

**Notice of 15-Day Public Comment Period
Hornblower Cruises and Events
Alternative Control of Emissions (ACE) Plan**

Background

The Commercial Harbor Craft Regulation¹ (CHC Regulation), subsection (f) allows the Air Resources Board (ARB) Executive Officer to approve an alternative control of emissions (ACE) strategy provided the owners/operators can demonstrate that the alternative strategy will achieve emission reductions equal to or greater than those required by the CHC regulatory compliance schedule. Additional information on the CHC regulation is available at the following link:

<http://www.arb.ca.gov/ports/marinevess/harborcraft.htm>

Applicant

Hornblower Cruises and Events (Hornblower)
Pier 3, Hornblower Landing
San Francisco, CA 94111

Proposed ACE Plan

Hornblower submitted an ACE plan requesting Executive Officer approval of an alternative compliance strategy. The ACE plan proposes using emission reductions achieved by the repower of four engines on the vessel California Hornblower five to six years before the CHC regulation's compliance dates to offset a delay in compliance for engines on certain other vessels. The proposed ACE plan and supporting documentation can be found at

<http://www.arb.ca.gov/ports/marinevess/harborcraft/hcace.htm>.

Review Process Status

The proposed ACE plan was posted on the ARB website and comments were received for a 30-day public comment period. Comments can be accessed at the following:

<http://www.arb.ca.gov/ports/marinevess/harborcraft/hornblowercomment.htm>.

ARB staff has summarized these comments and prepared responses. See <http://www.arb.ca.gov/ports/marinevess/harborcraft/ace/hornblower/firstcomment/responses.pdf>. This notice announces ARB's proposed action and the initiation of a second public comment period.

Proposal to Disapprove ACE Plan

ARB is proposing to disapprove the ACE plan submitted by Hornblower.

The ACE plan proposes to use emission reductions achieved by early compliance to offset a delay in compliance for engines on certain vessels. However, the Bay Area Air Quality Management District provided the Carl Moyer Program (CMP) funding to Hornblower for the repower of the four engines to achieve the early compliance. The

¹ Regulation to Reduce Emissions from Diesel Engines on Commercial Harbor Craft Operated Within California Waters and 24 Nautical Miles of the California Baseline. Title 17 California Code of Regulations, Section 93118.5

Carl Moyer Program Grant Agreement between the Bay Area Quality Management District and Hornblower, section III (20)² addresses that emission reductions from CMP projects cannot be used to generate credits to offset any emission reduction obligation. Therefore, ARB is proposing to disapprove the ACE plan requested by Hornblower.

Public Comment

The next phase of the approval process requires that the public be provided an opportunity to review and comment on the proposed ARB action and the ACE plan prior to final Executive Officer action. The proposed ACE plan and supporting documentation can be found at <http://www.arb.ca.gov/ports/marinevess/harborcraft/hcace.htm>. To request a hard copy of the proposed ACE plan and supporting documents, please call toll-free 888-442-7238.

The second public comment period for this ACE plan will begin on April 1st, 2013. To be considered by the ARB Executive Officer, written comments must be submitted on or after April 1st, 2013 and **received no later than 5:00 PM, Pacific Standard Time, April 15th, 2013**, and must be addressed to one of the following:

Email: harborcraft@arb.ca.gov

or

Postal mail: California Air Resources Board
Stationary Source Division
Emissions Assessment Branch
Control Strategies Section, Commercial Harbor Craft
P.O. Box 2815
Sacramento, California 95812-2815
Attn: Zhenlei Wang

Please note that under the California Public Records Act (Gov. Code, § 6250 et seq.), your written comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request. Additionally, this information may become available via Google, Yahoo, and any other search engine.

If you have any questions regarding the Hornblower ACE plan or questions about the CHC Regulation, please contact either Zhenlei Wang at 916-322-1049 or via email at zwang@arb.ca.gov or Kirk Rosenkranz at 916-327-7843 or via email at krosenkr@arb.ca.gov

² Section III (20) "Emission Reductions: The Air District retains the exclusive right to claim any emission reduction credits under state or federal law that might result from emissions reduced by the Project implemented pursuant to this Agreement. The emissions reduced by the Project may not be used by Grantee to comply with any local, state, or federal air pollution regulation or law, or used to fulfill Grantee's obligations arising out of any order, settlement contract, memorandum of understanding, or other binding legal document."