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Ms. Cheryl Laskowski
Chief, Transportation Fuels Branch
Industrial Strategies Division
California Air Resources Board
P.O. 2815
Sacramento, CA 95812

Re: Airlines for America® Feedback on the July 7, 2022, Low Carbon Fuel Standard Public Workshop – Potential Changes to the LCFS Program

Dear Ms. Laskowski:

Airlines for America® (A4A), the trade association for the leading U.S. passenger and cargo airlines,¹ appreciates the opportunity to provide feedback on the California Air Resources Board's (CARB) July 7, 2022, public workshop on potential changes to the Low Carbon Fuel Standard (LCFS) Program. Our feedback addresses three aspects of CARB's workshop presentation:² (1) potentially subjecting intrastate conventional jet fuel (CJF) to the LCFS Program (slide 30); (2) potentially enabling electric-powered airport ground support equipment (eGSE) to generate credits (slide 31); and (3) whether CARB should consider establishing a cap on crop-based biofuels (slides 33-37).

For background on the U.S. airline industry and its strong environmental record and continuing commitment to further reduce its climate and overall environmental impact, please see the comments we recently filed on CARB's *Draft 2022 Scoping Plan Update*,³ as well as the feedback we provided on the December 7, 2021, public workshop on potential future LCFS Program changes.⁴

¹ A4A's members are Alaska Airlines, Inc.; American Airlines Group Inc.; Atlas Air, Inc.; Delta Air Lines, Inc.; Federal Express Corporation; Hawaiian Airlines, Inc.; JetBlue Airways Corp.; Southwest Airlines Co.; United Airlines Holdings, Inc.; and United Parcel Service Co. Air Canada, Inc. is an associate member.

² Available at <https://ww2.arb.ca.gov/our-work/programs/low-carbon-fuel-standard/lcfs-meetings-and-workshops>.

³ Available at <https://www.arb.ca.gov/lists/com-attach/4322-scopingplan2022-WjtXZVQ0BQkLbIQ7.pdf>.

⁴ Available at <https://www.arb.ca.gov/lists/com-attach/71-lcfs-wkshp-dec21-ws-VzZTYV09BAhWMwZp.pdf>.

1. CARB Cannot Subject Intrastate CJF to the LCFS Program

To A4A's knowledge, CARB first raised the prospect of subjecting intrastate CJF to the LCFS Program during the aforementioned December 7, 2021, public workshop.⁵ For the reasons set forth in the comments we filed after that workshop (cited in footnote 4 above), CARB does not have the legal authority to make such a change – federal preemption precludes it from subjecting CJF, regardless of whether the fuel is used on international, interstate, or intrastate flights, to the LCFS Program's annual carbon intensity reduction requirements. Again, and noting that it has yet to provide a response, we refer CARB to our January 7, 2022, comment letter for a more detailed explanation on this point.⁶

2. CARB Should Establish Energy Economy Ratios for eGSE

We fully support CARB revising the LCFS Program to enable credit to be earned for the electricity used in eGSE. In this regard, our understanding is that in February and October of 2021, the California Airports Council provided CARB with extensive data that would support energy economy ratio (EER) values of 4.2 and 2.9 for mobile (based on gasoline-fueled/spark-ignited equipment) and portable (based on diesel-fueled/compression-ignited equipment) eGSE, respectively. Based on that extensive data, A4A strongly encourages CARB to amend the LCFS Program regulation by adding these EER values to Table 5 of 17 CCR section 95486.1. Notably, the Oregon Department of Environmental Quality (ODEQ) recently issued a proposed rule that, among other things, would establish an EER for eGSE under the Oregon Clean Fuels Program.⁷ ODEQ's proposed rule is due to be finalized within the next few months, so CARB taking similar action would ensure consistency between the neighboring LCFS states regarding credit for the electricity used in eGSE.

3. The LCFS Program Should Not Cap Crop-Based Biofuels

A4A and its members urge CARB to continue relying on its robust carbon intensity methodology for assessing land use change,⁸ including a quantification of the indirect effects associated with crop-based biofuels. We see no need for CARB to consider imposing a cap on such biofuels (e.g., fuels derived from soybean or other vegetable oils or corn) to ensure that the production and use of these fuels will not have adverse impacts and urge CARB to refrain from imposing one. In this connection, we note that CARB's carbon intensity/lifecycle greenhouse gas emissions modeling and analysis should be based on the most up-to-date science and data, ensuring that CARB's regulatory structure accurately assesses the potential impacts of any land use change.

⁵ See slide 13 of https://ww2.arb.ca.gov/sites/default/files/2021-12/LCFS%2012_7%20Workshop%20Presentation.pdf.

⁶ We note as well that it would be extremely difficult and burdensome for CJF producers and importers to determine when their fuel is used on an intrastate as opposed to an international or interstate flight. See Comment Letter of Tesoro Refining and Marketing Company LLC, available at <https://www.arb.ca.gov/lists/com-attach/80-lcfs-wkshp-dec21-ws-BWhUlgdIVFgEYQBv.pdf>.

⁷ See <https://www.oregon.gov/deq/rulemaking/Pages/cfp2022.aspx>.

⁸ See 17 CCR § 95488.3.

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Thank you for your consideration of our feedback. Please do not hesitate to contact us if you have any questions.

Sincerely,



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