Most likely, mussels would be grown using the submerged longline method. The juvenile mussels, also known as “seed” or “spat”, are settled onto special texturized ropes, designed to promote mussel attachment and growth. The rope is often encased in a biodegradable cotton socking to ensure the mussels stay attached (“mussel sock”). As mussels grow, they secure themselves to the rope with their byssal threads and the socking material naturally biodegrades. The system of ropes is secured with lines and buoys anchored to the sea or bay floor. Mussels generally reach market size (approximately 1.5 inches) in 12-15 months depending upon the location.

SHELLFISH *Species***7.1.2 Oysters**

- Pacific oysters (*Magallana gigas*⁸ [formerly *Crassostrea gigas*])
- Olympia oysters (*Ostrea lurida*)

The Pacific oyster is the most widely cultivated oyster species in the world and is approved by CDFW for culture in California’s waters. Olympia oysters support a small niche consumer market given their diminutive, full-grown, size. These species are currently grown in other areas of California, including Tomales and Humboldt Bays. All oysters grown within the SSAP will be obtained from a nursery that is a CDFW approved facility. Once oysters pass their larval stage, they settle or attach to objects and become immobile. Oysters can grow in clusters (i.e., two or more oysters attached and growing together), either directly on the bottom, or on longlines. Oysters grown this way, more typically Pacific oysters, support the “shucked market” and are removed from their shell (i.e., shucked) after harvest, sold in containers, and are intended to be cooked. Oysters can also grow individually, after adhering to a grain of sand or shell. These oysters are typically cultivated in self-contained floating or suspended units, bags, or baskets or in cages secured with lines and buoys anchored to the sea or bay floor. Individual oysters are generally cultivated for the raw market to be sold to restaurants, grocery stores, and other wholesalers.

Pacific oysters*Crassostrea gigas***Olympia oysters***Ostrea lurida*

Scale: 10 mm

Author: Joop Trausel & Frans Slieker

⁸ Salvi D, Mariottini P. Revision shock in Pacific oysters taxonomy: the genus *Magallana* (formerly *Crassostrea* in part) is well-founded and necessary. *Zoological Journal of the Linnean Society*. 2021 May 1;192(1):43–58.

SHELLFISH Species

Purple Hinge Rock Scallop



Crassadoma gigantea

Scale: 10 mm

Author: Joop Trausel & Frans Slieker



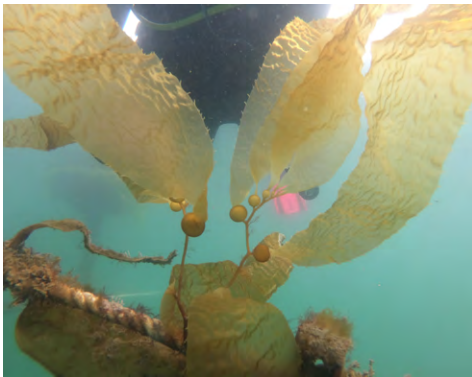
Growing shellfish and seaweed together in the same space is occurring with demonstrated success.

7.1.3 Scallops

- Purple Hinge Rock Scallop
(*Crassadoma gigantea*)

Purple Hinge Rock Scallops have long been regarded as having high potential within the commercial market given their significant per unit value. Rock scallops produce an adductor muscle (the edible part) which is up to two times larger than other scallop species. Purple Hinge Rock Scallops have been the focus of research and interest on how to cultivate it for the commercial market, which will inform potential harvest restrictions and market development for cultured rock scallops. The current focus of research is on larval rearing, the up-take and retention of a saxitoxin – a natural toxin produced during some harmful algal blooms, and how scallops grow in an aquaculture setting, including whether attachment is required at all stages of development, and how attachment may impact growth of the adductor muscle.

Currently, there is not a standardized gear configuration for the cultivation of purple hinge rock scallops, as research and technology are still developing for this species. However, if a future aquaculture operator proposes cultivation of purple hinge rock scallops through the SSAP, the District would consider whether the proposal is consistent with the SSAP's standards and requirements.

SEAWEED *Species***7.2 Seaweed Species (Macroalgae):****7.2.1 Kelp (Brown Seaweed)**

Kelp (brown seaweed) is an extremely fast-growing species of brown algae with a strong holdfast that allows it to securely attach to objects on the seafloor in its native habitat. The species is typically propagated in a nursery and is transferred for grow-out at a cultivation site where it is affixed or seeded to the bottom or to gear/rope when it reaches the appropriate size. General grow-out systems for kelp (brown seaweeds) would include horizontal longlines, hanging ropes and baskets. Seaweed grows to harvestable size before being cut from the longlines and brought to shore for processing.

**7.2.2 Red and Green Seaweeds**

Rather than a robust holdfast, seaweeds in the red and green algal phyla generally have a small point of attachment to substrata, and thus for the sake of cultivation typically require a self-contained unit, often occurring in tanks on land. Also, unlike with brown seaweeds, red and green seaweeds can be cultured vegetatively, meaning there is no sexual reproduction phase of grow out, and the producer can manage the conditions of a land-based culture system in a way that encourages algae to invest solely in growth. In such a system, the producer can manipulate 'seasonality' and create prolonged growing conditions, extending beyond what would be typical for wild macroalgae. Controlling for temperature, light, water flow, pH, and nutrients can lead to extended periods of exponential growth, where the producer 'cleaves' partial stock on a weekly (more or less) basis to encourage doubling of biomass. When cultivated in the ocean, red and green seaweeds would generally utilize horizontal longlines and baskets.



Gear used to support shellfish and seaweed aquaculture are made from marine-grade, UV resistant materials. More information about aquaculture gear is in **Appendix A**

8

Benefits of Participating in the SSAP

8

Benefits of Participating in the SSAP



With the purpose to support and facilitate future shellfish and seaweed aquaculture in and around San Diego Bay, the District is developing this program to provide more transparent permitting and approval processes and to establish expectations of the process for future operators to alleviate some of the hurdles that have been experienced by the industry in California over the last 30 years. While hurdles may still exist,

the District is committed to preparing a program that provides unique benefits to future SSAP operators. These include:

- Permitting expertise, assistance, and support
- Reduced time to approval
- Regional knowledge and industry knowledge



SSAP Preparation

9.1 SSAP Discussion Draft

9.2 California Environmental Quality Act

9.3 Board Approval

9.4 SSAP Updates or Changes Over Time

9.5 Outreach

9

SSAP Preparation

Prior to implementation, there are several steps for SSAP approval. These include stakeholder engagement, the preparation of a Discussion Draft, environmental analysis under CEQA, Board approval, as well as establishing a process for approving changes to the SSAP over time.

9.1 SSAP Discussion Draft

The purpose of the SSAP Discussion Draft is to provide the opportunity for stakeholders and the public to provide initial feedback and comments, and encourage discussion with the District and District staff on the proposed program. This occurs prior to any mandated public review period (e.g., CEQA), and helps to increase transparency between the District and the public.

The District relied upon previous studies (see Section 6) to prepare the SSAP Discussion Draft. These studies informed the overall concepts for the program (e.g., optimal locations and species). Additionally, the District organized focused stakeholder meetings to further refine the program based on the input from stakeholders, including industry experts, resource agencies, and local Bay and ocean users.

