Ms. Liane Randolph, Chair

California Air Resources Board,

c/o Harborcraft

1001 I Street

Sacramento, CA 95814

RE: Proposed Harbor Craft Engine Emission Regulations/Commercial Passenger Vessels

Dear Madam Chair,

My name is Jonathon Smith, I co own the charter boats: Happy Hooker and Pacific Dream in the Berkeley Marina with my Dad Chris. I am third generation captain of the Happy Hooker. My Father, Uncles and Grandfather all worked commercial passenger fishing or commercial fishing their whole lives. We have always had good years and lean years of fishing, It is a trade I am passionate about. I take a lot of pride in taking up my family trade. I take a lot of joy in putting people on fish and watching them catch something that goes straight to the dinner table. We provide people a means to access a natural recourse.

Living in California the last 11 years, I’ve been conditioned to California’s different ways to reduce emmissions and carbon footprint. We have ran a tier 2 engine in the Happy Hooker since 2010. We have a tier 3 replacement on order. Hopefully we will repower by January 2023.

My Engine data states that my idle time accounts for 67% of the entire operating time. Idle is when the engine is at 0% load factor in neutral at 600 RPM. As business owners in California, I can agree with having standards for emmisions, as long as they are reasonable for the application. Everything I have read about the proposed regulations are far from reasonable. I never thought in my life that I would be faced with a decision to have to scrap my boat someday.

The proposed regulations require me to install marine engines that have not been designed or tested yet, because the application is not practical or safe. A tier 3 engine or tier 4 engine with the new exhaust system with DEF would run so hot that there would almost certainly be a fire in the engine room. Our fiberglass boats are made with polyester resin, which is flammable. I’m not a scientist but I’m sure that my boat would be at risk of fire at sea with passengers onboard. That’s assuming the coast guard would approve the changes. As CARB is well aware, this new exhaust requirement would render my vessel obsolete. I am horrified that my government is willing to put me out of business to pursue a green peace crusade. To have a new boat built to meet compliance and coast guard standards in 8 years, with the way inflation is rising, I’m looking at raising 2.5 to 3.8 million dollars to build.

We have had some good fishing seasons in the bay area the last few years. Good fish scores put the passengers on the boat, but please consider that fishing could take a hit at any time. If people aren’t catching many fish, most of them don’t book. In 2019 we took a pretty large hit with the covid 19 government shut downs. We lost nearly 3 months of fishing season on a projected record profit year. We then increased our price by 30% and limited our passenger count to social distance. Fortunately we are an outdoor business and able to be open under our county mandates. We still took a permanent loss in business. Since covid happened, a lot of passengers just don’t come out anymore. I’ve also had to give full refunds on charters because of covid exposure. Almost 2 years later after April 2019 and our business has not recovered to full capacity. Covid 19 and government shut down is responsible for decline in business over the last year and a half. And now my government wants me to double prices to pay for brand new boats. No one will pay to fish with me if I double my prices. If this bill is passed, I will be trying to save money to buy one boat to replace 2 of them. 2-4 million dollars is a lot of money to save in the bank, especially when profits every year go towards other engine repowers and maintainence. Charter fishing is an expensive business and we do not have a lot of capitol at the beginning of every year. It seems like a slap in the face to get hit with regulations like this after the covid 19 virus has damaged our business.

What bank in their right mind would give me a loan for a 2-4 million dollar boat, just to meet emission standards? No financial institution will fund our boat builds. They will probably laugh and say, what happens when the state makes you go electric? Need another million to upgrade? I’m looking at having to raise funds on my own on top of two different boat mortgages and 2 home mortgages. Our new engine projects also have to come out of pocket. Happy Hooker being close to 200K and Pacific Dream costing over a half million to upgrade to tier 3, all to appease CARB. The business expense and debt is a never ending tunnel so long than we have to possibly consider selling our boats out of state or scrapping. I might have to take up a different career after my boat loans are paid off and start out fresh in a red state. I guess you will decide my fate though. That’s what you do best, dictating and shutting down a family business that’s been in place and paying California taxes for 40+ years in the name of clean air.

Regulating our business out of California will not only destroy mine and my family’s life, but will effect the entire fishing community. We take out boy scout charters every year and familys book our charters to bond and teach their children how to fish and have healthy family fun. We are not just a business. We provide a means to access a natural resource of ocean fresh fish, straight to the table. And everyone has a fun time participating. Just read our facebook or yelp reviews, you might be touched. You will end the next generations chance of ever knowing about the joys of charter fishing in California.

Why are we being singled out for new regulations? Traditionally commercial passenger fishing vessels are in the same class as commercial fishing vessels. I feel like we are an easy target for CARB because there is so little of us, (174) vessels. We need to be held to the same standards as all of the other commercial fishing vessels. Commercial fishing vessels will only have to upgrade to tier 2 engines? Or keep mechanical? Black smoke from commercial fishing vessels, tug boats, tractor tugs, commercial ship traffic, why are we being singled out? We are small business owners. We pay our taxes and we provide a service to the community. This new standard is not right.

My business means the world to me and my family and our customers. With the suicicide rate at an all time high, I’d hate to see my family or customers suffer in the future because something they love was regulated out.

I can show you engine data from the happy hooker C18 computer that shows that 67% of our engines lifetime is idle time. Just drifting barely putting anything in the air. This is the same for a lot of charter boats in my area. Its not right to target us. I want to meet CARB in the middle somewhere. Your terms are way too steep and too irrational.

Please have a heart and don’t destroy a family trade and tradition for many families in California.

Thank you for your consideration

Jonathon Smith

If I do have to dispose of my Investments that I will have worked off for12 years, hopefully the state will compensate me or help me invest in something new and more California approved.

Happy Hooker Sportfishing

Pacific Dream Sportfishing