

Notice of Preparation

To: California Office of Planning and Research, Responsible Agencies, Trustee Agencies, and Other Interested Parties

Subject: Notice of Preparation of a Draft Substitute Environmental Document

Project Title: Amendments to the Airborne Toxic Control Measure for Commercial Harbor Craft (Commercial Harbor Craft Regulation)

Lead Agency: California Air Resources Board

Date: September 17, 2020

Review Period: September 17, 2020 – October 19, 2020

As the Lead Agency, the California Air Resources Board (CARB) will prepare a substitute environmental document (referred to as an "Environmental Impact Analysis" or "EIA") as part of the Staff Report prepared for the proposed project identified above. CARB would like to know the views of your agency as to the scope and content of the environmental information that is relevant to your agency's statutory responsibilities in connection with the proposed project. If the proposed project has no relevance to you or your organization, no action on your part is necessary.

Information on the project description, location, and potential environmental effects, as currently known, are contained in the attached materials, including the notice for public workshop to be held remotely on September 30, 2020. In addition to soliciting input on the proposed project, this workshop will also serve as a CEQA scoping meeting to solicit input on scope and content of the EIA to be prepared for the proposed project. Additional information on this proposed project is available for review on the Program webpage at the following link: <https://ww2.arb.ca.gov/our-work/programs/commercial-harbor-craft>.

The Notice of Preparation (NOP) is available for review and comment for 30 days. The comment period for this NOP begins September 17, 2020 and ends on October 19, 2020. Responses should be sent at the earliest possible date, but no later than 5:00 PM on October 19, 2020.

Please submit your written comments to ceqa.unit@arb.ca.gov or via mail to Rebecca Fancher, Air Resources Board Legal Office/CEQA Unit, P.O. Box 2815 Sacramento, CA 95812-2815. In your response, please indicate the public agency or other entity you represent, and the name and phone number of a contact person.

Date:

Signature:

Rebecca Fancher

Rebecca Fancher
Staff Air Pollution Specialist
California Air Resources Board
Legal Office/CEQA Unit
P.O. Box 2815
Sacramento, CA 95812-2815
ceqa.unit@arb.ca.gov

List of Agencies to Review

Distributed to agencies marked with an "X" below:

STATE AGENCIES	
<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Boating & Waterways, Department of <input type="checkbox"/> California Highway Patrol <input type="checkbox"/> CalRecycle <input checked="" type="checkbox"/> Caltrans <input checked="" type="checkbox"/> Caltrans Planning <input checked="" type="checkbox"/> Coastal Commission <input type="checkbox"/> Conservation, Department of -- Oil, Gas Geothermal Resources <input checked="" type="checkbox"/> Delta Protection Commission <input checked="" type="checkbox"/> Energy Commission <input checked="" type="checkbox"/> Fish & Wildlife, Department of <input type="checkbox"/> Food & Agriculture, Department of <input type="checkbox"/> Forestry and Fire Protection, Department of <input type="checkbox"/> Health Services, Department of <input type="checkbox"/> Housing & Community Development <input type="checkbox"/> Integrated Waste Management Board <input type="checkbox"/> Native American Heritage Commission <input checked="" type="checkbox"/> California Environmental Protection Agency <input type="checkbox"/> Department of General Services <input checked="" type="checkbox"/> Strategic Growth Council <input type="checkbox"/> California High Speed Rail Authority <input checked="" type="checkbox"/> Department of Conservation – Division of Land Resource Protection 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> OEHHA <input type="checkbox"/> Office of Historic Preservation <input type="checkbox"/> Office of Emergency Services <input type="checkbox"/> Parks & Recreation, Department of <input type="checkbox"/> Pesticide Regulation, Department of <input checked="" type="checkbox"/> Public Utilities Commission <input type="checkbox"/> Regional Water Quality Control Board #_____ <input checked="" type="checkbox"/> Resources Agency <input checked="" type="checkbox"/> SF Bay Conservation & Development Commission <input checked="" type="checkbox"/> State Lands Commission <input checked="" type="checkbox"/> State Water Resources Control Board <input checked="" type="checkbox"/> Tahoe Regional Planning Agency <input type="checkbox"/> Toxic Substances Control, Department of <input type="checkbox"/> University of California <input checked="" type="checkbox"/> Water Resources, Department of <input type="checkbox"/> Building Standards Commission <input type="checkbox"/> Department of Public Health <input checked="" type="checkbox"/> Tahoe Nature Conservancy <input type="checkbox"/> Sierra Nevada Nature Conservancy <input checked="" type="checkbox"/> Delta Conservancy <input type="checkbox"/> Other: _____
AIR DISTRICTS	
<ul style="list-style-type: none"> <input type="checkbox"/> Amador County APCD <input type="checkbox"/> Antelope Valley AQMD <input checked="" type="checkbox"/> Bay Area AQMD <input type="checkbox"/> Butte County AQMD <input type="checkbox"/> Calaveras County APCD <input type="checkbox"/> Colusa County APCD <input type="checkbox"/> County of El Dorado AQMD <input type="checkbox"/> Eastern Kern APCD <input type="checkbox"/> Feather River AQMD <input type="checkbox"/> Glenn County APCD <input type="checkbox"/> Great Basin Unified APCD <input type="checkbox"/> Imperial County APCD <input type="checkbox"/> Lake County AQMD <input type="checkbox"/> Lassen County APCD <input type="checkbox"/> Mariposa County APCD <input type="checkbox"/> Mendocino County AQMD <input type="checkbox"/> Modoc County APCD <input type="checkbox"/> Mojave Desert AQMD 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Monterey Bay Unified APCD <input checked="" type="checkbox"/> North Coast Unified AQMD <input type="checkbox"/> Northern Sierra AQMD <input type="checkbox"/> Northern Sonoma County APCD <input type="checkbox"/> Placer County APCD <input checked="" type="checkbox"/> Sacramento Metropolitan AQMD <input checked="" type="checkbox"/> San Diego County APCD <input checked="" type="checkbox"/> San Joaquin Valley APCD <input checked="" type="checkbox"/> San Luis Obispo County APCD <input checked="" type="checkbox"/> Santa Barbara County APCD <input type="checkbox"/> Shasta County AQMD <input type="checkbox"/> Siskiyou County APCD <input checked="" type="checkbox"/> South Coast AQMD <input type="checkbox"/> Tehama County APCD <input type="checkbox"/> Tuolumne County APCD <input checked="" type="checkbox"/> Ventura County APCD <input checked="" type="checkbox"/> Yolo-Solano AQMD
OTHER INTERESTED PARTIES	