The Discussion Draft will be available for a 60-day review period. The review period will allow stakeholders and the public the opportunity to review the document and submit written comments to the District. During the review

period, the District will continue stakeholder and public engagement to encourage interested parties to review the SSAP Discussion Draft to provide opportunities for discussion. After the 60-day review period, the District will consider all comments and revise the Discussion Draft as appropriate before commencing the CEQA process.

9.2 California Environmental Quality Act

Analysis under the California Environmental Quality Act (CEQA) is a critical and required step for many projects, programs, and plans in the State of California. CEQA review serves as a process to identify and disclose environmental impacts of proposed actions, as well as implement appropriate mitigation measures. The SSAP would be reviewed under CEQA pursuant to CEQA Guidelines Section 15168 as a Program Environmental Impact Report (Program EIR). A Program EIR can be used to evaluate the environmental impacts associated with the adoption of plans or regulations to govern a program, in this case the District's proposed SSAP. A Program EIR allows for a general evaluation of the program's environmental impacts, thereby streamlining the environmental review associated with subsequent individual aquaculture applications found to be within the scope of the program (SSAP) described in the Program EIR.



CEQA Guidelines §15168(b) Use of a Program EIR can provide the following advantages:

(1) Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action, (2) Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis, (3) Avoid duplicative reconsideration of basic policy considerations, (4) Allow the lead agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts, and (5) Allow reduction in paperwork.

CEQA Guidelines §15168(c) Later activities in the program must be examined in the light of the Program EIR to determine whether an additional environmental document must be prepared.

(1) If a later activity would have effects that were not examined in the Program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration. That later analysis may tier from the Program EIR as provided in Section 15152.

(2) If the agency finds that pursuant to Section 15162, no subsequent EIR would be required, the agency can approve the activity as being within the scope of the project covered by the Program EIR, and no new environmental document would be required. Whether a later activity is within the scope of a Program EIR is a factual question that the lead agency determines based on substantial evidence in the record. Factors that an agency may consider in making that determination include, but are not limited to, consistency of the later activity with the type of allowable land use, overall planned density and building intensity, geographic area analyzed for environmental impacts, and covered infrastructure, as described in the Program EIR.

(3) An agency shall incorporate feasible mitigation measures and alternatives developed in the Program EIR into later activities in the program.

(4) Where the later activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were within the scope of the Program EIR.

(5) A Program EIR will be most helpful in dealing with later activities if it provides a description of planned activities that would implement the program and deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed project description and analysis of the program, many later activities could be found to be within the scope of the project described in the Program EIR, and no further environmental documents would be required.

Analysis under CEQA is anticipated to include consideration of all 20 environmental topics listed in CEQA Guidelines Appendix G, as well as cumulative impacts, mitigation measures, growth inducement, alternatives, and all aspects included in CEQA Guidelines Sections 15120-15132. The CEQA process will provide additional opportunities to solicit public and stakeholder input.

A Program EIR under CEQA will be initiated concurrent with development of a revised draft SSAP. This process would commence with public scoping, including release of a Notice of Preparation (NOP) for a 30-day period to solicit input from agencies and the public as to the content, or scope, of the Program EIR. A public scoping meeting will be conducted during that 30-day period, and all comments received will be considered in the development of a Draft Program EIR. The Draft Program EIR itself will be made available for a minimum 45-day public review period during which time agencies and the public may provide comments addressing the adequacy of the Draft Program EIR. A revised draft SSAP would be included as an attachment or appendix to the Draft Program EIR. After public review of the Draft Program EIR, the District will prepare a Final Program EIR, which will include responses to public comments received and revisions to the Draft Program EIR, as needed. The Final Program EIR will be made available no less than 10 days before a hearing of the BPC to certify the Program EIR.

9.3 Board Approval

The approval of the SSAP would be considered by the BPC once the Final

Program EIR is certified by the BPC. If approved, the SSAP would be memorialized by a BPC resolution, with subsequent adoption of a BPC Policy or Ordinance to enable SSAP implementation. If the Program EIR for the SSAP is certified, the Mitigation Monitoring and Reporting Program and written checklist would both be affixed to the SSAP.

9.4 SSAP Updates or Changes Over Time

When appropriate, the SSAP may be updated to meet changing conditions, best available science, and advancements in technology. The District may consider changes to species, growing methods, or implementation process. Future changes must be in line with the objectives and overall intent of the SSAP and may require future BPC approvals or additional environmental review, depending on the proposed changes.

9.5 Outreach

As the District develops the SSAP, public outreach and stakeholder engagement remains a key element of the program's success. District staff is holding focused discussions with various stakeholders to develop the SSAP and to better understand any concerns (e.g., siting, species selection) as well as how the SSAP can help address current challenges. As development of the SSAP continues, outreach will continue to be a central pillar of this effort. If future changes to the SSAP are approved, the District anticipates that public outreach and stakeholder engagement would continue to play a role in SSAP implementation as future projects are proposed or future changes to the SSAP are considered.

10

Implementation of SSAP

10.1 Request for Proposals

10.2 Tenant Project Review Process

10.3 Real Estate Agreements

10.4 Operations Plan

10.5 Additional Permits and Approvals

10.6 Annual Reporting

10

Implementation of SSAP



If and when the SSAP is approved, the District would be able to implement the SSAP. The purpose of this section is to outline the process for individual District approvals as shellfish and seaweed aquaculture projects are proposed through the SSAP. Please refer to Figure 12, which depicts an overview of the process for

how future aquaculture proposals would be processed by the District. It is important to note that Figure 12 generally depicts the process, however depending on the details of a specific proposal, the process may be modified on a case-by-case basis. Each general step identified in the flow chart is described in this section.



BPC Policy 360

BPC Policy 360 establishes a review process for development proposals to ensure that they are subject to a competitive process. This policy outlines the major steps for the District to issue a Request for Proposals for future development.

Typically, BPC Policy 360 applies to future development that would result in a real estate agreement with a term of more than five years. For the SSAP, the RFP would be inclusive of all project proposals under the program regardless of proposed duration.

10.1 Request for Proposals

Upon Board approval of the SSAP, the District would issue a Request for Proposals (RFP) consistent with BPC Policy 360. Through this RFP, interested aquaculture operators may submit proposals to be considered for inclusion in the SSAP. The District anticipates that prospective applicants should be prepared to submit:

- a detailed description of the proposed aquaculture operations, including a list of species and gear types, engineering and mooring specifications, and project timeline and operations schedule;
- proposed SSAP location/s;
- operator qualifications;
- a description of the proposed operators' prior aquaculture experience;
- a list of any specific operational needs, as well as any constraints for the proposed operations;
- farm design and engineering plans; and
- the overall intent or purpose of the proposed operations.

As the SSAP is developed, additional information may be required as part of the RFP submission in addition to the above list. Depending on the number of applicants, the District may later determine whether additional RFPs should be issued in the future after the initial solicitation.

