



December 22, 2023

Governor Gavin Newsom
California State Capitol
Sacramento, CA 95814

Liane Randolph, Chair
Members of the Board
Steven Cliff, Executive Officer
California Air Resources Board
1001 "I" Street
Sacramento, CA 95814

Submitted electronically via

<https://ww2.arb.ca.gov/public-comments/lcfs-fuel-pathways-public-comments>

**Re: Low Carbon Fuel Standard Tier 2 Pathway Application No. B0521
and PHILLIPS 66 COMPANY (4528); California**

To Responsible Officials:

Our organization Biofuelwatch appreciates the opportunity to submit this brief letter to the California Air Resources Board (CARB) as comment on the Low Carbon Fuel Standard (LCFS) Tier 2 Pathway Application No. B0521 of PHILLIPS 66 COMPANY (Application)¹. Biofuelwatch² is an international organization that works to increase public understanding and civic engagement on the land-use implications of climate policy. We have a particular focus on the environmental harms and social inequities of large-scale industrial bioenergy projects, and we work extensively on addressing the negative ecological and social outcomes of policy and actions that are justified as being beneficial to the global climate, yet carry with them risks and threats to public health and safety, economic stability and natural resources. Our organization has been deeply engaged on what we assess to be the extremely irregular governance of the conversion of refineries in the San Francisco Bay Area to manufacturing liquid biofuels, the Phillips 66 Rodeo Renewed Project (Phillips 66 Project)³ being one of those controversial refinery conversion projects.

Our organization submitted a comment on the Tier 2 Pathway Application No. B0520 of PHILLIPS 66 Company. That comment letter⁴ and the supporting documents are referenced here as being fully relevant to the comment for this Application No. B0521.

¹ https://ww2.arb.ca.gov/sites/default/files/classic/fuels/lcfs/fuelpathways/comments/tier2/b0520_cover.pdf

² <http://www.biofuelwatch.org.uk/>

³ <https://www.contracosta.ca.gov/RodeoRenewed>

⁴ <https://ww2.arb.ca.gov/public-comments/lcfs-fuel-pathways-public-comments/webform/submission/7121>

Our organization remains concerned that the assessments of the feedstock climate impacts as provided in the Application are woefully deficient.

As in our comment on Application No. B0520, we hold that an item that would serve CARB staff and leadership to take into consideration in the evaluation of Application No. B0521 is the recently published report from the European organization Transport and Environment titled “Halt Deforestation-Driving Soy Biofuels Before it is Too Late.”⁵

In this report clear arguments are made that soy must be considered a high-Indirect Land Use Change risk feedstock, and that in order to protect global forests an aggressive phase out of palm and soy-based biofuels is needed immediately. There are many lessons to be learned from the European experience on these matters of global deforestation and biofuels, and CARB staff and leadership need to take measures to update the approach to assessing the climate impacts from high deforestation risk feedstocks like soy.

Much more research and analysis need to be done about the viability and environmental repercussions of granting a special climate value to making liquid biofuels from soy. The available evidence shows that this is not a climate solution. By rushing forward with these credit pathways for making liquid biofuels from commodities like soy from Argentina CARB is running the risk of seeing California climate policy become a driver of global deforestation.

For these reasons CARB must refrain from approving the Application at this time.

Thank you for your attention to these comments.

Sincerely,



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⁵ <https://www.transportenvironment.org/wp-content/uploads/2023/12/Halt-deforestation-driving-soy-biofuels-before-it-is-too-late.pdf>