PROJECT DESCRIPTION AND ENVIRONMENTAL EFFECTS

A copy of an Initial Study is not attached because CARB complies with the California Environmental Quality Act (CEQA) through its regulatory program certified by the California Secretary for Natural Resources under Public Resources Code section 21080.5 (14 CCR 15251(d)). Public agencies with certified regulatory programs are exempt from certain CEQA requirements, including but not limited to, preparing environmental impact reports, negative declarations, and initial studies (14 CCR 15250).

The Environmental Impact Analysis (EIA) will evaluate the potential for impacts to the environment as a result of the proposed project: Amendments to the Airborne Toxic Control Measure for Commercial Harbor Craft (Commercial Harbor Craft Regulation). The project and the nature of potential impacts that could result from the project are described below.

- **PROJECT TITLE:**

Amendments to the Airborne Toxic Control Measure for Commercial Harbor Craft

- **PROJECT LOCATION:**

The project has statewide applicability within Regulated California Waters (within 24 nautical miles of the coastline, and internal waters), and most project activities will be concentrated at ports, harbors, marinas, and other areas served by harbor craft.

- **PROJECT DESCRIPTION:**

The Commercial Harbor Craft (CHC) Regulation was adopted in 2007 to reduce emissions of diesel particulate matter (PM), oxides of nitrogen (NOx), and Reactive Organic Gases (ROG) from diesel engines used on CHC operated in Regulated California Waters (within 24 nautical miles of the California coast). The rule was then amended in 2010, and will be fully implemented by the end of 2022. The existing CHC Regulation requires the majority of vessels with pre-Tier 1 or Tier 1 engines to be repowered with engines meeting Tier 2 or Tier 3 standards.

Staff assessments show that when the existing rule is fully implemented by 2023, commercial harbor craft will still contribute a significant amount of diesel particulate matter risk to the community. As a result, staff proposed at the March 2018 Board Hearing to develop regulations to further reduce emissions from commercial harbor craft and other freight sources including ocean-going vessels, cargo handling equipment, and drayage trucks.

The proposed amendments will take effect in 2023, continuing controls of vessels covered under the existing regulation, plus will expand requirements to other vessel types. The proposed amendments will also: (1) establish expanded and more stringent requirements for engines operating on harbor craft, and (2) add mandates to accelerate deployment of zero-emission and advanced technologies into the marine harbor craft sector.

- **PROBABLE ENVIRONMENTAL EFFECTS:**

The EIA will evaluate the potential for impacts on the environmental resource areas found in Appendix G of the CEQA Guidelines. Potential adverse impacts would be associated with the reasonably foreseeable compliance responses related to the regulation, which may include but are not limited to construction or other modifications to install dock power, fast charging, and other zero-emission fueling infrastructure at terminals, harbors, marinas, and ports. In addition, there may be increased demand on the State's electricity grid.