Once responses to the RFP(s) are submitted, District staff (including subject matter experts from departments such as Aquaculture and Blue Technology, Real Estate and Maritime) would take the lead in the review and selection of submittals for consistency with the SSAP, Port Code Section 3, and BPC Policy 360; select an operator; and make a recommendation to the BPC for consideration during a public meeting. The subject matter expert review would include determining precise sites within the identified SSAP locations, likely based on site availability, and a spatial configuration analysis that is part of an ongoing special study to support the SSAP. All operators with BPC-approved submittals would be considered "Preliminary SSAP Operators."

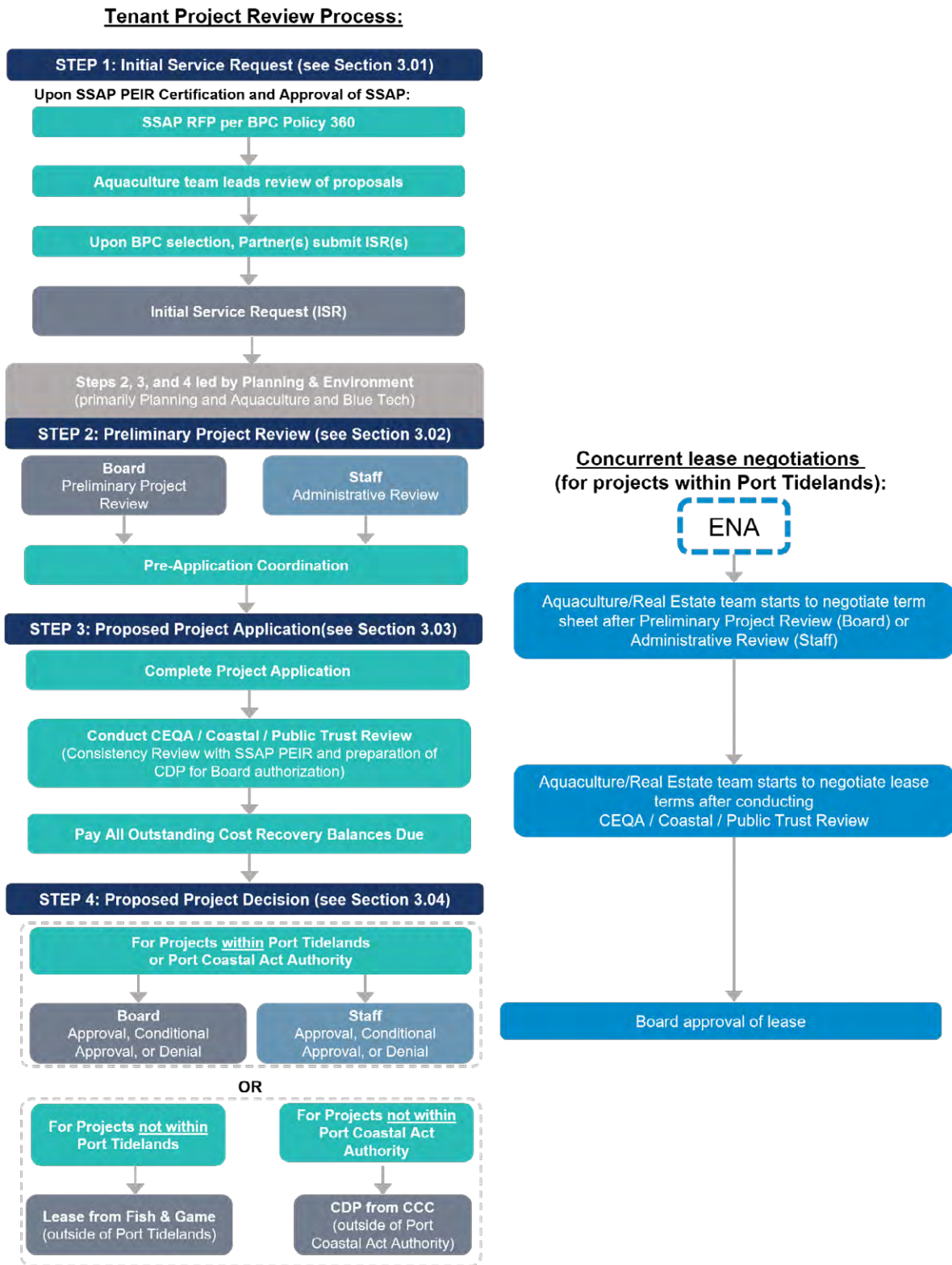


Figure 12. Overview of proposed District processes for future aquaculture operations proposed through the SSAP. This figure depicts the general process, there may be modifications to the process depending on the details of a specific proposal.



10.2 Tenant Project Review Process

It is important to note that this process only applies to Preliminary SSAP Operators proposing projects on District Tidelands. If submitting for a SSAP project within the Zuñiga Shoals location, please refer to **Section 11.1**.

Preliminary SSAP Operator proposals would then be processed by the District similar to other prospective or current tenant project proposals. The Tenant Project Review Process was recently updated and approved by the BPC in Spring 2024 via a Port Code amendment to establish a well-defined and consistent process with requirements for processing tenant projects on District Tidelands.

The District is committed to relieving procedural burdens that have historically hindered aquaculture projects. There are dedicated District staff who understand the SSAP and District processes who are available discuss any project-specific questions with Preliminary SSAP Operators.

An outline for the procedural steps for Tenant Project Review for Preliminary SSAP Operators is included below. Below each step is a brief narrative that generally summarizes what it might entail and the involvement of the District and Preliminary SSAP Operators:

- Preliminary Project Review
 - This step would be led by District staff, with participation from Preliminary SSAP Operators. It would likely include a presentation to the BPC to solicit feedback from Commissioners on the proposed aquaculture operations, and to obtain BPC direction for advancing the project to the next step of the process including additional environmental review. It is important to note that this step is not considered an approval.



Per Port Code Section 3:

“Section No. 3.02 – Preliminary Project Review

(a) Reviewing Authority. The Reviewing Department shall determine whether the activity will be subject to Preliminary Project Review as described below.

- 1. Required** - Preliminary Project Review is required if the activity may require a CEQA document (Environmental Impact Report (EIR) or Subsequent or Supplement EIR, Mitigated Negative Declaration (MND) or Subsequent MND, or Negative Declaration and at least one of the following:
 - a. Board approval of a Coastal Development Permit (CDP) or a material amendment to an already approved CDP, or
 - b. Board approval of an amendment to the Port Master Plan
- 2. Requested** – Staff Discretion to Request Preliminary Project Review. For an activity that does not meet the requirements above, the Director of the Reviewing Department may seek Preliminary Project Review for any reason including but not limited to regional impacts, cost, public profile, security, or any combination thereof.
- 3. Not Required** – Staff Review and Approval Only. For all other activities not subject to Preliminary Project Review, Applicant shall proceed to Pre-Application Coordination.”⁹

⁹ For the most current Port Code text, please visit the Port’s webpage: <https://www.portofsandiego.org/public-records/administration/san-diego-unified-port-district-code>



- Application Coordination
 - This step would include discussions between Preliminary SSAP Operators and District staff to ensure completeness of a Tenant Project Application, which is a standard package that all District tenants submit for review of a project. The application would require Preliminary SSAP Operators to provide information about their business or operation, and any other information or materials necessary to evaluate the project for consistency with applicable rules and regulations, including but not limited to the SSAP. This would involve identifying further details about the aquaculture proposal, a cost recovery schedule, and any specific requirements or needs for the proposed operations, such as berthing/mooring needs. Then the Preliminary SSAP Operator would submit the application and District staff would assess it for completeness.
- Conduct CEQA, Coastal Act, and Public Trust Review
 - Projects proposed within the PMP. This step would be led by District staff, with participation from Preliminary SSAP Operators. It would include reviewing the proposed aquaculture operator's project application for consistency with the certified SSAP Program EIR, as well as preparing a CDP (if applicable) for the proposed operations. This step is when the applicable Mitigation Measures from the SSAP Program EIR would be applied for a specific proposal, as well as applicable Special Conditions for a District-issued non-appealable CDP based on the specific proposal. Public Trust review includes reviewing the proposed operations for consistency with the policies, water and land use designations, and other applicable standards established in the District's certified PMP and Port Act.

