



June 22, 2026

Board of Port Commissioners
Port of San Diego
3165 Pacific Highway
San Diego, CA 92101

RE: Opposition to Proposed New Exclusive Negotiating Agreement with Pangaea Development, LLC for 990 Bay Boulevard, Chula Vista (Agenda Action Item 1)

Dear Chair and Commissioners:

The undersigned environmental organizations respectfully urge the Board of Port Commissioners to reject staff's recommendation to authorize a new two-year Exclusive Negotiating Agreement (ENA), with two additional 180-day administrative extensions, for the proposed Pangaea project at 990 Bay Boulevard in Chula Vista.

Granting a new ENA could provide the developer with up to three additional years of exclusive control over planning and negotiations for a project that has failed to demonstrate sufficient progress under the existing agreement and that continues to raise serious environmental, habitat, climate resilience, and Public Trust concerns.

According to staff reports, the Pangaea team was required to demonstrate six milestones by July 1, 2026. Based on publicly available information, the developer has not completed the majority of these milestones:

- Completed market demand study – Not completed.

- Preliminary project description and land-use plan – Submitted.
- Project labor agreement – Submitted.
- Public outreach program – Not completed.
- Nonbinding letter of intent from an elite professional tennis player – Not completed.
- Environmental and planning documentation sufficient to demonstrate project viability – Not completed.

As a result, only two of the six identified milestones appear to have been substantially achieved. The Port should not reward a lack of progress by granting an additional agreement that could extend for as long as three years.

Beyond the failure to satisfy milestone requirements, the proposal raises significant concerns regarding consistency with the Public Trust Doctrine and the Port's stewardship responsibilities for state trust lands.

California's Public Trust Doctrine requires trust lands to be managed for the benefit of all Californians and prioritizes water-dependent uses, public access, navigation, fisheries, recreation, environmental protection, and related trust purposes. While certain commercial uses may be appropriate on trust lands, such uses must accommodate, promote, foster, or enhance public enjoyment of tidelands and navigable waters.

The State Lands Commission has emphasized that uses which could be located on uplands, or which primarily serve local economic-development objectives rather than trust purposes, warrant careful scrutiny. Many of the project concepts discussed publicly—including tennis facilities, sports venues, training facilities, entertainment uses, and associated commercial development—are not coastal-dependent uses and do not require location on scarce bayfront trust lands.

The Port should first determine whether the proposed project serves legitimate trust purposes before granting years of additional exclusivity to pursue development.

The proposal also raises substantial environmental concerns.

The proposed development would significantly intensify uses on the Chula Vista Bayfront and appears to exceed the scale and character of development contemplated in the Chula Vista Bayfront Master Plan. The project would increase pressure on sensitive habitats adjacent to the San Diego Bay National Wildlife Refuge through increased noise, lighting, traffic, and human activity.

The J Street Marsh and surrounding habitats provide important ecological functions and support a wide variety of birds and wildlife. Previous planning efforts recognized the need to preserve

opportunities for wetland migration and habitat adaptation in response to sea-level rise. These goals remain critically important as climate impacts accelerate.

Bayfront lands should be managed to preserve opportunities for:

- Wetland migration and tidal habitat expansion;
- Shoreline resilience and sea-level-rise adaptation;
- Habitat restoration and enhancement;
- Protection of eelgrass and other sensitive bay resources;
- Expanded public access focused on recreation, nature appreciation, and environmental stewardship.

Habitat buffers should be strengthened rather than reduced. We encourage the Port to evaluate buffer widths comparable to those utilized at Sweetwater Park, approximately 400 feet, to better protect sensitive wildlife resources and reduce conflicts between intensive human uses and habitat areas.

The Port and regional partners have invested substantial public resources in restoring and protecting habitat throughout San Diego Bay, including eelgrass restoration efforts that support fisheries, water quality, and ecosystem resilience. Long-term ecological health will require preserving space for habitat expansion and shoreline adaptation rather than committing increasingly scarce bayfront lands to intensive commercial and entertainment uses.

Finally, granting a new ENA before resolving these threshold issues places the Port in the position of advancing a speculative project without demonstrating either market viability or consistency with long-term environmental and public trust obligations.

For these reasons, we respectfully request that the Board decline to authorize a new Exclusive Negotiating Agreement with Pangaea Development, LLC and instead prioritize planning efforts that advance habitat protection, climate resilience, public access, wetland restoration, and the long-term public trust values of the Chula Vista Bayfront.

Sincerely,

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