October 9, 2026

Submitted via webform

To: San Diego City Council

Re: October 13, Agenda Item #330: 2020 SeaWorld Master Plan Update

Dear Council President LaCava and San Diego City Council Members:

On behalf of Coastal Environmental Rights Foundation (CERF) and San Diego Coastkeeper (Coastkeeper), thank you for considering our comments on the 2020 SeaWorld Master Plan Update. CERF and Coastkeeper have advocated against fireworks discharges over water in the coastal zone for more than two decades, with a particular focus on Mission Bay. That work, along with sustained litigation, led to the nation's first Clean Water Act permits regulating fireworks discharges over water. Most recently, we reached a landmark settlement with SeaWorld under which the park committed to pursue drone shows as a significantly less harmful alternative to fireworks.[1]

For the foregoing reasons, we urge Council to adopt the Planning Commission's recommendation: **approve the Master Plan with the condition that fireworks be phased out within five years if the California Coastal Commission and any other governing body permit drones or another more environmentally friendly technology for nighttime entertainment.**

I. Without a Phase-Out Condition, the Master Plan Authorizes Another 20 Years of Fireworks Pollution

Even as improved, the proposed Master Plan Update still authorizes up to 60 fireworks shows per year for the next 20 years. Fireworks discharged over Mission Bay deposit combustion byproducts — including heavy metals, perchlorates, and plastic and paper debris — directly into coastal waters, while the accompanying noise and light disturb the marine and avian species that depend on the Bay. We have documented hundreds, if not thousands, of pieces of chemical-laden plastic and cardboard debris falling into the Bay during each show.

The impacts from the City's continued authorization of fireworks are in direct tension with Chapter 3 of the Coastal Act. Section 30230 requires that marine resources be maintained and enhanced and that uses of the marine environment sustain biological productivity. Section 30231 likewise *requires* that the biological productivity and quality of coastal waters be maintained and, where feasible, restored, including by minimizing the adverse effects of waste

[1] https://www.sdcoastkeeper.org/san-diego-coastkeeper-and-cerf-settle-lawsuit-with-seaworld-over-mission-bay-fireworks-pollution/.

discharges. **Locking in 60 fireworks shows a year for two decades, when a lower-impact alternative is already in active use, is difficult to reconcile with those mandates.** It would also undercut the City's own ReWild Mission Bay restoration efforts, which are embedded in the Mission Bay Park Master Plan. It makes little sense to invest in restoring the Bay while simultaneously committing to two more decades of fireworks discharges into the same waters.

A fixed allowance of 60 shows per year offers no path to fewer fireworks, even as cleaner alternatives become available. The Planning Commission's condition provides that path.

II. The Planning Commission's Recommendation is Reasonable

The Planning Commission's recommendation is measured and protects SeaWorld's operations. The five-year phase-out is triggered only if the Coastal Commission and any other governing body permit drones or another more environmentally friendly technology. If and when that condition occurs, SeaWorld would have five years to plan, invest, and transition its programming, and it would never be asked to rely on a technology that regulators have not allowed. Adopting the condition now is not premature— it does nothing unless an alternative is approved, so it costs nothing to adopt, while waiting risks locking in 20 years of fireworks with no path to reduce them.

The condition also builds on SeaWorld's own commitments. SeaWorld has already agreed to pursue drones as an alternative to fireworks, and its current coastal development permit (CDP) authorizes up to 110 drone shows this year to help develop that alternative. The park completed its first major phase of drone entertainment this summer, and we have heard nothing but positive feedback from both SeaWorld and the public. Finally, the Planning Commission approved the condition 7-0-0 (Resolution 5386-PC), and the staff report states that it has no objection to the Commission's recommendation and condition.

III. Adopting the Recommendation is Within the City's Authority

The staff report declines to incorporate the phase-out condition because "the future of nighttime entertainment depends on action by the Coastal Commission, which is outside the City's authority." We respectfully disagree. That framing misreads both the condition and the City's role.

The SeaWorld Master Plan is incorporated by reference into the Mission Bay Park Master Plan, which serves as the Local Coastal Program for Mission Bay Park. The question before the Council is what the Master Plan will authorize for fireworks over the next 20 years. That is a land use policy decision for the City, and the current drone CDP does not shift that authority.

The Coastal Commission issued a one-year permit for SeaWorld's drone pilot because drones are not addressed in the Master Plan. Fireworks are. This permit does not resolve what the Master Plan should say about fireworks, nor does it limit the City's ability to set policy for them.

Further, the five-year phase-out will be triggered only when another agency legally permits an alternative. The staff report's point that the outcome depends on the Coastal Commission is the reason the condition includes this "triggering event" language.

The ongoing pilot also supports adopting the condition now. It shows that a viable alternative is being tested and gives the City a way to respond when testing concludes. Without the condition, the City would need to reopen the Master Plan later, after fireworks have been locked in.

IV. Requested Action

Through this Master Plan amendment, the City has the opportunity to set the tone for how land use policies will shape Mission Bay for the next 20 years. San Diego—the first city in the nation to regulate fireworks discharges over water—can build on that legacy while also giving SeaWorld certainty and time to transition.

We therefore respectfully request that the Council adopt the Planning Commission's recommendation to approve the 2020 SeaWorld Master Plan Update with the condition that fireworks be phased out within five years if the California Coastal Commission and any other governing body permit drones or another more environmentally friendly technology for nighttime entertainment.

Sincerely,





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