It is important to note that Coastal Act review *by the District* only applies to projects proposed in locations that have been incorporated into the District's certified PMP. If submitting for a SSAP project at Zuñiga Shoals or the Former A-8 Anchorage, please refer to **Section 11.1** and **Section 11.2** for more information on Coastal Act review for those locations.



Pursuant to CEQA Guidelines §15168(c), the District will use a written checklist or similar device to document its evaluation of future applications / proposals to determine whether the environmental effects of the proposed project are within the scope of the Program EIR. If it is determined that a future project would have impacts that were not examined in the Program EIR, an Initial Study will be prepared, leading to preparation of either a subsequent EIR or a negative declaration for the proposed project. That later analysis may tier from the Program EIR as provided in CEQA Guidelines §15152. If the environmental effects of a future application / project were adequately addressed in the Program EIR and the District finds that none of the circumstances requiring subsequent environmental review under CEQA Guidelines §15162 have occurred, the District can approve the activity as being within the scope of the program covered by the Program EIR, and no new environmental impact analysis pursuant to CEQA would be required. The District may also consider approval of an addendum to the Program EIR pursuant to CEQA Guidelines Section 15164 if some changes or additions are necessary but none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR have occurred.

Coastal Development Permits (CDP) for sites within the District's permitting authority: There are four categories of development in the Coastal Zone: appealable, non-appealable, excluded, and emergency. The types of appealable development are listed in §30715 of Chapter 8 of the Coastal Act and do not include the types of development relevant to the SSAP. All development proposed within wetlands, estuaries, or "existing recreation areas," as delineated in the original 1975 Coastal Plan (Coastal Plan—delineated development), must also comply with Chapter 3 of the Coastal Act. All other types of development that do not qualify for an exclusion from a CDP or an emergency CDP are non-appealable, and must be consistent with the Port Master Plan, including policies required for consistency with Chapter 8 of the Coastal Act. Depending on the scope of an application, an individual CDP would likely be needed for each project under the SSAP.



- Proposed Project Decision
 - This step would be led by District staff, with participation from Preliminary SSAP Operators. It would likely involve a final presentation to the BPC during a public meeting requesting consideration of a staff recommendation of “approval” or “denial.” If the BPC approves the project, then applicants would officially be considered “SSAP Operators” and the project may commence upon receipt of any and all other required regulatory approvals. Approval of the project would likely also include approval of a Real Estate Agreement (e.g., lease), any additional CEQA documentation (if applicable), and a District-issued non-appealable CDP (if applicable and only for projects proposed within locations incorporated into the District’s certified PMP). If the Board denies the project, then the application cannot move forward. The District would be responsible for enforcement of lease and CDP conditions and terms, and monitoring of any approved projects.
- Changes to an SSAP Operator’s Approved Project
 - This step would be led by an SSAP Operator with subsequent review by District staff. Should any components of the project as approved change, it would be the SSAP Operator’s responsibility to notify District staff of these changes so that the District can review them for conformance with the prior approvals. Depending on the scale of the changes, additional review processes may be required.

The above steps include a version of the Tenant Project Review Process tailored for the SSAP. The complete version of the Tenant Project Review Process is available in Section 3 of the San Diego Unified District Port Code.



Per Port Code Section 3

“Section 3.04 – Proposed Project Decision

(a) Processing a Complete Project Application. Following receipt of a Complete Project Application, the Reviewing Department shall process it in accordance with all applicable District policies, procedures, and practices as well as all laws including but not limited to CEQA and the Coastal Act (including preparation of a CEQA document, Port Master Plan Amendment, or Coastal Development Permit as may be required), and ordinances adopted pursuant thereto, in addition to all other lawful requirements.

(b) Discretionary Approval, Conditional Approval, or Denial. Once the Reviewing Department has completed its review and all CEQA review has been completed and approved, the Reviewing Department shall do one of the following:

- 1.** If Board review is required, then Staff shall present their recommendations regarding the Proposed Project to the Board for discretionary approval, conditional approval, or denial which may include, but not limited to, approval or adoption of a Port Master Plan Amendment, authorization of a CDP or material CDP Amendment, or other discretionary approvals.
- 2.** If Board review is not required, then Staff shall approve, conditionally approve, or deny the Proposed Project.

(c) Written Approval or Denial of Proposed Project. All determinations made by the Reviewing Department, or the Board shall be communicated in writing to the Applicant. A Proposed Project that is approved or conditionally approved shall become an Approved Project and shall submit progressively detailed drawings and information as may be required by the Reviewing Department.”¹⁰

¹⁰ For the most current Port Code text, please visit the Port’s webpage: <https://www.portofsandiego.org/public-records/administration/san-diego-unified-port-district-code>



10.3 Real Estate Agreements

It is important to note that this process only applies to Preliminary SSAP Operators proposing projects on District Tidelands. If submitting for a SSAP project within the Zuñiga Shoals location, please refer to **Section 11.1**.

After Preliminary Project Review, the District and Preliminary SSAP Operators would concurrently commence negotiations for associated Real Estate Agreements for the proposed aquaculture operations. The District anticipates that most SSAP Operators would be issued leases; however there are other shorter-term options (five years or less), such as Tidelands Use and Occupancy Permits (TUOPs), depending on an operator's project needs. Negotiation of lease terms would include leasing costs, specific use rights and limitations, and any other terms specific to the proposed location and proposed project activities. Depending on the scope of the proposal and implementation timeline, the District and a Preliminary SSAP Operator may enter into an Exclusive Negotiation Agreement (ENA).



BPC Policy 355

The Real Estate Leasing Policy (BPC Policy 355) and its associated Administrative Practices – Real Estate Leasing establishes real estate leasing policies for the District and the practices and procedures used in establishing these agreements. There are two types of leases described in BPC Policy 355:

Short-term Leases – These include Tidelands Use and Occupancy Permits (TUOPs), rental agreements, easements, licenses, or other similar types of agreements for terms of five years or less in duration. The District's President/CEO may enter into these short-term lease agreements without BPC approval.

Long-term Leases – These include real estate agreements for more than five years in duration. All long-term leases must be presented to the BPC for approval in a public meeting.

