



November 14, 2021

Ms. Liane Randolph, Chair

California Air Resources Board

C/o CHC 2021

1001 I Street

Sacramento, CA 95814

Chairperson Randolph and Commissioners,

Good afternoon, my name is Jaime Diamond, my husband Capt. Jason and I are on the board of directors for the Sportfishing Association of CA. Jason and I along with our three young children own two sportfishing vessels which have been operating out of Santa Barbara since 1996. We run day fishing trips March- December. We partner with UCSB, NOAA, DFW and others for collaborative fisheries research projects and one can say, most importantly, we partner with the SB Maritime Museum facilitating Floating Marine Labs to Santa Barbara County Title 1 school 3rd & 4th grade students. Providing most of them with their first ocean interaction. The proposed CARB regulations as is, will have a drastic negative impact on our business and our communities.

My husband has been a fisherman for 40 years, we know our communities. We act as stewards of the land and water, not only for our own benefit, but for the benefit of our future generations. We make this active choice to bear much of the cost and responsibility protecting our natural resources. We value the importance of air quality, we also believe in the three pillars of sustainability - economic viability, environmental protection and social equity. As the proposed rule stands, it is not a sustainable option for our industry, it is not equitable for CPFV operators or the people they serve.

One of our vessels is currently upgrading to the best available, newest Tier Three engine. The other is currently a Tier Two, which we intend to upgrade. I am concerned with the proposed amendments to the (CARB) Commercial Harbor Craft Regulation (CHC Regulation). Under the amended CHC rule, beginning January 1, 2023, Commercial Passenger Fishing Vessels (CPFV) will be required to replace engines with cleaner tiered engines & equipment, among other requirements. At first, that sounds pretty good. Unfortunately, the proposed rule was rushed without truly fleshing out the rippling consequences. To start, we will be removed from our longstanding designation as Commercial fishing vessels, despite the fact we are recognized as such by CADFW. We are Commercial fishing vessels, who also carry passengers.

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We have to buy the same license, we have same class of boats, the same engines and our businesses have similar profit margins.

We, the small passenger vessels are ocean access for mid to low income & disadvantaged communities. Those who cannot afford the luxury of owning their own private boat. We are the means by which our local communities can see and visit the Channel Islands, go fishing & whale watching, experience the beauty of our coastline and local sea life. We would have to increase our rates becoming an elitist activity. Researchers, and nonprofits would no longer be able to afford the cost, denying best available science and putting an end to life changing experiences for our local school kids.

The lack of communication between CARB and USCG is unacceptable. We cannot change anything on our vessels without USCG approval, therefore we cannot put in engines or other equipment without their oversight for safety as we are passenger carrying vessels. I'm sure you can appreciate my concern here after the Conception disaster. Tier 3 or 4 plus DPF is just not possible for us. The added weight of components will not fit and will affect stability of the vessels. It will also change our passenger capacity due to added weight further increasing the cost to the public. CARB has stated they are aware and said we will just have to replace all 174 CPFV's in the fleet with steel vessels. Why? Because the proposed equipment runs so hot it isn't safe for use in wood or fiberglass vessels, and the expansion & contraction will break the welds on aluminum boats too. The diesel particulate filters they want us to use are notorious for clogging. For a truck, its most likely no big deal, pull over get out and wait for a tow. If that were to happen on a Passenger vessel, it would leave us dead in the water. What if that happened mid shipping channel crossing with weather picking up, or touring the painted cave at the Channel Islands, entering/exiting the harbor? Even worse, when these filters clog and the engine does not automatically shut off, they can overheat, catch fire, and explode. This has the potential to make the Conception incident seem commonplace.

There is a clear lack of communication between CARB and local APCD's. Local APCD Carl Moyer Grant programs have very different structures for financing, contract length, and how many components can be funded at one time. The cost associated with upgrading to Tier 3 or 4 is also an extreme economic hardship for our small business, especially since once this becomes a rule, we will no longer qualify for Carl Moyer grant funding. We also are concerned about the equipment availability. Tier 3 & 4+DPF is not available in a model small enough to fit our vessels.

I ask you to support CPFV's, let us continue to be considered a "Commercial Fishing Vessel" and receive access to grant funding, same compliance deadlines as Commercial Fishing Vessels, and be returned to our former classification as such.

We are 100% behind cleaner air and healthier communities, but it is being rushed to the detriment of those who are the backbone of these coastal communities. Most of us live where we work and want the best for our environment, however it must be done thoughtfully, truly working WITH stakeholders, using commonsense and not causing more harm than good. Frankly, to push this type of action through during a global pandemic with businesses on the brink, people's lives and livelihoods hanging in the balance, is unconscionable. Please, consider all which has been laid before you, and consider waiting until our lives and world are not in immediate peril.

I would like to mention, when Ms. Bonnie Soriano presented to the Ventura County Board of Supervisors & APCD she repeatedly mentioned the age of our vessels. She tried to say a vessel such as mine which is approaching 50 years old should just be decommissioned anyway. That is akin to saying any home approaching 50 should be torn down. Of course not! We keep our vessels in prime condition, it is not only a point of joy and pride, but we must do so as our passenger's lives depend on it! Our vessels are inspected every year by USCG, and every two years they get hauled out of the water for a more in-depth inspection. I am including pictures of our boats, so you understand what a 50 year old boat really looks like.

One more thought; reducing my ability and opportunity to defend my business and livelihood to three minutes of public comment is demeaning, demoralizing, and everything that is wrong with politics. This rule proposal was pushed through its paces at light speed during a pandemic which we are still in. I am an Elected School board trustee; I was not appointed by someone with a specific agenda come hell or high water (both of which seem very close right now). I have a duty to serve both the students in my district and the other stakeholders such as Teachers & Staff, and community members. Sometimes, in the best interest of the kids, or teachers, I have to make a decision which the administration does not agree or want. If what is being asked has a huge negative impact on any one group, I cannot go forward. We must do better and find another way. This is your chance to find another way. Please let Commercial Passenger Fishing Vessels (CPFV) return to its classification as Commercial Fishing Vessels, allowing us more time and access to grant money so we can continue to upgrade our engines to the best & safest available without having to rebuild our vessels.

Respectfully,

Jaime Diamond
Owner, Stardust Sportfishing



These two pictures were taken during one of our Veteran's day Veterans trips. Sixty Five Veterans and Wounded Warriors had a free day of peace and healing on the water.



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My Family and our boats. From Left: My oldest son Matthew 15- he loves working on the boats, learning everything he can, his dream is to get his Captains license and run the boats. Next, my daughter Molly 11- she feels right at home on board, she is my creative one a little artist, after a day on the boat she usually can be found painting or drawing something ocean related. My husband Capt. Jason Diamond- this is literally the only job he has ever had since he was a teenager. This man gets to live his dream, helping people fall in love with sportfishing and ocean adventures. That's me in the white shirt- I may have married into this business, but I wouldn't have it any other way; this has built the most beautiful life for my family, and I count be more blessed. Finally, our youngest fisherman- MAX! He is four years old and has been able to tie on a fishing hook since he was three. The kid is absolutely nuts for fishing and hanging out on the boats and at the Landing. His TK teacher had to adjust his drawing assignments to fishing related because all he wants to draw is fish.