































































































































































































































































































































































































































































































































































































































































1 Sara Gersen, Daniel Chandler, Jane O'Malley, Robbie  
2 Macias, And Fariya Ali.

3 Amanda, I have activated your microphone. Please  
4 unmute and begin.

5 AMANDA PARSONS DEROSIER: Thank you for taking  
6 the time to hear our remarks today. My name is Amanda  
7 Parsons DeRosier. I'm Vice President of Public Affairs  
8 for Global Clean Energy, a California based renewable  
9 fuels innovator.

10 The LCFS plan discussed today proposes enacting  
11 restrictions on the use of crop-based feedstocks for our  
12 state's renewable fuel production. We hope CARB does not  
13 strictly limit crop-based feedstocks, because meaningful  
14 change will require an all-of-the-above solution. And we  
15 encourage the Board to incentivize the use of intermediate  
16 crops like camelina within any adopted proposal.

17 Our company specializes in camelina production.  
18 Camelina and other intermediate crops, as they are known  
19 in the European Union, provide ultra low carbon finished  
20 fuels, are non-food, require little water, and do not  
21 cause land use change, because they are grown on existing  
22 farmland during periods where land would otherwise sit  
23 idle or fallow.

24 Intermediate crops grown between traditional crop  
25 cycles on existing farmland, provide cover crop benefits

1 to that land and do not displace many crops. They also  
2 provide additive economic revenues for rural agricultural  
3 communities while strengthening our nation's domestic  
4 energy supply. Our clean energy future will require  
5 diverse low-carbon solutions and renewable fuels made from  
6 crop-based feedstocks will propel California toward  
7 reaching carbon neutrality responsibly as well as  
8 assisting our nation in meeting the goals of the SAF grand  
9 challenge.

10 Renewable fuels work as drop-in replacement for  
11 traditional fuels with far fewer emissions and no  
12 infrastructure or -- infrastructure or engine changes  
13 necessary. They will play a key role in achieving our  
14 clean air -- our goals. We urge you to reject the  
15 crop-based feedstock restriction and incentivize the use  
16 of innovative new intermediate crops like camelina in  
17 renewable fuels production.

18 Thank you.

19 BOARD CLERK GARCIA: Thank you.

20 Dean, I have activated your microphone. Please  
21 unmute and begin.

22 DEAN TAYLOR: My name is Dean Taylor for the  
23 California Electric Transportation Coalition. We support  
24 the heavy-duty infrastructure credits, which are also  
25 called capacity credits. Because the market is nascent,

1 the program should not have many restrictions on it. We  
2 also support extending the existing light-duty capacity  
3 credits and we also recommend no cuts to this program as  
4 staff is currently proposing a level that is five times  
5 less than today's program.

6 Modeling by the CEC and NREL shows we need four  
7 times more DC fast charging by 2030. We also recommend  
8 that it be expanded to serve multi-family residences and  
9 dense urban areas. While LCFS supports many types of  
10 transportation, it still does not support emerging EVs  
11 used in agriculture, airports, mining, warehouses, and  
12 some types of recreation. Ironically, other fuels can  
13 earn credits for vehicles in these sectors. This needs to  
14 be fixed.

15 The last ten years have shown that these small  
16 industries do not have the wherewithal to develop staff's  
17 request for a scientific study to prove their efficiency  
18 compared to gasoline or diesel, which is called an EER.  
19 To solve this problem, we propose that LCFS allow these  
20 industries to use a conservative default EER, which is  
21 much less than what other EVs receive today. If these  
22 industries want a more realistic EER, they can do the full  
23 scientific study.

24 Thank you very much for the considering this.

25 BOARD CLERK GARCIA: Thank you.

1 Sara, I have activated your microphone. Please  
2 unmute and begin.

3 SARA GERSEN: My name is Sara Gersen. And I'm an  
4 attorney at Earthjustice, speaking in solidarity with the  
5 EJ communities and front-line workers who are demanding  
6 reforms to the LCFS. My comments today focus on four  
7 harms that result from relying on the false assumption  
8 that livestock biomethane is a carbon negative resource.

9 First, the outside support for CNG fuel distorts  
10 the market in favor of combustion fuels that have no role  
11 in California's future. One CNG truck that purportedly  
12 burns livestock biomethane will typically lead to more  
13 credit generation than the fleet of four electric trucks.

14 Second, the LCFS is undermining the market for  
15 truly clean zero-emission hydrogen by providing the  
16 biggest hydrogen subsidies to companies that produce  
17 hydrogen through the polluting process of steam methane  
18 reformation.

19 Third, Californians have historically been  
20 willing to pay for clean air and climate action. However,  
21 overgeneration of credits for biomethane skews the program  
22 in favor of polluting fuels. And it's not fair to expect  
23 California's drivers to subsidize fuels that have no  
24 future in our transportation sector.

25 Fourth, creating a lucrative market for livestock



1 biomethane creates a perverse incentive for factory farms  
2 to create methane through unsustainable manure management  
3 practices. Factory farms can only generate methane for  
4 capture if they choose to use manure lagoons, which have  
5 uniquely devastating environmental and nuisance impacts on  
6 local communities. Addressing livestock methane through  
7 direct regulation will avoid this perverse incentive.

8           So I urge the Board to end avoided methane  
9 crediting in 2024 and adopt all the other EJAC  
10 recommendations. Thank you for your consideration.

