

Executive Order R-22-003

Relating to Proposed Amendments to the Commercial Harbor Craft Regulation

Whereas, on November 19, 2021, and March 24, 2022, the California Air Resources Board (CARB or Board) conducted public hearings to consider the Proposed Amendments to the Commercial Harbor Craft Regulation, as set forth in Appendix A to the Initial Statement of Reasons released to the public on September 21, 2021;

Whereas, CARB prepared a draft environmental analysis (Draft EA) under CARB's regulatory program certified under Public Resources Code section 21080.5 of the California Environmental Quality Act (CEQA; California Code of Regulations, title 14, section 15251(d)) in the Staff Report, which concluded that the implementation of the Proposed Amendments have the potential to result in less than significant impacts to long-term air quality, energy demand, greenhouse gases, land use and planning, mineral resources, population, employment and housing, public services, recreation, and wildfire; and potentially significant and unavoidable adverse impacts to aesthetics, agriculture and forestry resources, short-term construction-related impacts to air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, traffic and transportation, tribal cultural resources, and utilities and services systems;

Whereas, following the public hearing on March 24, 2022, the Board adopted Resolution 22-6 in which the Board approved for adoption amendments to section 2299.5, California Code of Regulations, title 13, and section 93118.5, California Code of Regulations, title 17, as set forth in Appendix A to the Initial Statement of Reasons released to the public on September 21, 2021, and certified the Final EA, as released to the public on March 14, 2022;

Whereas, Resolution 22-6, directed the Executive Officer to make any additional conforming modifications deemed appropriate available for public comment, with any additional supporting documents and information, for a period of at least 15 days. The Executive Officer was directed to consider written comments submitted during the public review period and make any additional appropriate conforming modifications available for public comment for at least 15 days, and to take final action to adopt the regulation after addressing all appropriate modifications or present the regulation to the Board for further consideration if warranted;

Whereas, modified regulatory language and supporting documentation were circulated for a 15-day public comment period, with the changes to the originally proposed text clearly indicated, according to provisions of California Code of Regulations, title 1, section 44 and Government Code section 11340.85, from May 19, 2022 through June 3, 2022;

Whereas, written comments were received during the initial 45-day comment period and supplemental 15-day comment period[s], and those comments were considered by the Executive Officer;

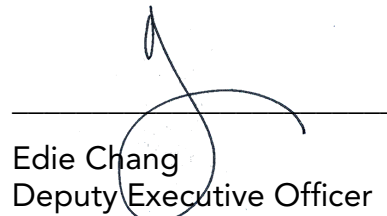
Whereas, based on substantial evidence in the record there is no possibility the modifications to the regulation made available for 15 day public comment period(s) after the Board hearing could affect the conclusion of the environmental analysis included in the Staff Report and certified by the Board at the March 24, 2022 Board Hearing, so no additional environmental analysis was required and no additional comments raising significant environmental issues were received;

Now, Therefore, It Is Ordered that the recitals and findings contained in Resolution 22-6 are incorporated herein.

It Is Further Ordered that section 2299.5, California Code of Regulations, title 13, and section 93118.5, California Code of Regulations, title 17, are adopted as set forth in Attachment 1 to this Order.

It Is Further Ordered that the adopted regulatory text may be further revised with non-substantial or grammatical changes, which will be added to the rulemaking record and indicated as such.

Executed this 21st day of July at Sacramento, California.



Edie Chang
Deputy Executive Officer

Attachment