



October 22, 2021

Rajinder Sahota
Deputy Executive Officer
California Air Resources Board
1001 I Street
Sacramento, CA 95814

RE: Feedback from California Airports on 2022 Scoping Plan Update

On behalf of the California Airports Council (CAC), I write to share feedback from commercial airport facilities throughout the state on the alternatives presented at the September 30th Scoping Plan Update workshop. While we appreciate the immense task before the California Air Resources Board (CARB) to develop carbon neutral scenarios viable by 2035-45, we must express strong concern at any notion of phasing out aviation as detailed in Alternative 1.

The draft scenario under Alternative 1 includes the complete phaseout of combustion of any fuel including fossil, biomass-based and hydrogen. As such, aviation functions unable to electrify would cease operation in California by 2035. This is unrealistic. Under this pathway, it does not appear that even Sustainable Aviation Fuel (SAF) would be a possible alternative as biofuel consumption would cease in tandem.

Aviation is a critical component of California's economy and provides essential services that offer fundamental support for local communities including wildfire response, search and rescue operations, emergency medical services, agriculture management and goods movement. **The aircraft used in these vital services do not have an electric or hydrogen alternative.** The concept of electric and hydrogen aviation is still in its infancy and is not anticipated to serve most markets until 2050; to base a Scoping Plan Model/Scenario on the phase out of liquid (*alternative*) fuel use based upon unproven technologies is imprudent. Each of your Scenarios overreach technology availability and readiness stated by OEMs, airlines and industry associations and should scale back to align and offer realistic forecasts for our state in meeting its stated climate goals.

The impact to interstate commerce must be considered as well. Aircraft movement is regulated by the Federal Aviation Administration and subject to federal preemption under 49 U.S.C. § 41713, 49 U.S.C. § 40103, as well as under the Clean Air Act §7573.

§7573. State standards and controls

No State or political subdivision thereof may adopt or attempt to enforce any standard respecting emissions of any air pollutant from any aircraft or engine thereof unless such standard is identical to a standard applicable to such aircraft under this part. (July 14, 1955, ch. 360, title II, §233, as added Pub. L. 91-604, §11(a)(1), Dec. 31, 1970, 84 Stat. 1704.)

Thank you for the opportunity to share comments on the initial Scenarios. We understand this is not a regulatory proposal and will be used for modeling efforts, however, the pathway of Alternative 1 conflicts with federal law and does not realistically consider the current state of technology development in the aviation sector. We strongly encourage CARB to continue exploring pathways that support the use of SAF. The aviation sector has avidly been seeking the opportunity to increase SAF use without the force of regulation. We ask for CARB to continue being a partner in this effort.

Sincerely,



Jim Lites
Executive Director

Cc: Assembly Member Laura Friedman, Chair, Assembly Transportation
Assembly Member Bill Quirk, Chair, Assembly Environmental Safety and
Toxic Materials
David Kim, Secretary, California Transportation Agency
Jared Blumenfeld, Secretary, California Environmental Protection Agency
Liane Rudolph, Chair, California Air Resources Board
Mark McClardy, Director, Federal Aviation Administration Office of Airports,
Western Pacific Region
Richard Corey, Executive Officer, California Air Resources Board
Robin Hunt, Deputy Director, Federal Aviation Administration Office of Airports,
Western Pacific Region
Senator Benjamin Allen, Chair, Senate Environmental Quality
Senator Lena Gonzalez, Chair, Senate Transportation
Wade Crowfoot, Secretary, California Natural Resources Agency