



MRA

MARINE RECREATION ASSOCIATION



The California Association
of Harbor Masters
and Port Captains

October 28, 2021

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

RE: CHC 2021 Proposed CARB Engine Emission Regulations; Sportfishing/Whale Watching Vessels

Dear Madam Chair,

The following trade organizations represent marinas, harbors and boaters throughout California and we are seriously concerned about the agency's proposed commercial harbor craft regulations.

CARB has proposed engine emission regulations that require technology that has not been developed for passenger sportfishing and whale watching vessels or tested safe at sea. Similar technology used on trucks and farm equipment has been known to stall engines for hours at a time to clean emission control systems, and in worst case scenarios, catch fire. On land, a stalled engine or fire is a serious economic disruption. At sea, the consequences would be life threatening.

Moreover, where boats could stall is equally concerning. Vessels often enter and exit harbors that are difficult to navigate, especially during high winds and seas. If a vessel were to stall in a harbor or near shore, the threat of running aground or colliding with another vessel is a very real and an unacceptable possibility. Rather than hours, crews could have only minutes or seconds to regain control of their vessel. This is why it concerns us greatly that CARB did not initially consult the U.S. Coast Guard when drafting the regulations. If CARB has remedied this oversight by requesting USCG comments or analysis, please provide us a copy before the November 19th public hearing.

CARB has concluded that the proposed regulations are not compatible with some vessels, specifically stating that **"vessel replacement will be likely, especially the categories with wood or fiberglass vessels."** When more than 80 percent of vessels are constructed with these materials, there is a strong possibility that many sportfishing and whale watching boat owners will go out of business. Moreover, the Cal Maritime Academy raised concerns associated with boat stability, which could have the practical effect of removing metal boats from service as well. As boat owners who can't afford replacement vessels leave the industry, landings will go vacant, devastating visitor spending in and around marinas and harbors occupied by restaurants, stores and lodging.

This is why we are disappointed that CARB's economic analysis did not evaluate the economic impact of the regulations on harbors and marinas, and coastal economies that depend on anglers and marine life watchers to support the outdoor tourism and hospitality industry. It is irresponsible to consider the proposed regulations without such analysis.

Moreover, compliant vessels would have to be metal and larger in size to accommodate Tier Four engines, Diesel Particulate Filters and other addons. It is possible that larger vessels would require harbors and marinas to spend resources to reconfigure landings and result in less slips available to rent. CARB did not consult with harbor masters and marina operators as part of any stakeholder outreach. Consequently, the impacts of the proposed regulations raise serious economic and safety issues.

Out of concern for the personal safety of passengers and crew, and economic security of our marinas and harbors, we cannot support the regulations in their current draft and recommend that passenger fishing vessels be allowed to transition to lower emission engines as the technology becomes available and it is economically feasible.

Sincerely,



Kate Pearson
Marine Recreation Association President



George J. Sikich
President CYBA



Andrea Lueker
President CAHMPC

CC: The Honorable Gavin Newsom
California Fish and Game Commission
Director Charles Bonham, Director, California Fish and Wildlife Agency
California State Legislature
United States Coast Guard