

## Comment Letter #78

**SheppardMullin**

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July 22, 2022

File Number: QMGG-278850

### VIA ELECTRONIC MAIL

South Coast Air Quality Management District  
Governing Board  
21865 Copley Drive  
Diamond Bar, CA 91765  
E-Mail: [AQMPteam@aqmd.gov](mailto:AQMPteam@aqmd.gov)

Re: Requested Revisions to Draft 2022 Air Quality Management Plan and Appendix III: Base & Future Year Emissions Inventory

Dear Chairman Benoit and Board Members:

We represent an all-cargo carrier (Carrier) who will be operating at the proposed South Airport Cargo Center Project (SACC Project) at the Ontario International Airport (ONT), should the SACC Project be approved by the Ontario International Airport Authority (OIAA) and receive all other necessary entitlements. We are submitting this comment letter on the Draft 2022 Air Quality Management Plan (AQMP) to support the revisions to the Appendix III-Base & Future Year Emissions Inventory (Emissions Inventory) requested by OIAA. OIAA's comment letter regarding requested revisions to the 2022 AQMP and Emissions Inventory, dated July 5, 2022, is attached to this letter as Attachment A. We also understand that OIAA plans to submit a second letter before the July 22, 2022 deadline regarding the set-aside account for general conformity purposes in the 2022 AQMP, which we also support.

It is critical that the OIAA's requested revisions be incorporated into a revised Emissions Inventory for the Draft 2022 AQMP. As expressed by the OIAA, the current inputs are not indicative of the current or future operations at ONT. Specifically, updates to the fleet mix and taxi times are necessary in order to accurately reflect ONT's current and future operations. The Draft 2022 AQMP and Emissions Inventory is based on outdated activity levels captured during the COVID-19 pandemic, and this substantially underestimates ONT's current and future emissions.

Given the updates needed to ONT's fleet mix and taxi times, the current operation projection in the Draft 2022 AQMP and Emissions Inventory is clearly incorrect and does not accurately reflect the current or future operations at ONT. The Emissions Inventory's operation projection and taxi times should be updated to ensure the 2022 AQMP and Appendix III reasonably represent ONT. Making these updates will achieve a more accurate projection of current and future emissions used in the 2022 AQMP, which will allow SCAQMD, the Environmental Protection Agency, and the Federal Aviation Administration to properly evaluate and assess

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project planning at ONT as well as lead to a more accurate attainment demonstration across the South Coast Air Basin.

Furthermore, we echo OIAA's concerns that the elimination of the set-aside account will likely hinder economic growth for businesses and agencies. We respectfully request that SCAQMD not eliminate the set-aside account and instead maintain multiple general conformity demonstration pathways for the environmental and economic well-being of the region. The set-aside account is an efficient and effective way to ensure projects that need federal approval can demonstrate general conformity, allowing SCAQMD to balance the ability for regionally-important projects to proceed while addressing air quality concerns. We also share OIAA's concerns that possible alternatives to the set-aside tool will require additional rule making and vetting by SCAQMD, stakeholders, and the public following adoption of the 2022 AQMP, which will create a "limbo" period during which projects will face limited opportunities for demonstrating general conformity. Instead, the general conformity approach for projects should continue to be pursued in conjunction with other programs under consideration.

Thank you for the opportunity to submit this comment letter. We look forward to working with SCAQMD staff to address our comments and requests.

Very truly yours,



Alfred Fraijo Jr.  
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

SMRH:4875-1022-9284.7

Attachment A: OIAA Comment Letter re 2022 AQMP

Attachment A



Ontario International Airport Administration Offices  
1923 E. Avion Street, Ontario, CA 91761

<b>ALAN D. WAPNER</b> President	<b>RONALD O. LOVERIDGE</b> Vice President	<b>JIM W. BOWMAN</b> Secretary	<b>CURT HAGMAN</b> Commissioner	<b>JULIA GOUW</b> Commissioner
<b>ATIF J. ELKADI</b> Chief Executive Officer	<b>LORI D. BALLANCE</b> General Counsel	<b>JOHN M. SCHUBERT</b> Treasurer		

**July 5, 2022**

Dr. Sang-Mi Lee, Planning and Rules Manager  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765-4178

Dear Dr. Lee:

The Ontario International Airport Authority (OIAA) has submitted this comment letter on the Draft 2022 Air Quality Management Plan (Draft 2022 AQMP) to request that the 2022 AQMP be updated to accurately reflect the Ontario Airport (ONT) emissions inventory. Through the recent review of projected fleet mixes and operational levels, it was determined that some inputs included in the Draft 2022 AQMP are not indicative of the current or future operations at ONT (notably the forecasted aircraft activity and taxi time assumptions). Notably, the current assumptions underrepresent the emissions at ONT. We appreciate the effort that the South Coast Air Quality Management District (AQMD) has made to date, and the ongoing effort to address this issue.

The OIAA provides overall direction for the ownership, management, operations, development and marketing of ONT for the benefit of the Southern California economy and the residents of the airport’s four-county catchment area (San Bernardino, Riverside, Orange, Los Angeles). ONT is located in San Bernardino County, approximately 35 miles east of Downtown Los Angeles in the center of Southern California and is considered part of the Inland Empire. Facilities on the Airport include two passenger terminals, general aviation facilities, air freight buildings, parking lots, and numerous airport and aircraft maintenance and support services.

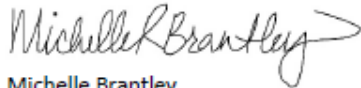
OIAA has made and is continuing to make efforts to reduce emissions at the airport. In 2019, OIAA agreed to a Memorandum of Understanding to address air emissions from ground support equipment. Currently, OIAA is in the process of developing a Blueprint for integrating Medium and Heavy Duty (MHD) Zero Emission Vehicle (ZEV) infrastructure throughout the airport over the coming decade. The goal is to develop an actionable roadmap towards 100% MHD ZEV infrastructure equipment at ONT, which will significantly improve local air quality, promote job growth, and bolster the economy of this disadvantaged community (DAC). The Blueprint will serve as a replicable model that can be deployed at all major transportation hubs throughout California, including other airports, seaports, and urban centers.

[www.flyontario.com](http://www.flyontario.com)

OIAA began a review in late 2021 due to the ongoing COVID recovery trends and anticipated projects at ONT. These projects will provide emission reductions basin wide by providing additional transportation pathways to the inland empire. ONT airport's ability to address the current and growing demand will help minimize truck and vehicle traffic going from the inland empire to other airports in the basin. In the process of this review, OIAA discovered that data previously provided to AQMD was inaccurate and grossly outdated. These inaccurate assumptions lead to a severe underrepresented emissions inventory for ONT, and would impede OIAA from obtaining approvals from the Federal Aviation Administration (FAA) for even the most basic improvements to ensure the continued operation of ONT. In order to align the 2022 AQMP with the existing and anticipated future operations of ONT, OIAA is requesting an update to the Draft 2022 AQMP for the fleet mix and taxi time assumptions for ONT.

OIAA looks forward to working with AQMD to resolve this issue that currently exists in the Draft 2022 AQMP. We believe that the accurate reflection of ONT emissions inventory is important to allow AQMD to properly address the air quality issues in the South Coast Air Basin, and to ensure that ONT can continue to operate to provide important services for the benefit of the region.

Sincerely,



Michelle Brantley  
Chief Capital Development Officer  
Ontario International Airport