Airlines for America®
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July 1, 2022

Submitted electronically at:
https://nyserda.seamlessdocs.com/f/DraftScopingComments

NYS Climate Action Council
c/o NYSERDA
17 Columbia Circle
Albany, NY 12203-6399

Re: Airlines for America® Comments on the *New York State Climate Action Council Draft Scoping Plan*

Dear Sir/Madam:

Airlines for America® (A4A), the trade association for the leading U.S. passenger and cargo airlines,[1] appreciates the opportunity to comment on the New York State Climate Action Council's *Draft Scoping Plan*.[2]

As detailed below, our comments focus on Chapter 11 of the *Draft Scoping Plan*, which addresses the transportation sector in New York. Before setting out our comments, we provide background on A4A's longstanding commitment to environmental sustainability and reducing commercial aviation's greenhouse gas (GHG) emissions footprint, including through the development and deployment of sustainable aviation fuel (SAF), or what the Council refers to in the *Draft Scoping Plan* as "renewable jet fuel" or "renewable jet kerosene."

## I. Background

Commercial aviation has been an indispensable pillar of our national, state, and local economies for decades. Prior to the onset of the COVID-19 pandemic, commercial aviation helped drive over 10 million U.S. jobs and over 5 percent of U.S. Gross Domestic Product (GDP). In New York, according to the most recent Federal Aviation Administration (FAA) analysis, civil aviation accounts for about 5 percent of jobs (over 600,000 in 2016) and drives almost 4 percent of State GDP ($58.7 billion in 2016).[3]

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[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. We note that Nancy Young, formerly the Vice President of Environmental Affairs at A4A, participated on the Climate Action Council's Transportation Advisory Panel.

[2] Posted at https://climate.ny.gov/Our-Climate-Act/Draft-Scoping-Plan.

[3] *See* FAA, *The Economic Impact of Civil Aviation on the U.S. Economy – State Supplement* (Nov. 2020), at 11, available at https://www.faa.gov/about/plans_reports/media/2020_nov_economic_impact_report.pdf.

The record of the U.S. airline industry demonstrates that we can grow and help the country prosper even as we continue to improve our environmental performance. For example, between 1978 and 2021, the U.S. airlines improved their fuel efficiency (on a revenue ton mile basis) by more than 135 percent, saving over 5.5 billion metric tons of carbon dioxide ($CO_2$) – equivalent to taking more than 28 million cars off the road on average *in each of those years*.[4] Similarly, since 1975, even as we quintupled the number of passengers served in the U.S., we have reduced the number of people exposed to significant levels of aircraft noise by 94 percent. The U.S. airlines have continually demonstrated their ability to contribute to the nation's economic productivity, while minimizing their environmental footprint.

This environmental record is not happenstance, but the result of a relentless commitment to driving and deploying technology, operations, infrastructure, and SAF advances to provide safe and vital air transport as efficiently as possible within the constraints of the air traffic management system. Indeed, for the past several decades, airlines have dramatically improved their fuel efficiency and reduced their $CO_2$ and other emissions by investing billions in fuel-saving aircraft and engines, innovative technologies like winglets (which improve aerodynamics), and cutting-edge route-optimization software.

We are committed to addressing and further reducing our industry's GHG emissions. On March 30, 2021, A4A, together with our member carriers, pledged to work across the aviation industry and with government leaders in a positive partnership to achieve net-zero carbon emissions by 2050 (2050 NZC Goal).[5] This pledge continues our longstanding commitment to embracing our responsibility to address climate change and reduce commercial aviation's GHG emissions footprint.[6]

Achieving the 2050 NZC Goal will require the continued pursuit of an "all of the above" strategy that includes realizing improvements in the efficiency of our operations (including through improvements to the nation's air traffic control system) and in technology, especially aircraft and aircraft engines. Most importantly, however, consistent analyses show that reaching our 2050 NZC Goal will require access to tremendous quantities of SAF. Put simply, net-zero carbon emissions cannot be achieved unless the production and availability of SAF grows exponentially. Thus, at the same time that A4A and our carriers adopted the 2050 NZC Goal, we also pledged to work with governments and other stakeholders toward a rapid expansion of the production and deployment of commercially viable SAF to make 2 billion gallons available to U.S. aircraft operators in 2030. On September 9, 2021, as a complement to the federal

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[4] Data from the Bureau of Transportation Statistics confirm that U.S. airlines improved their fuel- and $CO_2$-emissions efficiency by 40 percent from 2000 to 2021.

