| Department of Defense Comment MatrixSubmitted: 25 October 2022California Air Resources Board **Commercial Harbor Craft Regulation** |
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| **Comment #** | **Location** | **Department of Defense Comment** | **Requested Revision**  |
| **Page** | **Section** |  |  |
| 1 |  | General Comment for Section 93118.5. | This regulation emphasizes in its initial purpose and intent, and in multiple sections throughout its entirety, that it is meant to reduce specific emissions from diesel propulsion and auxiliary engines (“diesel” is written 147 times, including revisions). Although the applicability section states that as of January 1, 2023 this regulations applies, “to any new or in-use harbor craft, regardless of fuel type,” and in the most recent revision the word “diesel” was struck from Section (8) on page 59 of 124 as follows, “All Harbor Craft (Excluding Commercial Fishing Vessels) – Requirements for New and Newly Acquired ~~Diesel~~ Engines (Applicable On and After January 1, 2023),” it remains unclear as to what thresholds these alternative fueled craft/engines are included/regulated, and thus what requirements become applicable to them (“alternative-fuel/s” is written 6 times and “gasoline” is written 1 time, including revisions). This lack of clarity is exacerbated by the majority inclusion of diesel technical standards and testing for regulated crafts/engines. For example, new language was added to section (q)(1) on page 123 of 124 that reads, “When conducting testing procedures, engines may be fueled using CARB diesel, or U.S. EPA nonroad diesel fuel….” | Recommend revising the proposed regulation in a way that brings clarity to the applicability of alternatively-fueled harbor craft and engines (inboard and outboard); specifically address gasoline-powered harbor craft and engines based on their prevalence in small craft.  |
| 2 | 7 of 124 | Section 93118.5.(c)(3)(5) | This section conflates the exemptions for recreational vessels and alternatively-fueled commercial harbor craft by combining them in the following way, “A recreational vessel or any alternative fueled vessel that carries 6 or fewer passengers and that is not required to be documented with the U.S. Coast Guard pursuant to 46 CFR 67.7 as last amended on September 25, 2009 and 46 CFR 67.9 as published on November 15, 1993, which are incorporated by reference herein, is exempt from this section in its entirety;” | Recommend splitting this exemption into two separate exemptions, one specific to recreational vessels and one specific to alternatively-fueled commercial harbor craft. This would better clarify the details of the exemption for recreation vessels versus alternatively-fueled harbor craft, and ensure that both stakeholder groups are equally likely to see the exemption applicable to them when reading this regulation. |
| 3 | 16 of 24 | Section 93118.5.(d) | To improve clarity the words, “but is not limited to” were removed from the definition of “Facility,” leaving the revised definition as, “any port, marine terminal, oil terminal, marina, harbor, and land with docks for allowing a commercial harbor craft to dock, moor, or otherwise conduct commerce.”  | To further improve clarity in this section, and in follow-on sections relevant to facility requirements, it is recommended that the words “commercial harbor craft” are replaced with “vessels subject to this regulation” in the definition of “Facility.” |