10.4 Operations Plan

Through the approval process for proposals submitted through the SSAP, the District will require operators to prepare Operations Plan(s) that will detail Best Management Practices, lease terms, conditions, and other information necessary to demonstrate consistency with the SSAP. Additionally, Operation Plans will include mitigation measures resulting from the certified Program EIR monitoring requirements, and other regulatory permit conditions. The Operations Plan is meant to be a comprehensive resource, which will be provided to the appropriate District reviewing authority when considering approval of a specific proposal; however, it is also a living document that may be updated by operators and/or the District in concert with regulatory agencies. Potential updates, subject to District review and approval, may include changes to growing area determinations, project permit conditions and changes within District policy. The list below summarizes examples of what types of categories would be considered for inclusion within the Operations Plan, although it is not intended to be an exhaustive list. Project-specific and site-specific considerations would factor into determining which practices would apply to an individual operation.

Best Management Practices

Shellfish and seaweed aquaculture established through SSAP will comply with all related mandates and regulations from a federal, state, and local level. Furthermore, offshore and onshore sites within the District's jurisdiction are also subject to best management practices and mitigation utilized by the District.

Marine Wildlife Impacts – Best management practices to reduce adverse impacts to marine wildlife include marine mammals, sea turtles, and other sensitive species. These practices may include the development and implementation of a marine entanglement plan including entanglement prevention, participation in marine wildlife education programs, and instructions to mariners to avoid marine mammals and sea turtles and to follow all regulations regarding interactions.

Ecological Concerns – Best management practices will also address several ecological concerns and will work to prevent adverse impacts from occurring. This includes interactions with sensitive habitats, predator control, gear management, and management of invasive species.

Monitoring Plans

Monitoring plans will be developed, by operators, as needed on a case-by-case basis depending on the scale and particular characteristics of the proposed aquaculture project. As part of project review, permitting, and approval, the District will review Monitoring Plans in coordination with other permitting agencies to evaluate potential adverse environmental impacts to address areas where there is a lack of data or information on potential ecological interactions.

Eelgrass

Adverse effects to eelgrass will be carefully assessed and monitored throughout all aquaculture operations. Whenever possible, eelgrass will be avoided by aquaculture gear and anchors. For aquaculture projects proposed to be located in close proximity to existing eelgrass beds, a specific monitoring plan will be developed to evaluate project impacts and implement any required mitigation in compliance with the California Eelgrass Mitigation Policy.

Vessel Use

All vessels employed for aquaculture activities, including construction, harvesting, surveys, maintenance, and decommissioning, are subject to regulations regarding local marine wildlife. Additionally, the operator will take precautions to prevent spills and will be responsible for safe and appropriate fueling procedures. Vessel motors will be encouraged to be energy efficient models and maintained in a manner that minimize greenhouse gas emissions as well as adverse impacts of underwater noise. Prior to farm or aquaculture installation, mariners will be given public notice in the local notice to mariners and the aquaculture area will be marked and visible.



Operators within the SSAP must submit and adhere to a plan detailing how gear will be removed when operations cease. Accommodations may be made if another lessee will assume operations in that exact project site. Plan elements include but are not limited to:

- Notice to the District of discontinuing operation and timing for dismantling facilities.
- Details on method of removal of operational equipment, including but not limited to anchors, lines, gear, and product, and returning the site to pre-development conditions.
- Proof of adequate bonding to cover decommissioning activities.

10.5 Additional Permits and Approvals

In addition to District approvals, other discretionary approvals or permits from other agencies may include:

- USACE §10 Rivers and Harbors Act Permit – all in-water locations (NWP 48 [Shellfish] or 55 [Seaweed])
- USACE §404 Clean Water Act Permit – all in-water locations (NWP 48 [Shellfish])
- RWQCB San Diego Region (9) §401 Clean Water Act Certification – all in-water locations and any discharges from landside locations
- California Department of Fish and Wildlife Aquaculture Registration
- California Department of Public Health – shellfish)
- USACE §10 Rivers and Harbors Act/ §404 Clean Water Act Permit for intake/ discharge approval – for all landside locations that would include an intake/ discharge system (NWP 7 for USACE permit)
- Additional non-discretionary approvals may be needed for landside locations such as Building and/or Demolition permits to ensure compliance with building codes from the City within which the project is located.

As one of the benefits of participating in the SSAP, the District would offer permitting expertise and assistance to SSAP Operators to navigate both District and other agency approval processes.

10.6 Annual Reporting

As the SSAP is implemented and the portfolio of aquaculture operators participating in the program expands, District staff will provide annual reports to the BPC. These reports will provide the status of the SSAP. Key metrics to be included in annual reporting may include:

- Number of SSAP operators and area of in-water and landside space being leased to SSAP operators,
- Types of shellfish and seaweed species being cultivated and the gear types utilized,
- Environmental indicators, such as amount of carrying capacity of each site is being utilized,
- Compliance with SSAP requirements and any violations and/or enforcement actions,
- Any proposed modifications or adjustments to SSAP requirements, processes, or conditions,
- Other requirements as specified in District policy (e.g., standard Real Estate requirements).

These reports will likely require input from SSAP operators, however annual reporting would be about the status of the SSAP as a program and would not focus on the details or specifics from a single operator. Annual reporting would begin once the SSAP reaches five SSAP operators.

11

Location Considerations for In-Water Areas

11.1 Zuñiga Shoals

11.2 Former A-8 Anchorage

11

Location Considerations for In-Water Areas

The SSAP is a District program to support and facilitate shellfish and seaweed aquaculture in and around San Diego Bay. While most of the locations that are proposed in the SSAP are within District Tidelands, there are two in-water locations (Zuñiga Shoals and the Former A-8 Anchorage) that would be subject to different permitting pathways than the process outlined in **Section 10**.

All proposed operations within landside locations would follow the SSAP process outlined in **Section 10**.

11.1 Zuñiga Shoals

Through the NOAA-NOS-NCCOS analyses, the Zuñiga Shoals location was identified as a prime area to support future shellfish and seaweed aquaculture. While this location is not within District Tidelands, the District has an interest in this area as it has formalized partnerships with adjacent jurisdictions, and federal and state partners to monitor and enforce mooring restrictions, or environmental enhancement (e.g., study and protect eelgrass beds).

Prospective SSAP operators interested in pursuing aquaculture at Zuñiga Shoals must receive an aquaculture lease(s) for the use of the State water bottom area from the California

Fish & Game Commission. In addition, because this area is not within District Tidelands and thus not incorporated into the District's certified PMP, prospective SSAP operators must also receive a CDP(s) from the California Coastal Commission to operate any aquaculture activities at Zuñiga Shoals.

11.2 Former A-8 Anchorage

The Former A-8 Anchorage is another location that was identified with high potential to support future shellfish and seaweed aquaculture. This location was included in a larger submerged lands grant to the District from the California State Lands Commission in 2020 through Senate Bill 507. These additional submerged lands are now managed by the District; however they have not yet been incorporated into the District's certified PMP. Until a PMP Amendment for these submerged lands has been certified by the California Coastal Commission, the District has leasing authority over the area but does not have Coastal Act authority. Thus, the District can issue a lease or other real estate agreement for future proposed shellfish and seaweed aquaculture within the Former A-8 Anchorage, but at this time, SSAP Operators would have to receive a CDP(s) from the California Coastal Commission to operate any aquaculture activities at the Former A-8 Anchorage.