[5] *See* https://www.airlines.org/news/major-u-s-airlines-commit-to-net-zero-carbon-emissions-by-2050/. On October 4, 2021, the International Air Transport Association and its member airlines followed suit by also committing to achieve net-zero carbon emissions by 2050. *See* https://www.iata.org/en/pressroom/2021-releases/2021-10-04-03/.

[6] Since 2009, A4A and our members have been active participants in a global aviation coalition. Prior to strengthening our commitment in 2021, we had committed to 1.5 percent annual average fuel efficiency improvements through 2020, with goals to achieve carbon-neutral growth beginning in 2020 and a 50 percent net reduction in $CO_2$ emissions in 2050, relative to 2005 levels.

government's announcement of the SAF Grand Challenge,[7] A4A and our members increased the A4A SAF "challenge goal" by an additional 50 percent, calling for 3 billion gallons of cost-competitive SAF to be available to U.S aircraft operators in 2030.[8] Notably, this SAF challenge goal and the 2050 NZC Goal represent collective minimums, and some A4A members have in fact established even more ambitious goals.

Our airlines' efforts to address GHG emissions are designed to reduce their fuel consumption, GHG contribution, and potential climate change impacts responsibly and effectively, while allowing commercial aviation to continue to serve as a key contributor to the U.S., global, New York, and local economies. At the same time, we continue to build upon our strong record of reducing conventional air pollutant emissions. Our airlines' primary focus is realizing further fuel efficiency and emissions savings through increasing levels of SAF deployment, modernization and optimization of the air traffic management system, public-private research and development partnerships, and a vast array of additional operational and infrastructure initiatives being undertaken in collaboration with regulators, airports, manufacturers, and other aviation stakeholders.

A4A and our members have been particularly focused on developing low-carbon, sustainable liquid fuel alternatives, understanding that rapid, exponential growth in the deployment of SAF is imperative for the successful decarbonization of commercial aviation. As drop-in fuel made from non-petroleum feedstocks that currently reduces lifecycle GHG emissions by up to 80 percent compared to conventional, petroleum-based jet fuel while also helping to improve local air quality (with even greater GHG emissions reductions possible in the future[9]), SAF is absolutely vital to our sector. Unlike the on-road transportation sector (cars, trucks, buses, etc.), energy alternatives like electricity and hydrogen will not be sufficiently advanced in the near- or mid-term to make a meaningful contribution to the decarbonization of the aviation sector by 2050, meaning that commercial aviation will remain reliant on high energy density liquid fuels for years to come.[10]

Fortunately, we are in a position to succeed because we are not just getting started now. A4A and our members have been working diligently for many years to lay the groundwork for the establishment of a commercially viable SAF industry. In 2006, A4A was instrumental in co-founding with the FAA and other aviation organizations the Commercial Aviation Alternative

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[7] *See* https://www.whitehouse.gov/briefing-room/statements-releases/2021/09/09/fact-sheet-biden-administration-advances-the-future-of-sustainable-fuels-in-american-aviation/ and https://www.energy.gov/eere/bioenergy/sustainable-aviation-fuel-grand-challenge.

[8] *See* https://www.airlines.org/news/u-s-airlines-announce-3-billion-gallon-sustainable-aviation-fuel-production-goal/.

[9] Coupled with other technologies or practices, SAF may one day be emissions-negative on a lifecycle basis, meaning that for each gallon of SAF used in an aircraft, $CO_2$ is removed from the atmosphere.

[10] *See* FAA, *United States 2021 Aviation Climate Action Plan*, at 18-19 (Nov. 2021) (*U.S. 2021 Aviation CAP*) ("there is no realistic option that could replace liquid fuels in the commercial aircraft fleet in the coming decades"), available at https://www.faa.gov/sites/faa.gov/files/2021-11/Aviation_Climate_Action_Plan.pdf.

Fuels Initiative (CAAFI®), which seeks to facilitate the development and deployment of SAF.[11] CAAFI has been integral in obtaining the certification of the seven SAF pathways that are recognized under the ASTM International specification for aviation turbine fuel from alternative, non-petroleum sources (i.e., ASTM D7566) as well as the two co-processing pathways recognized under the ASTM D1655 jet fuel specification. Nearly all A4A member carriers, moreover, have entered into offtake agreements over the past decade with SAF producers in a concerted effort to spur the SAF industry and utilize the fuel. These offtakes include (but are not limited to) those of Delta Air Lines, which last month used pipeline-delivered SAF on one of its flights from LaGuardia Airport,[12] and JetBlue Airways, which last September announced an agreement that will eventually enable it to upload SAF at John F. Kennedy International and LaGuardia Airports.[13] More recently, various A4A airlines have entered into SAF arrangements with corporate and cargo customers as another way to help grow the SAF market. In sum, A4A and our members have been and remain deeply committed to the development of a commercially viable SAF industry – throughout the U.S. and throughout the world.

