

## Summary of Comments Received During the 30-Day Comment Period and ARB Responses

Commenters: Bay Area Air Quality Management District  
Hornblower Cruises & Events

1. **Comment:** Hornblower is proposing to utilize emissions reduced by the vessel California Hornblower engine repowers to meet the requirements for a compliance extension for other Hornblower vessels under the California Air Resources Board's (CARB) Commercial Harbor Craft regulation (CHC regulation). However, in 2009, the Bay Area Air Quality Management District (Air District) provided \$560,256 in Carl Moyer Program (CMP) funding to Hornblower for the repower of two main engines and two auxiliary engines on the California Hornblower. Under the requirements of the CMP and the Air District's grant agreement with Hornblower, emissions reduced by the repowered engines cannot be used for compliance with the CHC regulation. The CARB CMP guidelines prohibit emission reductions from funded projects from being used to offset any emission reduction obligation. Approval for this ACE plan would violate the terms of the CMP Grant Agreement for the grant-funded project and the requirements of the CARB CMP guidelines. (Bay Area Air Quality Management District)

**Agency Response:** We agree. We propose to disapprove the ACE plan.

2. **Comment:** The 2009 Moyer Agreement resulted in the funding of only a percentage of the total costs of the California Hornblower repower project. As a minimum, we should therefore be allowed to use the emission reduction credits resulting from our privately funded share of the total funds expended to complete the repower. (Hornblower Cruises & Events)

**Agency Response:** Per Carl Moyer Program guidelines, see Chapter 2, General Criteria, and the grant agreement signed by authorized representatives of Hornblower, the Carl Moyer Program will take credit for all emission reductions achieved from projects funded using any Carl Moyer Program incentive dollars.

3. **Comment:** We feel the language regarding emission reductions in the 2009 Moyer Agreement should have been highlighted or given more prominence in the document. (Hornblower Cruises & Events)

**Agency Response:** These were terms of the contract that Hornblower agreed to when they accepted the CMP funding.

4. **Comment:** The repower of the engines was completed 4.75 to 5.75 years earlier than the CARB Compliance Dates. Given the Carl Moyer guidelines on a minimum three-year project life requirement, we should be allowed to use the emission reduction credits for the years in excess of the three-year minimum. (Hornblower Cruises & Events)

**Agency Response:** Per Carl Moyer Program guidelines, see Chapter 2, General Criteria, and the grant agreement signed by authorized representatives of Hornblower, no emission reductions generated by the Carl Moyer Program may be used to offset any emission reduction obligation of any person or entity.