



## Commercial Harbor Craft 2022 Amendments

California Code of Regulations, Title 17, Section 93118.5

# CHC Factsheet: Determining Disadvantaged Communities (DAC)

**Date:** December 23, 2022

Additional details on disadvantaged communities (DAC) can be found in the [regulation text \(CCR Title 13, section 2299.5 and CCR Title 17, section 93118.5\)](#). In the case of any discrepancy between this document and the regulation order, the regulation language applies.

## Background

*Disadvantaged Communities (DAC)* are areas designated by the California Environmental Protection Agency using the most current version of CalEnviroScreen by the Office of Environmental Health Hazard Assessment (OEHHA). The most current version of CalEnviroScreen can be accessed through the [OEHHA website](#).

## Commercial Harbor Craft (CHC) in DACs

The 2022 Amendments to the Commercial Harbor Craft (CHC) regulation establish tighter restrictions for vessels with a homebase, or any regularly scheduled stop, within 2 miles of a DAC, which apply when the vessel is receiving an extension or exception that is based on restricted usage.

*Homebase* means the facility within Regulated California Waters where a vessel is anchored, docked, or moored the majority of the time within a calendar year.

For the purposes of the 2022 Amended CHC Regulation, DACs include all wharfs, docks, berths, and slips within a port, marina, harbor or other terminal facility if any portion of the facility is located within a DAC.

## CHC Provisions Affected by DACs

### I. The E4 Extension

CCR 93118.5(e)(12)(E)(4), or just "E4", provides a compliance date extension that is available to operators of regulated in-use vessels that are equipped with Tier 4 marine or Tier 4 Final off-road engines, but for which it is not feasible to install available diesel particulate filters (DPFs). As a result, they may be granted a compliance date extension with a reduction in

their annual operating hours. This extension requires engine operation to remain below the annual operating thresholds defined in Table 1 below, which depends on proximity to a DAC. For more information, see the [CHC Compliance Extensions Factsheet](#).

Table 1:<sup>a</sup> Annual Operating Thresholds of Feasibility Extension (E)(4)

Homebase or Regularly Scheduled Stop Location	Extension Available if Operating Below
All Other Areas	2,600 hours/year
Within 2 Miles of a DAC	1,300 hours/year

## II. The Low-Use Exception

Beginning January 1, 2023, a person may apply for a low-use exception to operate, on a limited basis, engines that do not meet the performance standards of the 2022 Amendments. Low-use exception requires that the applicable engine has not, and will not, be operated more than the limits as set forth in Table 2 (below) in a calendar year. For more information, see the [CHC Factsheet: Low-Use Exception](#).

Table 2:<sup>b</sup> Annual Low-Use Hour Limits for Engines

Engine Tier	Pre-Tier 1	Tier 1	Tier 2	Tier 3 or 4
Limits – All Other Areas (hours/year)	80	300	400	700
Limits – Within 2 Miles of a DAC (hours/year)	40	150	200	350

## III. ZEAT Credit

CCR 93118.5 (e)(11) establishes a process for vessel owners and operators that adopt Zero -Emission and Advanced Technology (ZEAT) systems prior to their vessel’s compliance dates to receive compliance date extensions, or “credit,” for other engines or vessels in their possession. An owner or operator is prohibited from using the resulting credit from a ZEAT deployment to operate a dirtier engine for longer in a DAC, unless the ZEAT vessel deployment was also in a DAC itself.

For more information, see the [CHC Factsheet: Zero Emission Credit](#).

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<sup>a</sup> Table 20 in Regulation text

<sup>b</sup> Table 22 in Regulation Text