We also have long supported improvements to airport infrastructure and modernization of the country's air traffic management system on a business-case basis. For example, electrification of aircraft gates and installation of ground power units and pre-conditioned air units provide access to a clean central heating and cooling system for aircraft while at parking positions. This allows airlines to run aircraft systems on electricity provided to the airport rather than relying on jet fuel-powered aircraft auxiliary power units. In addition, airports may install charging stations that serve electric-powered ground support equipment (eGSE). Improvements to airport power grids ensure the reliability of electric power needed to take advantage of these systems, but even without those improvements, our member carriers have invested millions, including at airports in New York, to replace their traditional, petroleum-fueled GSE with eGSE.[14] An important source of funding for such improvements is the FAA's Voluntary Aviation Low Emissions Program, which makes funds generated by the aviation industry available to airports to support projects that achieve reductions in regulated air pollutants.[15] Moreover, when necessary to improve the efficiency of their operations, airlines also support major infrastructure

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[11] *See* https://caafi.org/.

[12] *See* "Delta, Neste, Colonial Pipeline Show How Current Infrastructure is Ready for SAF" (June 15, 2022), available at https://news.delta.com/delta-neste-colonial-pipeline-show-how-current-infrastructure-ready-saf.

[13] *See* "JetBlue Accelerates Transition to Sustainable Aviation Fuel (SAF) With Plans for the Largest-Ever Supply of SAF in New York Airports for a Commercial Airline" (Sept. 29, 2021), available at https://blueir.investproductions.com/investor-relations/press-releases/2021/09-29-2021-132310033.

[14] *See, e.g.,* "JetBlue Introduces the Largest Electric Ground Service Equipment (eGSE) Fleet at New York's JFK International Airport, Cutting Four Million Pounds of Greenhouse Gas Emissions per Year" (Sept. 26, 2019), available at https://www.businesswire.com/news/home/20190926005676/en/.

[15] Funds come from two airport assistance programs, the FAA Airport Improvement Program (AIP) and the Passenger Facility Charges (PFC) program – AIP funds come from the Aviation Trust Fund, which is largely funded by taxes on airlines and airline passengers; PFCs are federally-approved taxes imposed on airline passengers by airports – airlines are required to collect the taxes and remit them to the airports.

projects such as upgrades to or reconfigurations of terminals and runway and taxi systems.[16] We also have been supportive for many years of the federal government's effort to upgrade the nation's air traffic management system, known as NextGen, which is comprised of a suite of technologies and procedures to improve efficiencies in managing air traffic and reducing emissions. A4A and its members continue to work cooperatively with the FAA to implement elements of the plan that are supported by a sound business case.

## II. Comments on the *Draft Scoping Plan*

With the above background in mind, we set out below our comments on the Climate Action Council's *Draft Scoping Plan*. Our comments focus on Chapter 11, which addresses the sector of which commercial aviation is a part, the transportation sector, but we also discuss at the outset the different GHG mitigation scenarios described in Chapter 9 and Appendix G.

### *A. A4A Supports Mitigation Scenario 1 or 2*

A4A is equally supportive of Scenario 1, described as a "[r]epresentation of the Advisory Panel recommendations," and Scenario 2, termed "[s]trategic use of low-carbon fuels." We are equally supportive of these two mitigation scenarios because they both include as a key assumption 100% SAF use in/by 2050.[17] As discussed above, SAF is "critical to the long-term decarbonization of aviation."[18] Since Scenarios 1 and 2 both recognize the criticality of SAF to the aviation sector, we are supportive of either of them being the basis for the Council's final Scoping Plan.

