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November 5, 2021

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

RE: CARB's Proposed Revisions to the Commercial Harbor Craft Regulations

Dear Madam Chair,

The San Diego Port Tenants Association represents 800 businesses in the manufacturing, ship building and repair, shipping and trade, commercial and sportfishing, aerospace, hospitality, tourism, and recreation industries as well as the U.S. Navy on San Diego Bay. Collectively, they represent 44,000 jobs within San Diego's working waterfront. We are writing to express our serious concern with the agency's proposed revisions to the commercial harbor craft regulations.

CARB has proposed engine emission regulations that require technology that has not been developed or tested to be reliable and 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. At sea, these scenarios could be life threatening.

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. In San Diego, well known as a Navy and Coast Guard town, we have heavy traffic of naval war ships coming in and out of the harbor alongside commercial and leisure harbor craft. Therefore, it concerns us greatly that CARB did not initially consult the Coast Guard when drafting the regulations.

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, harbor tour, 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

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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 of metal construction and larger in size to accommodate TIER 4 engines, Diesel Particulate Filters and other exhaust after treatment systems. It is realistic to assume these larger vessels will necessitate harbors and marinas to resign marina layouts, resulting in decreased berthing available for rent or business operations. 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 the economic survival of our boat owners, marinas, and harbors, we cannot support the regulations in their current draft and recommend that passenger commercial harbor craft be allowed to transition to lower emission engines as the technology becomes available and it is economically feasible to do so – the same path as CARB is providing to commercial fishing vessels.

Sincerely,



John Laun
Chair



Sharon Cloward
President

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