

State of California
AIR RESOURCES BOARD

Executive Order R-11-002

Relating to the Amendments of Regulations to Reduce Emissions from Diesel Engines on Commercial Harbor Craft Operated Within California Waters and 24 Nautical Miles of the California Baseline

WHEREAS, on June 24, 2010, the Air Resources Board (ARB or Board) conducted a public hearing to consider proposed amendments to reduce emissions from diesel engines on commercial harbor craft operated within California waters and 24 nautical miles of the California baseline, as set forth in the Initial Statement of Reasons released to the public on May 7, 2010;

WHEREAS, following the public hearing, the Board adopted Resolution 10-26 , in which the Board approved amendments to title 13, California Code of Regulations (Cal. Code Regs.,) section 2299.5, and title 17, Cal. Code Regs., section 93118.5, as set forth in Attachment A thereto, with the modifications set forth in Attachment B thereto;

WHEREAS, Resolution 10-26, directed the Executive Officer to take final action to adopt the regulations set forth in Attachments A and B thereto, and such other conforming modifications as may be appropriate, after making the modified regulatory language available for public comment for a period of 15 days, provided that the Executive Officer shall consider such written comments as may be submitted during this period, shall make such modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if the Executive Officer determines that this is warranted;

WHEREAS, on October 1, 2010, the approved regulations, with the changes to the originally proposed text clearly indicated, have been made available for public comment for a period of 15 days in accordance with the provisions of title 1, California Code of Regulations, section 44; and

WHEREAS, no written comments were received during the 15 day comment period.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 10-26 are incorporated herein.

IT IS FURTHER ORDERED that section 2299.5, title 13, Cal. Code Regs., and section 93118.5, title 17, Cal. Code Regs., are approved and adopted as set forth in Attachment I to this Order.

IT IS FURTHER ORDERED that the adopted regulatory text may be further revised with nonsubstantive changes, which will be added to the rulemaking record and indicated as such.

Executed this 11th day of April 2011, at Sacramento, California.

/s/

James N. Goldstene
Executive Officer

Attachment