For the same reason, we urge the rejection of Scenario 3 as wholly unrealistic insofar as it fails to factor in any SAF use in/by 2050.[19] Likewise, Scenario 4 is unrealistic because, although it assumes 71% SAF use in/by 2050,[20] it also assumes that electric and hydrogen aviation will

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[16] *See, e.g.,* "Governor Hochul, the Port Authority of New York & New Jersey and Delta Air Lines Announce Opening of Delta's New Terminal C at LaGuardia Airport, Bringing a Whole New LGA Near Completion" (June 1, 2022), available at https://www.governor.ny.gov/news/governor-hochul-port-authority-new-york-new-jersey-and-delta-air-lines-announce-opening-deltas.

[17] *Draft Scoping Plan*, at 72 (Figures 6-7); *Draft Scoping Plan – Integration Analysis Technical Supplement (Appendix G), Section I, Annex 2 – Scenario Detail Tab* (showing "100% renewable jet kerosene by 2050" for Scenarios 1 and 2).

[18] *U.S. 2021 Aviation CAP,* at 18.

[19] *Draft Scoping Plan*, at 71 (Figure 5); *Draft Scoping Plan – Integration Analysis Technical Supplement (Appendix G),* at Section I – Page 118 (Table 16); *Draft Scoping Plan – Integration Analysis Technical Supplement (Appendix G), Section I, Annex 2 – Scenario Detail Tab* (showing for Scenario 3 no use of renewable jet kerosene by 2050).

[20] *Draft Scoping Plan*, at 73 (Figure 9); *Draft Scoping Plan – Integration Analysis Technical Supplement (Appendix G),* at Section I – Page 118 (Table 16); *Draft Scoping Plan – Integration Analysis Technical Supplement (Appendix G), Section I, Annex 2 – Scenario Detail Tab* (showing "71% renewable jet kerosene by 2050" for Scenario 4).

together account for almost 50% of all aviation fuel demand/energy consumption in 2050.[21] Electric and hydrogen-powered aircraft are still in the early stages of development and it remains to be seen whether these technologies will become a viable means of meeting significant portions of demand for air transportation services in 2050. The roughly 50% assumption for electric and hydrogen propulsion in 2050 is overly aggressive and not grounded in technological reality.[22] By way of comparison, we note that the California Air Resources Board (CARB), in its recent *Draft 2022 Climate Change Scoping Plan*, has assumed only "10% of aviation fuel demand [being] met by electricity (batteries) or hydrogen (fuel cells) in 2045" with "[SAF] meet[ing] most or the rest of the aviation fuel demand that has not already transitioned to hydrogen or batteries."[23] We therefore encourage the Council to give no further consideration to Scenarios 3 and 4.

### *B. The State Should Provide Robust Financial Support to Incentivize the Acquisition and Deployment of Electric GSE*

Transportation sector strategy T2 calls for the adoption of zero-emission vehicles (ZEVs), including zero-emission non-road equipment.[24] The Council correctly points out that like trucks and buses, "[zero-emission] non-road vehicles are significantly more expensive than diesel [and gasoline] equivalents today."[25] In spite of the large price differential, A4A member carriers, as indicated out above, have invested millions of dollars to replace their petroleum-fueled GSE with eGSE at New York State airports and other airports throughout the country. We fully agree with the Council that "targeted incentives [are] needed to facilitate the transition to emerging ZEV technologies," and that "[t]he State should fund direct incentives supporting the purchase of . . . [zero-emission] non-road vehicles and equipment such as airport ground support equipment . . .

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[21] *Draft Scoping Plan – Integration Analysis Technical Supplement (Appendix G),* at Section I – Pages 37 & 98 (Table 11); *see also id.* at Section I – Page 118 (Table 16); *Draft Scoping Plan – Integration Analysis Technical Supplement (Appendix G), Section I, Annex 2 – Scenario Detail Tab* (showing "16% electrification by 2050 (short haul flights), 50% hydrogen aviation by 2050" for Scenario 4).

[22] *See, e.g., U.S. 2021 Aviation CAP,* at 18-19 (stating that "while [battery] technologies have the potential to play an important role in decarbonizing short-distance flights in the coming decades, they are not expected to provide a solution for the medium- and long-haul flights that generate most of the aviation sector's carbon emissions by 2050," and although "there may be a role for hydrogen on shorter-range flights and more broadly in the years beyond 2050, we do not expect hydrogen-powered aircraft to make a significant contribution toward achieving net-zero aviation emissions by 2050"); *see also* Air Transport Action Group, *Waypoint 2050* (Second Edition, Sept. 2021), available at https://aviationbenefits.org/media/167417/w2050_v2021_27sept_full.pdf; ICF, *Fueling Net Zero: How the Aviation Industry Can Deploy Sufficient Sustainable Aviation Fuel to Meet Climate Ambitions* (Sept. 2021), available at https://aviationbenefits.org/media/167495/fueling-net-zero_september-2021.pdf.

