



November 15, 2021

California Air Resources Board
1001 "T" Street
Sacramento, CA 95814

Subject: Comments on board item CHC2021, Proposed Amendments to the Commercial Harbor Craft Regulation

Dear Members of the Board:

Thank you for considering public comments on the proposed amendments to the commercial harbor craft regulation. The Golden Gate Bridge, Highway and Transportation District (District) has, in anticipation of this regulation, contracted with four independent naval architecture firms to complete feasibility studies for the entirety of the District's seven vessel fleet. These studies identified significant barriers to the repowering of the District's catamaran passenger vessels with a propulsion package meeting or exceeding the intent of the proposed regulation.

Under the proposed new regulation, the District's fleet of seven ferry vessels will have compliance years ranging from 2022 to 2027. Repowering three vessels and replacing four vessels over this five-year timeframe risks significant interruption to the District's public ferry services. The District will be forced to balance biennial regulatory dry dockings, unplanned dry dockings, and vessels removed from service for repower while still maintaining the same level of public ferry services necessary to remove congestion on the Highway 101 corridor.

California Air Resource Board (CARB) should recognize the size and complexity of the District's CARB Compliance Project. The District is budgeting \$154,220,000 for the CARB Compliance Project. The project will replace four catamaran passenger vessels and repower three Spaulding class monohull passenger vessels, as necessary, to meet the requirements of the amended regulation. This project represents 53% of the estimated statewide cost, \$287,827,581, for monohull and catamaran ferries as outlined in CARB's Cost Analysis Workbook ISOR. Considering the aforementioned, the District suggests that CARB revise the proposed regulation to include the following:

1. Include language in subsection (e)(12)(E)5 to allow for a 2-year scheduling extension for public ferry agencies required to replace multiple vessels in the same or subsequent year(s).
2. Include language in section (f), Alternative Control of Emissions (ACE), clarifying that the Executive Officer (E.O.) has the authority under the proposed regulation to determine eligibility for a public agency's fleet compliance plan if the agency demonstrates a strategy that meets the intent of the regulation before the year 2033. The regulation

should provide the E.O. with the flexibility to approve ACE plans that demonstrate a continual effort to achieve emissions reductions through construction projects that repower or replace existing vessels.

The first suggestion will allow for a staggered replacement of ferry vessels by public agencies with multiple vessels. Without such flexibility, the District's compliance with the proposed regulation will result in significant disruptions to ongoing public ferry services in the Bay Area. The proposed 2-year extension will help the District maintain its current level of public ferry services while balancing construction projects with vessel down time caused by the maintenance required by regulation.

The second suggestion allows for public transit agencies like the District to submit a plan that meets the intent of the regulation. Federal Transit Agency (FTA) funds for replacing an existing vessel are available only after a vessel has reached the end of its useful life—ordinarily defined as after 25 years. The District suggests that CARB clarify the proposed regulation to ensure that, in approving an ACE plan, the E.O. may allow public ferry agencies like the District to achieve the emissions reductions called for in the proposed regulation without sacrificing funding sources critical to providing public transit.

The District appreciates the opportunity to comment on Board item CHC2021, Proposed Amendments to the Commercial Harbor Craft Regulation, and shares CARB's commitment to further reduce pollution from commercial harbor craft. The District asks that CARB consider these suggestions prior to adopting the proposed amendments.

Sincerely,

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Director, Engineering and Maintenance
Ferry Division

cc: James Swindler, Deputy General Manager, Ferry Division
Denis Mulligan, General Manager