SB 507 and the Trust Lands Use Plan

Pursuant to Senate Bill 507, in 2020, the California State Lands Commission granted over 8,000 acres of submerged lands within San Diego Bay to the District's management. As part of the legislation, the District was required to prepare and submit a Trust Lands Use Plan (TLUP) for the newly granted area. The TLUP provides goals, policies, and information on allowable uses and activities within the planning area and must describe any proposed development, preservation, or other use of the trust lands. In October 2023, a draft of the TLUP was submitted to the California State Lands Commission. The District will soon commence CEQA review of the draft TLUP, then process the TLUP for certification with the California Coastal Commission as a PMP Amendment. Once that certification is complete, the TLUP would be submitted to the California State Lands Commission for approval. Upon certification, the District would then have Coastal Act Authority to review proposed development for consistency with the Coastal Act within these submerged lands.

APPENDIX

A

Common Gear Associated with Growing Shellfish and Seaweed

A

Common Gear Associated with Growing Shellfish and Seaweed

Cultivation methods for both shellfish and seaweed often use the same or similar gear in modified configurations. Depending on the source, gear and cultivation methods may have different colloquial names.

Briefly, the following list outlines basic gear types and common specifications to be used in various culture methods. While these are

the most commonly used gear types and configurations that the District anticipates being considered for the SSAP, they do not constitute an exhaustive list of all possibilities. Other gear types and aquaculture methods not listed below may also be considered through the SSAP if found to be generally consistent with the sustainable intentions of the SSAP.

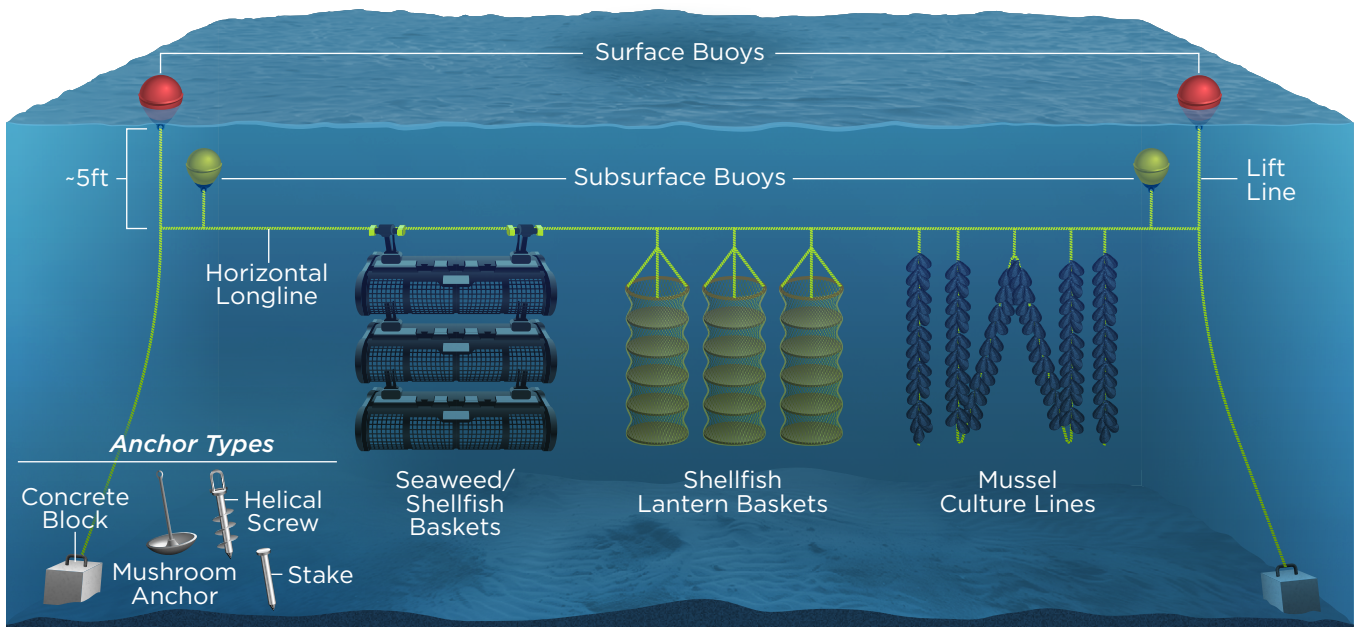


Figure A1. Example of a horizontal longline configuration with various shellfish cultivation techniques.

Horizontal “backbone” Longline

This longline is commonly used as the backbone in many systems and consists of a thick polypropylene rope that is typically attached to an anchoring system and simultaneously suspended with a network of surface and subsurface buoys. The backbone longline is suspended approximately 1.5 – 3.0 m (5 – 15 ft) below the surface of the water and is typically between 30 – 60 m (100 – 200 ft) long. It can be used along the surface of the water for certain gear methods. Many additional gear types, such as dropper lines, baskets, bags, along with any combination of these, can be hung from the backbone longline. See **Figures A1–A5** for examples of the longline method.

Anchors and stakes

Generally, an anchoring system would provide overall support, moor the system to the bottom, and connect to a backbone longline either directly or with supporting lines. There are a variety of anchor and stake types, and use would vary based on culture methods employed and environmental conditions. Concrete block anchors are commonly used in shallower or intertidal systems, or where there are hard/rocky bottom conditions. Mushroom anchors are mid-weight, metal anchors used for soft bottom systems. Helical screw anchors (or spiral anchors) are large screw-shaped shafts that are drilled into the seafloor using specific equipment and methods. Stakes are used to support the longline between anchors. See **Figures A1–A5** for examples.