[23] *See* CARB, *Draft 2022 Scoping Plan Update,* at 58 (May 2022), available at https://ww2.arb.ca.gov/sites/default/files/2022-05/2022-draft-sp.pdf.

[24] As the Council indicates in section 11.2 of the *Draft Scoping Plan*, Governor Hochul signed Assembly Bill A4302 into law last year, thereby establishing the "goal of the State to transition to one hundred percent zero-emissions from new off-road vehicles and equipment purchased beginning in [2035], where feasible." N.Y. Environmental Conservation Law § 19-0306-b(1).

[25] *Draft Scoping Plan*, at 106.

."[26] Public funding should also be provided for installation of the necessary charging infrastructure (e.g., charging stations,) as well as for improvements, when needed, to airport power grids so as to ensure a sufficient, reliable, and resilient supply of the electricity upon which eGSE depend for their daily operation.

### *C. A4A Supports the Inclusion of SAF in a Statewide Clean Fuel Standard on a Voluntary, Opt-In Basis*

If New York does establish a statewide Clean Fuel Standard (CFS), we strongly support the inclusion of SAF as an eligible credit-generating fuel on a voluntary, opt-in basis, as the Council suggests in transportation sector strategy T12.[27] This approach would mirror the approach taken by every state that has adopted such a standard, i.e., California (under CARB's Low Carbon Fuel Standard Program), Oregon (under the Clean Fuels Program (CFP) administered by the Oregon Department of Environmental Quality), and Washington (under its impending CFP to be administered by the Washington Department of Ecology).[28] Inclusion of SAF as an eligible credit-generating fuel on a voluntary, opt-in basis would promote the development of SAF by incentivizing its production and use in aircraft departing from New York airports, boost the SAF industry, and contribute to aviation decarbonization by "reducing emissions in [the] difficult-to-electrify [aviation] subsector."[29] Taking this approach also would comport with the federal Renewable Fuel Standard (RFS) program, under which RFS credits, known as Renewable Identification Numbers (RINs), can be generated from the production of SAF even

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[26] *Id.*

[27] *Id.* at 118. It is worth emphasizing that aviation fuels – conventional jet fuel and SAF – cannot be subject to the carbon intensity reduction requirements under a potential New York CFS due to federal preemption, which is firmly established under federal aviation law and the federal Clean Air Act (CAA). For example, section 44714 of title 49 of the U.S. Code stipulates that the FAA has exclusive jurisdiction over "the composition or chemical or physical properties of" jet fuel, while section 233 of the CAA explicitly preempts states and their political subdivisions from "adopt[ing] or attempt[ing] to enforce any standard respecting emissions of any air pollutant from any aircraft or engine thereof unless such standard is identical to a standard" established by the U.S. Environmental Protection Agency. 42 U.S.C. § 7573. Courts have long held that the Federal Aviation Act of 1958 creates a "uniform and exclusive system of federal regulation" of aircraft that preempts state and local regulation. *Burbank v. Lockheed Air Terminal, Inc.*, 411 U.S. 624, 639 (1973); see also *American Airlines v. Department of Transp.*, 202 F.3d 788, 801 (5th Cir. 2000) (aviation regulation is an area where "[f]ederal control is intensive and exclusive") (quoting *Northwest Airlines, Inc. v. Minnesota*, 322 U.S. 292, 303 (1944)). This pervasive federal regulatory scheme extends not only to aircraft in flight, but also to aircraft-related operations on the ground.

[28] *See* 17 California Code of Regulations §§ 95482(c)(2) (conventional jet fuel exempted), 95482(b)(5) (alternative jet fuel an opt-in fuel), available at https://govt.westlaw.com/calregs/Document/I1BC4775B52204B23B26FE918A43BB889?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default; Oregon Administrative Rules 340-253-0250(2)(a)(A) (aircraft fuels exempted), 340-253-0350 (alternative jet fuel can generate credits), available at https://secure.sos.state.or.us/oard/displayDivisionRules.action;?selectedDivision=1560; Revised Code of Washington 70A.535.040(1)(b) (aircraft fuels exempted), 70A.535.030(5) (SAF can generate credits), available at https://app.leg.wa.gov/RCW/default.aspx?cite=70A.535.

