



Air Transport Association

August 11, 2008

Via Electronic Submittal

Mary D. Nichols
Chair
California Air Resources Board
1001 I Street
Sacramento, CA 95812

**Re: Appendices to the Climate Change Draft Scoping Plan Pursuant to AB 32,
the California Global Warming Solutions Act (June Discussion Draft)**

Dear Ms. Nichols:

The Air Transport Association of America, Inc. (ATA)¹ is pleased to have this opportunity to comment on the California Air Resources Board's (ARB) Appendices to its June 26, 2008 Climate Change Draft Scoping Plan Pursuant to AB 32, the California Global Warming Solutions Act ("Scoping Plan Appendices"). On August 1, ATA submitted comments on the Draft Scoping Plan itself, and included within those comments were several focused on the Appendices.² We here incorporate those August 1 comments here by reference.

In addition to the substantive comments on the Appendices included in our August 1 Comments, we here wish to reiterate a procedural comment. We appreciate that ARB has now indicated on its webpage that, while comments on the Draft Scoping Plan were due on August 1 and comments on the Appendices are due on August 11, ARB will continue to accept comments on the Draft Scoping Plan through October 2, 2008. It is entirely appropriate to provide this additional time in view of the many delays in issuing the Draft Scoping Plan, the serial manner in which critical elements of the plan are being released (many of these still incomplete), and the short amount of time given to stakeholders to review the various pieces and submit comments.

¹ ATA is the principal trade and service organization of the U.S. airline industry, and ATA's airline members and their affiliates transport more than 90 percent of all U.S. airline passenger and cargo traffic. In this capacity, ATA regularly comments on federal and state regulatory developments that may affect the airline industry. The members of ATA are: ABX Air, AirTran Airways, Alaska Airlines, American Airlines, ASTAR Air Cargo, Atlas Air, Continental Airlines, Delta Air Lines, Evergreen International Airlines, Federal Express, Hawaiian Airlines, JetBlue Airways, Midwest Airlines, Northwest Airlines, Southwest Airlines, United Airlines, UPS Airlines, and US Airways; the associate members are: Air Canada, Air Jamaica, and Mexicana.

² ATA's August 1 Comments are available at http://www.arb.ca.gov/lists/sp-transport-ws/60-ata_comments_on_arb_draft_ab_32_scoping_plan.pdf.

The Draft Scoping Plan was released on June 26, and the Appendices on July 22 -- less than two weeks before the comments on the Draft Scoping Plan were due. The Appendices themselves were incomplete; Table 44 of Appendix F was not released until July 29, and the Appendices still do not include what are likely to be two of the most important: Appendix G, the Description of Preliminary Economic Modeling, and Appendix H regarding Environmental Impacts. In addition, ARB has stated that the Economic Modeling will be released later this summer as part of its Draft Scoping Plan Supplemental Analysis, but the date for release has still to be set. (Indeed, the Economic Modeling page on the ARB website has not been updated since April 2, 2008.³) Finally, the Environmental Impacts report will not be released until the Proposed Scoping Plan itself, currently set for release on October 3.

It is extremely difficult for stakeholders to submit meaningful comments under these circumstances, and impossible to submit comprehensive ones, until all elements of the Draft Scoping Plan, including all appendices and supporting analyses, are publicly available. Thus, while we have provided comments on the portions of the Appendices that were released on July 22, we must once again reserve our right to provide more complete comments when all portions of the Draft Scoping Plan are made available later this year. This is particularly important given these documents will shape climate change policy in California for years to come -- and also, as California intends, the likely influence that they will have both on other states and the federal government.

We look forward to additional workshops and other opportunities for stakeholders to work with ARB in its development of the Scoping Plan for the implementation of AB 32.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Pohle', with a large, stylized initial 'P'.

Tim Pohle
Managing Director, U.S. Environmental Affairs &
Assistant General Counsel

³ See <http://www.arb.ca.gov/cc/scopingplan/economics-sp/models/models.htm> (viewed on August 11, 2008). ARB also has indicated that in addition to economic modeling and environmental impacts these Supplemental Analyses will address small business impacts, localized impact analysis, public health evaluation, and societal impacts. ARB included this information in the presentations for the two workshops that have been held since the Draft Scoping Plan was released (those on August 8 and 15). It is worth mentioning that these are the only two workshops that have been even scheduled since the Draft Scoping Plan was released.