



November 12, 2021

Liane Randolph, Chair
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Subject: Public Health Support for Commercial Harbor Craft Rule Amendments

Dear Chair Randolph and Members of the Board:

On behalf of the undersigned health and medical organizations and individuals, we are writing to express our support for the strongest possible pollution controls on new and in-use Commercial Harbor Craft (CHC). Pollution from these vessels represent a major source of local and regional health risks and must be addressed as quickly and thoroughly as possible. We write in strong support of the proposed regulation amendments and offer recommendations to increase the health benefits of the final rule, which we view as a critical measure of relief for communities currently bearing the immense heart, lung, cancer, and other health impacts of CHC pollution.

Californians face the most difficult air pollution challenges in the United States. The American Lung Association’s *State of the Air 2021* found that California is home to seven of the ten most ozone-polluted cities in the United States, and six of the ten most particle-polluted cities.¹ Despite decades of progress, Californians face increased risks of unhealthy air, including asthma attacks, strokes, heart attacks, lung cancer and premature death. Low-income communities and communities of color face disproportionate burdens and disparities in health impacts, including portside communities directly impacted by tugboats, ferries, fishing boats and other CHC addressed through CARB’s proposed amendments.

Significance of Commercial Harbor Craft Pollution

Despite their relatively small overall population of approximately 3,100 vessels, the CHC category represents an important source of community health impacts and regional air quality impacts. CHC emissions are a significant source of smog-forming NOx emissions and fine particle pollution that threaten lung and heart health. CHC represent one of the top three cancer

¹ American Lung Association. State of the Air 2021. April 2021. www.lung.org/sota.

risks in seaport communities, and contribute to California communities failing to achieve health-protective air quality standards.² To put the scope of the emissions in context, CARB staff note that [just one sportfishing boat produces the equivalent exhaust as 162 diesel school buses](#). These vessels, along with ferries, tugs, commercial fishing boats and others generate a heavy dose of carcinogenic diesel exhaust in some of the most disadvantaged communities in California. All CHC must be brought up to the most health-protective engine technology standards possible – as soon as possible – so that the lungs of children in disadvantaged communities no longer pay the price of CHC pollution.

Support for Proposed Amendment Framework

CARB's proposal would generate significant health benefits through major reductions in harmful air and climate pollutants. The proposal would amend existing policy to acknowledge technological advancement and require more stringent emission control strategies,³ and broaden the rule to capture emissions from additional vessel types.⁴ We strongly support the expanded scope of existing rules to ensure emission controls apply to a wider range of CHC including certain barges, pilot vessels, commercial passenger "charter" fishing vessels, commercial fishing vessels and other CHC not included in the existing rule. We appreciate that CARB has included reporting responsibilities for CHC facility operators to support data tracking and compliance, as well as preparation of facilities for more zero-emission technologies. The proposal would require more stringent in-use emission controls for vessels, including accelerating the deployment of zero-emission technologies. Specifically, new excursion vessels (e.g., dinner cruise, sight-seeing), which must be zero-emission capable/hybrid by 2025 and new and in-use short-run ferries are required to be zero-emission by 2026. New and in-use diesel-powered vessels would need to meet standards equivalent to the cleanest available certified engine operating with a diesel particle filter.

Benefits of the Proposed Rule

By shifting to zero emission and cleaner engine technologies, and expanding the scope of the rule, the amendments will save lives and billions in public health impacts. The proposed amendments will cut carcinogenic diesel particle pollution from CHC by 89 percent and will cut smog- and particle-forming NOx by more than half by the end of 2038. This will support efforts to attain health-protective air quality standards and significantly improve health. Notably, the proposal would result in an estimated \$5.25 billion in public health benefits between 2023 and 2038, and would avoid:

- 531 premature deaths
- 161 hospital admissions
- 236 emergency room visits

It is important to note that the monetized health costs of the proposed amendments do not factor in the significant reductions in cancer risk, and other health impacts that will result from implementing the amendments to the CHC rule. The cost of compliance with this regulation is approximately one-third of the *monetized* health benefits to be gained.⁵ These *non-monetized* health benefits are substantial and cannot be overlooked. For example, cancer risk due to CHC emissions could be greatly reduced or eliminated for millions of Californians:⁶

² California Air Resources Board. Initial Statement of Reasons Proposed Amendments to the Commercial Harbor Craft Regulation. Figure II-1. Seaport Contribution to Near Source Cancer Risk at p. III-3. September 2021. <https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2021/chc2021/isor.pdf>

³ CARB at p. III-7.

⁴ CARB at p. III-1.

⁵ CARB at Table IX-8: Annual Direct Costs of the Proposed Amendments are estimated at approximately \$1.8 billion between 2023 and 2038 at page IX-12.

⁶ CARB at V.4.

- The South Coast Air Basin’s population exposed to a potential cancer risk of 1 chance per million would drop by 10 million residents due to implementing the proposed rule.
 - 5 million residents would maintain this risk due to ongoing emissions from CHC.
- The Bay Area population exposed to a 1 chance per million cancer risk from CHC would drop by five million.
 - 2 million Bay Area residents would still face this level of cancer risk, speaking to the need for ongoing rule strengthening and updates as technologies progress.

Strengthening the Proposal to Improve Health

We believe that the proposal is a critical step toward healthier air, reduced cancer risk and a range of health improvements in communities most disproportionately burdened by toxic CHC emissions. The proposal could be improved to accelerate the health benefits of greater deployment of zero-emission technologies, reduce policy delays following technology advancement and limit compliance flexibilities that extend the life of high-emitting technologies:

- CARB should expand requirements for zero-emission technologies beyond the limited range of vessels included in the proposed amendments to accelerate more zero emission technologies as rapidly across the CHC fleet and in line with Governor Newsom’s Executive Order N-79-20 which set a state goal to “transition to 100 percent zero-emission off-road vehicles and equipment by 2035 where feasible.”
- CARB should ensure a responsive technology review is in place to further amend the program to accelerate deployment as new zero-emission and other advanced engine technologies come online. This commitment to generating additional emissions reductions should be included as a unique measure in the 2022 State Implementation Plan.
- CARB should significantly limit compliance extensions to ensure relief from pollution impacts occur in the near term. As proposed, most CHC may be granted compliance extensions as far out as 2034, with certain vessels (e.g., ferries, charter fishing boats, and excursion vessels) eligible to wait even longer to clean up.

We support the proposed amendments because failure to address this major source of carcinogenic pollution in heavily impacted communities is unacceptable. We believe that the policy should be strengthened to accelerate the health benefits and support healthier air for our most impacted residents. Please contact Will Barrett at the American Lung Association with any questions at William.Barrett@lung.org.

Sincerely,

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