[29] *Draft Scoping Plan,* at 118.

though the use of any particular volume of SAF is not mandated under the program.[30] Finally, exempting aviation fuels but making SAF an eligible credit-generating fuel on a voluntary, opt-in basis is precisely what was proposed in the most recent CFS bills before the New York State Legislature.[31]

Voluntary, opt-in credit generation for SAF producers would provide benefits beyond the reduction in aircraft GHG emissions, as the use of SAF also reduces emissions of conventional air pollutants, including particulate matter and sulfur oxides,[32] creating local air quality benefits and helping the State achieve the National Ambient Air Quality Standards. In addition, allowing SAF producers and importers to generate credits would significantly improve the economics of SAF production facilities by allowing those facilities to generate credits from all transportation fuels produced. The current economic environment incentivizes renewable fuel production facilities to make renewable diesel. Yet renewable diesel producers can usually also make SAF, and in fact such diversified production can optimize their facility's overall product output.[33] By incentivizing SAF production through a voluntary, opt-in credit, New York would strengthen investment in the entire renewable fuels industry and the entire slate of renewable fuels.

Incentivizing the production of SAF is particularly appropriate in light of the critical role the airline industry can play in helping to obtain financing for facilities through dedicated offtake agreements, a role that the airline industry is uniquely situated to fill. Modeling conducted for A4A by the National Renewable Energy Laboratory has demonstrated the synergistic relationship that airline offtake agreements can have when coupled with access to credit markets.[34]

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[30] *See* 75 Fed. Reg. 14670, 14682 (Mar. 26, 2010) (jet fuel not an obligated fuel under the RFS, but renewable jet fuel can generate RINs); *see also* https://www.epa.gov/fuels-registration-reporting-and-compliance-help/while-there-no-renewable-fuel-obligation-under.

[31] *See* § 19-0331(1) of Senate Bill 2962-B and Assembly Bill A862-B ("Aviation fuels shall be exempted from the [CFS] due to federal preemption, but [SAF] shall be eligible to generate credits on an opt-in basis").

[32] *See, e.g.,* "Aircraft Engine Particulate Matter Emissions From Sustainable Aviation Fuels: Results From Ground-Based Measurements During the NASA/DLR Campaign ECLIF2/ND-MAX," available at https://www.sciencedirect.com/science/article/abs/pii/S0016236122016106?via%3Dihub; National Aeronautics and Space Administration Release 17-027, "NASA Study Confirms Biofuels Reduce Jet Engine Pollution" (March 15, 2017), available at https://www.nasa.gov/press-release/nasa-study-confirms-biofuels-reduce-jet-engine-pollution; Neste, "Renewable Aviation – Key Benefits of Neste MY Renewable Jet Fuel," available at https://www.neste.com/sites/neste.com/files/attachments/aviation_downloadable_brochure_benefits_of_rjf_29012020.pdf.

[33] *See* National Renewable Energy Laboratory, "Effect of Additional Incentives for Aviation Biofuels: Results from the Biomass Scenario Model," available at https://www.nrel.gov/docs/fy18osti/67845.pdf.

[34] *Id.*

*D. The State Should Make Robust Financial Investments in SAF Production and Deployment*

Finally, A4A agrees with the Council that "[t]he State should fund incentives for infrastructure for cleaner fuels . . . where market support is needed."[35] We especially agree that "investments [are] needed [now] to ensure the availability and affordability of . . . renewable jet fuel."[36]

Despite A4A members' and other aviation stakeholders' concerted efforts over the years, the availability of SAF is extremely limited today, and the SAF that is available is considerably more expensive than conventional jet fuel. The SAF industry, still at a nascent stage, needs strong financial support to reach scale and become a mature industry, one that is capable of providing airlines and other jet fuel users in New York with significant quantities of the low-carbon fuel at a competitive price. A4A therefore urges the Council, in the final Scoping Plan, to recommend that State funding be allocated to SAF production and deployment. State investments in SAF should be at least as robust as public investments made in other modes of transport (e.g., zero-emission cars, trucks, and buses). As emphasized above, SAF is critical to the decarbonization of the commercial aviation sector. As a result, it also is critical to attaining the GHG emissions limits and the net zero by 2050 goal set forth in New York's Climate Leadership and Community Protection Act and codified in sections 75-0107(1) and 75-0103(11) of the Environmental Conservation Law.

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

Sincerely yours,

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[35] *Id.* at 118.

[36] *Draft Scoping Plan,* at 97.