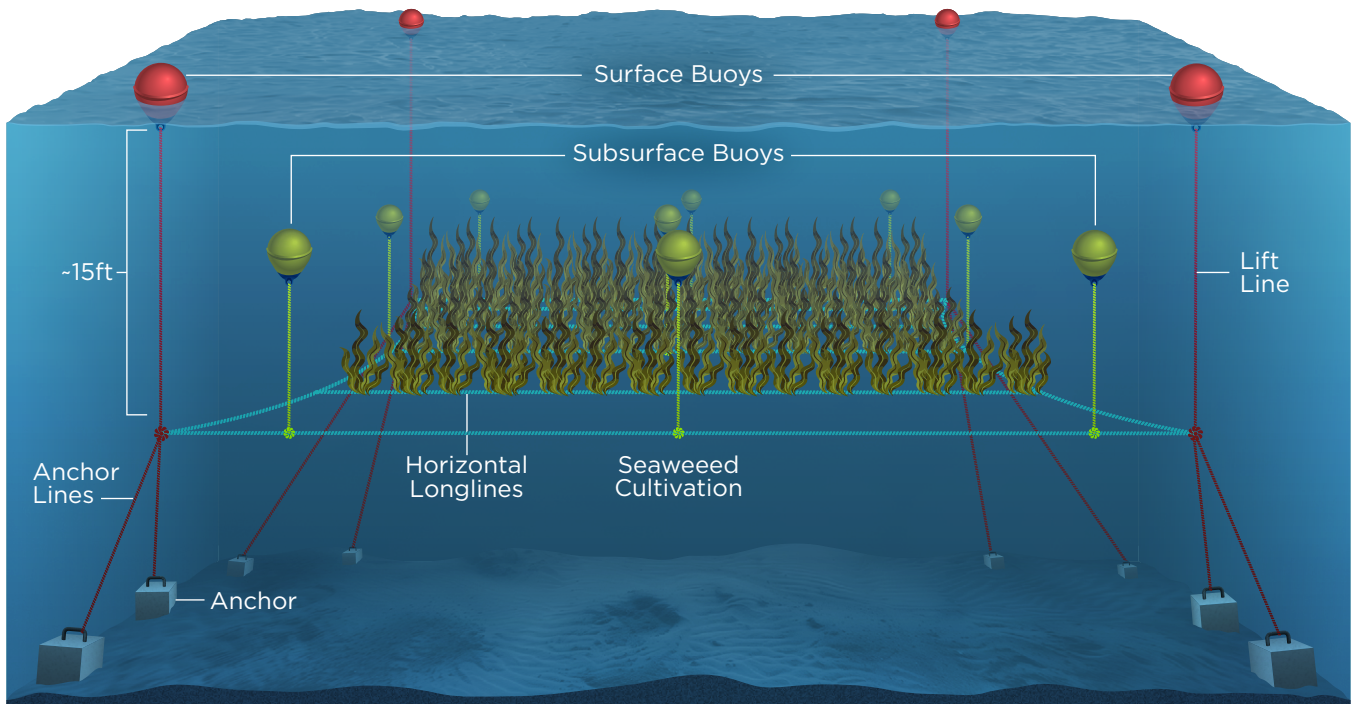


Figure A2. Example of a catenary array for seaweed cultivation.

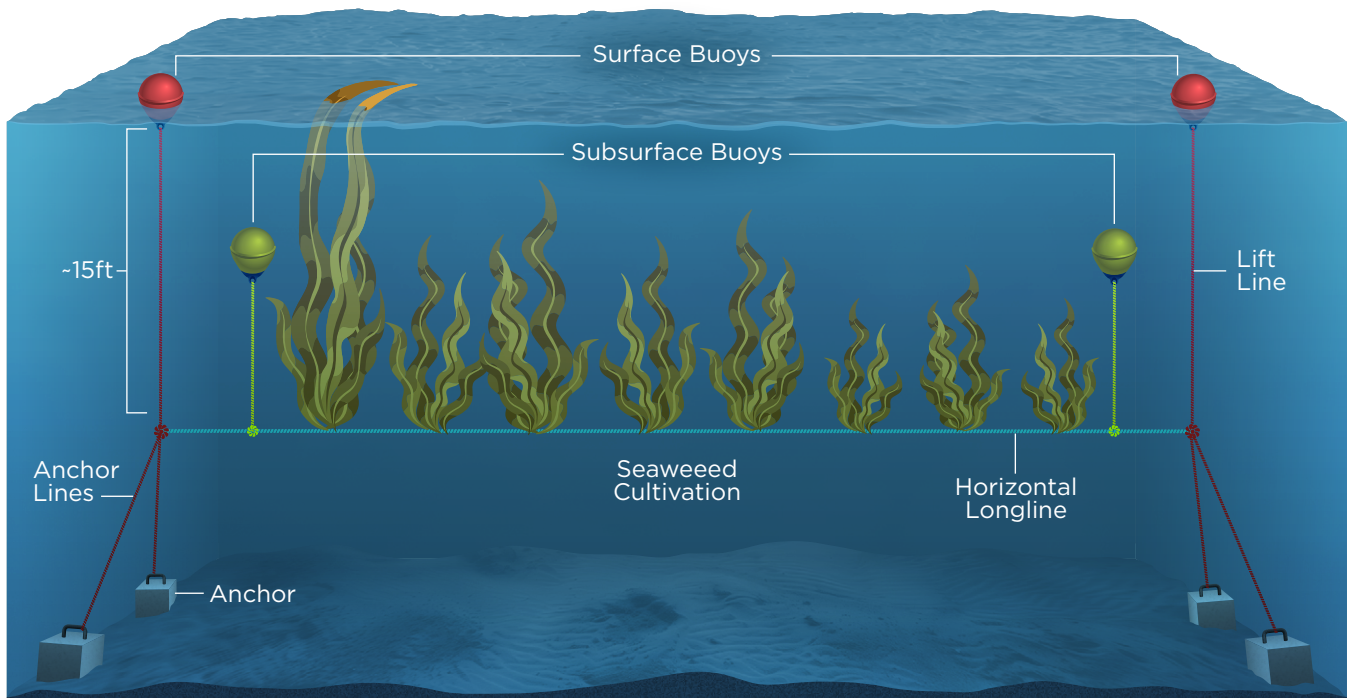


Figure A3. Example of seaweed cultivation utilizing a horizontal longline system.