The reasonably foreseeable compliance responses associated with the Commercial Harbor Craft Regulation could potentially adversely or beneficially affect the following resource areas, which will be further evaluated in the EIA:

- Aesthetics
- Air Quality
- Biological Resources
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Mineral Resources
- Noise
- Transportation and Traffic
- Utilities and Service Systems

Potential cumulative impacts and potential for growth inducement will be evaluated in the EIA, as well as alternatives, including the No Project Alternative.

September 11, 2020

To All Interested Parties:

The California Air Resources Board (CARB) staff invite you to participate remotely in a public workshop to discuss Draft Proposed Amendments to the Airborne Toxic Control Measure for Commercial Harbor Craft (Commercial Harbor Craft Regulation).

During the workshop, staff will present updated regulatory concepts for Commercial Harbor Craft that have been incorporated as a result of feedback from our last public webinar in March 2020. Staff will be releasing and requesting input on draft regulatory language and cost analyses that will be part of the formal regulatory proposal to our Board in 2021. This workshop will also serve as a California Environmental Quality Act (CEQA) scoping meeting to obtain feedback for the environmental impact analysis.

Workshop Information

The workshop will be held on the date and time shown below:

Date: Wednesday September 30, 2020
Time: 9:00 a.m. to 11:00 a.m. (Pacific Time)
Registration Link: [Zoom Meeting](#)

The workshop is open to the public and we encourage your participation. Please use the link provided above to register and login to participate in the workshop. After registering for the event at the link above, participants will have the option to participate via the Zoom software platform, or access the meeting by telephone with a dial-in number. No in-person attendance will be offered for this workshop.

Participants may ask questions during the workshop using the Zoom platform or prior to the workshop by email to Marissa Williams (Marissa.Williams@arb.ca.gov). Dial-in attendees will be able to listen only, and will not be able to unmute themselves. Therefore, **CARB staff recommends participating using the Zoom Desktop App or Zoom Mobile App** so that participants can request to unmute their lines to participate in discussion.

Workshop related materials will be posted prior to the event on CARB's website at: <https://ww2.arb.ca.gov/our-work/programs/commercial-harbor-craft>

Background

The existing Commercial Harbor Craft Regulation requires the majority of vessels with pre-Tier 1 or Tier 1 engines to be repowered with engines meeting Tier 2 or Tier 3 standards. Staff assessments show that when the existing rule is fully implemented by 2023, Commercial Harbor Craft will still contribute a significant amount of health risk and regional air quality impacts. As a result, staff proposed at the March 2018 Board Hearing to develop regulations to further reduce emissions from commercial harbor craft and other freight sources including ocean-going vessels, cargo handling equipment, and drayage trucks. The proposed changes that will be discussed during this workshop represent the harbor craft portion of this initiative.

California Environmental Quality Act (CEQA)

This workshop will also be used to solicit early scoping feedback on the environmental impact analysis which will be prepared for this regulatory action. This workshop will therefore also serve as a California Environmental Quality Act (CEQA) scoping meeting. Staff welcomes public input at the workshop on the appropriate scope and content of the environmental impact analysis at the beginning of our process, including the reasonably foreseeable methods of compliance with the proposal, the potential significant adverse impacts associated with the methods of compliance, potential feasible mitigation measures, and feasible alternatives to the proposal that could reduce or eliminate any significant adverse impacts.

Solicitation of Regulatory Alternatives

Staff will continue to solicit feedback on alternatives to the proposed regulatory concepts discussed at the workshop. Stakeholder feedback is an important input to the Standardized Regulatory Impact Assessment (SRIA) process, pursuant to Senate Bill (SB) 617 and the California Environmental Quality Act (CEQA). A SRIA is required to assess the economic impacts of a major regulation. In particular, CARB encourages public input on alternatives that may yield the same or greater benefits as those associated with the proposed regulatory concepts, or may achieve the goals at a lower cost.

Special Accommodation Request

If you require a special accommodation or need this document in an alternate format (e.g. Braille, large print) or another language, please contact Jessica Fahey by email at Jessica.Fahey@arb.ca.gov no later than 10 business days before the scheduled meeting. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Para solicitar estas comodidades especiales o necesidades de otro idioma, favor de contactar a Ashley Arax al ashley.arax@arb.ca.gov lo mas pronto posible, pero no menos de 10 dias de trabajo antes de la junta programada. TTY/TDD/Personas que

necesiten este servicio pueden marcar el 711 para el Servicio de Retransmision de Mensajes de California.

More Information

For more information, please visit CARB's website at:

<https://ww2.arb.ca.gov/our-work/programs/commercial-harbor-craft>

If you have questions about the workshop, please contact Marissa Williams at (916) 322-5848 or email at Marissa.Williams@arb.ca.gov.

If you need technical support during the workshop, please contact Jessica Fahey at by email at Jessica.Fahey@arb.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bonnie Soriano". The signature is fluid and cursive, with a long horizontal stroke at the end.

Bonnie Soriano, Chief
Freight Activity Branch
Transportation and Toxics Division