United Sportfishers of San Diego Inc.

Operators of

H&M Landing

2803 Emerson Street

San Diego, CA 92106

Ms. Liane Randolph, Chair
c/o Harborcraft
California Air Resources Board
1001 I Street
Sacramento, CA 95814

California Air Resources Board Members,

My name is Frank Ursitti. As President of H&M Landing, I represent largest charter company on the west coast of the United States. Established in 1935 and located in San Diego, H&M Landing manages a fleet of 41 independently owned and operated vessels. Each of these companies employee between 5-30 individuals.

On behalf of the H&M Landing Fleet, I would like to express my concerns with the current CARB Harbor Craft Rule set to be published in late September 2021. As drafted, requirements in the rule will impose unachievable engine and emission standards for the charter boat industry. Proposed rulemaking dictates compliance with technology that does not exist or is physically impossible for a retrofit to take place.

CARB fails to propose a path towards compliance for our sector, and further states we must retire vessels from service that cannot meet compliance guidelines…even though equipment to achieve emissions set forth in the rule for this classification of vessel is not available. CARB staff further exacerbates the issue facing our sector by stating the charter industry can replace the fleet with a modest increase in price or charter rates, since our clientele is well positioned to bear the burden of the cost to build a new fleet.

Commissioners, CARB staff has failed to work through the challenges that will result with fleet replacement. In fact, staff has failed to understand the subject matter they are attempting to regulate all together. Staff has failed to interview stakeholders, business owners and the public at large that utilize these vessels. They do not have accurate financial data with respect to cost of operation nor do they have information from shipyards or vessel builders to make an accurate assessment of what the real impact will be to the customer to offset the cost of new construction. Staff has yet to recognize the overall financial impact recreational angling has to the California economy and the jobs it provides.

We ask that staff do the following to provide you, the decision makers, with accurate data so that a reasonable decision can be made:

* Conduct an economic impact study of vessel owners, using accurate data, to understand their current business with respect to margins and if those margins will support vessel replacement.
* Conduct an economic impact study of coastal communities, manufacturers, and hospitality using accurate data to understand the impact sportfishing and eco-tourism has on each sector.
* Conduct a feasibility study, with respect to retrofitting existing vessels with proposed technology to reduce emissions, and where retrofit is possible, understand how passenger loads will be reduced to accommodate the additional equipment and how this will impact profitability.
* Conduct emission studies to accurately assess what the CPFV fleet contributes in terms of emissions inside regulated California waters based on existing equipment and operational characteristics.
* Survey competitive shipyards to gain a realistic understanding of vessel replacement cost with proposed emission standards.

It is imperative every member of this board understand this proposed rule making is being pushed without a clear understanding of the previously mentioned points, and broad assumptions are being made that are unfounded.

The CPFV fleet is diversified and serves a variety of customers and roles by providing low-cost resource management surveys, marine science education programs, and economically disadvantaged communities through low-cost excursions. The fleet further provides ocean access to those unable to afford vessel ownership. This will all disappear should vessel replacement be the only path towards compliance.

I trust Commissioners, you all understand Commercial Fishing vessels have been given a set of reasonable guidelines for compliance, yet Commercial Passenger Fishing Vessels were carved out of this CHC subset for the sake of this rulemaking. The proposed guidelines for CPFV’s are impossible and puts this sector on trajectory for extinction. The vessels cannot comply as constructed, and new construction will be so cost prohibitive, the average Californian will be unable to afford the price of admission.

We ask you place CPFV’s back into the category of Commercial Fishing vessels for the sake of rulemaking, or that you conduct the requested research prior to passing rule and help create a path towards compliance.

Thank you for your consideration,

Frank T. Ursitti

President

H&M Landing