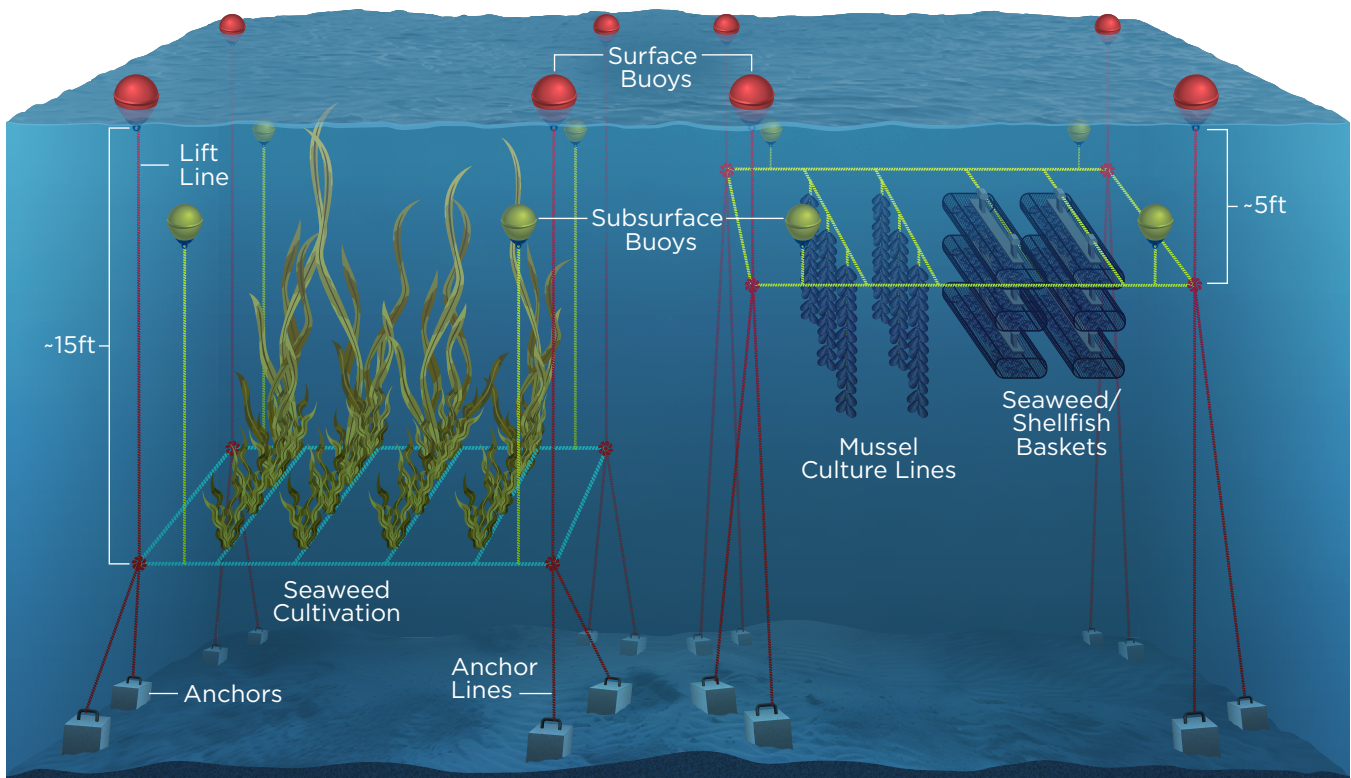


Figure A4. Example of growing seaweed and shellfish together on the same farm site.

Mooring/Anchor Lines

Either rope or chain lines will be either be installed to attach the anchors to the horizontal, or “backbone” longlines. Intermediate anchors, and associated lines may also be installed along the horizontal longline between the two end anchors for stability. Additional moorings could be installed for boats to attach to during operation and/or maintenance. Anchors and lines would be installed using a specific vessel containing specialized workboat equipment. See **Figures A1–A5** for examples.

Surface and Subsurface Buoys

Buoys provide support for the lines and gear and create appropriate tension for the culture method. Surface and subsurface

buoys will comply with federal, state, or local requirements. This includes proper visibility, reflective materials, and/or signage, as necessary to identify the location, to provide physical support of the gear and product, and for navigational safety. Large surface buoys in conjunction with smaller subsurface buoys can be used to support the backbone line, and smaller buoys can provide flotation to baskets or bags as well. Buoys need to be continually adjusted and assessed as the shellfish and seaweed grow and the mass within the system changes. Depending on their purpose, placement, and oceanographic conditions, buoys can range in size. For operations within the SSAP, the District will determine appropriate sizes based on farm siting modeling analysis. **Figures A1–A5** for examples.

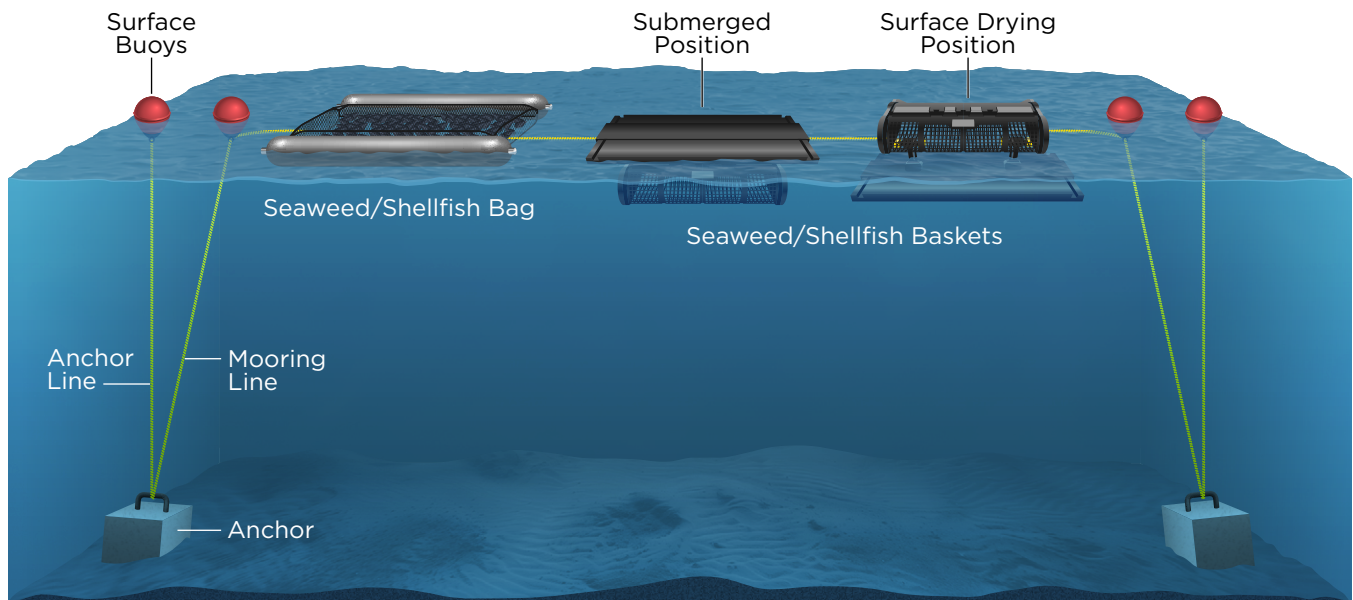


Figure A5. Example of floating shellfish bags attached to an anchor and mooring line.

Dropper lines

Dropper lines are draped or hung from the backbone longline at incremental distances and often have weights at the bottom of the line to maintain vertical orientation. Dropper lines may consist of cultivation rope with mussels seeded directly upon it or may support hanging gear, such as cages or baskets. **See Figures A1 and A4.**

Baskets

Baskets are typically made with hard marine-grade, UV-resistant plastic and have mesh sizes ranging from 3 – 20 mm (0.12 – 0.90 in). They are often cylindrical and have an approximate dimensions of 73.2 x 27 x 14 cm (29 x 11 x 5.5 in). The baskets are either supported in the water by fixed structures or longline systems, or they are connected to floating horizontal longline systems, which allows the baskets to stay at the top of the water column and move with the tides. Baskets are generally open on one or both ends and can be secured to the line by clips. **See Figures A1, A4, and A5.**

Bags

Bags are generally marine-grade, UV-resistant plastic mesh containers with a diamond or square pattern that are malleable but maintain their shape. Individual bags are typically buoyed by foam floats and attached to a horizontal longline via removable clips. They have a flat pillow-like shape, and a common size is 1 x 0.5 x 0.1 m (3.3 x 1.6 x 0.3 ft.). **See Figures A1, A4, and A5.**

Cages/Lantern Baskets

Cages used in culture methods have a box-like or cylindrical and stacked structure (lantern nets), typically made from marine-grade plastic-coated-wire and can be suspended in the water column or rest upon the bottom. If they are suspended in the water column each cage is attached to floats and to lateral lines which connect the cages to a main line that is anchored to the bottom. Cages can also be used to store bagged oysters and can be anchored to the bottom. Commonly used cages measure 122 x 91 x 41 cm (48 x 36 x 16 in). **See Figure A1.**



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