11           BOARD CLERK GARCIA: Thank you.

12           Daniel, I have activated your microphone. Please  
13 unmute and begin.

14           DANIEL CHANDLER: My name is Daniel Chandler. I  
15 represent 350 Humboldt and Climate Action California.

16           While recognizing the importance of the LCFS  
17 overall, we support the EJAC policy positions. I also  
18 would like to say I appreciated the perceptive questions  
19 of Board members on dairy emissions earlier today.

20           The biomethane industry calls digester gas  
21 renewable natural gas. A more accurate name is avoidable  
22 natural gas, because dairy industry manure management  
23 choices - excuse me - cause most manure methane. The main  
24 culprit is the wet or flush lagoon system of manure  
25 management, which is unknown in Europe and used much less

1 in other parts of the U.S. than in California.

2 In 2023, Professor Frank Mitloehner of UC Davis  
3 published an article that showed it is possible to get to  
4 a 40 percent reduction in dairy methane by 2030 just by  
5 switching away from the flush lagoon system to dry  
6 management. That would be the best approach, but there  
7 are a number of other effective ways of cutting methane  
8 from stored manure. These include burma filtration and  
9 the addition of an additive to the slurry, each of which  
10 is as effective as digesters. Digesters only exist in 200  
11 dairies. What about the other 1,200 dairies? If CARB  
12 regulates manure methane, we can reach the 40 percent goal  
13 by 2030 by not creating the methane in the first place.

14 Thank you for your time. I've submitted a  
15 written comment with references to back up my statements.  
16 And I would also like to thank you Board and the pandemic  
17 for making it possible for people in rural areas like me  
18 to have our voices heard virtually.

19 Thank you.

20 BOARD CLERK GARCIA: Thank you. Jane, I have  
21 activated your microphone. Please unmute and begin.

22 JANE O'MALLEY: Hello. This is Jane O'Malley  
23 with the International Council on Clean Transportation.  
24 Thank you to the meeting organizers and Board for the  
25 opportunity to speak today. On behalf of the ICCT, I





















1 increase in renewable diesel consumption showing that  
2 phasing out fossil fuels can actually protect the  
3 consumer. As noted by CARB staff in the SRIA, stronger  
4 action in the LCFS rulemaking will speed up the phaseout  
5 of fossil fuels and result in billions of dollars in  
6 health benefits to Californians.

7           Neste recommends the following as part of the  
8 ongoing rulemaking process.

9           First, choose a carbon intensity goal of 35  
10 percent by 2030, the most ambitious goal being evaluated.  
11 Second, apply an immediate reduction in carbon -- in the  
12 carbon intensity target, a step-down, and apply automatic  
13 adjustments to the CI to address overperformance in the  
14 credit market to continue incentivizing investments in  
15 renewable energy. Third, avoid an arbitrary cap on  
16 feedstocks used to produce renewable diesel and SAF. We  
17 believe this cap will only extend our dependence on fossil  
18 fuel and the SRIA seems to agree.

19           With this rulemaking, CARB has an opportunity to  
20 implement Governor Newsom's July '22 directive to speed  
21 the transition away from petroleum and CARB can do that  
22 maximizing the stringency of the LCFS Regulation. Any  
23 hesitation to be ambitious at this point will only delay  
24 critical progress toward meeting the State's goals.  
25 Neste, therefore, recommends that CARB make every effort

1 to maximize the carbon reductions that will occur under  
2 this rulemaking. Thanks for the opportunity to talk to  
3 you.

4 BOARD CLERK GARCIA: Thank you.

5 Next, we'll hear from Natalie Findlay.

6 Natalie, I have activated your microphone.  
7 Please unmute and begin.

8 NATALIE FINDLAY: Hi. My name is Natalie  
9 Findlay. I am representing Global Clean Energy, a  
10 renewable fuels innovator specialize in crop called  
11 camelina. We were disappointed to see that the LCFS  
12 proposal being considered today features crop-based  
13 feedstock restrictions in the production of renewable  
14 fuels. We believe that all feedstocks will be necessary  
15 to meet the demand for renewable fuels, including  
16 sustainable aviation fuel in the coming years. We urge  
17 the Board to reject this proposed crop-based feedstock  
18 restriction.

19 We also urge the Board to incentivize the use of  
20 intermediate crops and renewable fuel production.  
21 Intermediate crops grow between traditional crops and on  
22 existing idle or fallow farm acres and do not cause land  
23 use change.

24 Global Clean Energy produces an intermediate crop  
25 called camelina. Camelina provides cover crop benefits to

1 soil and sequesters carbon as it grows and produces ultra  
2 low carbon renewable fuels. It has a value throughout its  
3 life cycle. In fact, camelina has the potential to be the  
4 lowest carbon renewable fuel feedstock available. Our  
5 clean energy future will require an all-of-the-above  
6 strategy. Crop-based feedstocks are necessary to meet our  
7 emission reduction goals and crops like camelina can play  
8 a big part in ensuring that we reach our carbon neutrality  
9 goals responsibly.

10 Our State will need more feedstocks, not less, to  
11 meet the State's carbon neutrality targets. We urge a  
12 rejection of any crop-based feedstock restriction and  
13 encourage incentivizing the use of intermediate crops like  
14 camelina.

15 Thank you for your time and have a good evening.

16 BOARD CLERK GARCIA: Thank you.

17 Next we'll hear from Tyler Lobdell, Katie Little,  
18 a phone number ending in 576, John O'Donnell, Danielle  
19 Illig, Kimberly McCoy, and Kristin Olsen-Cate.

20 So Tyler, I have activated your microphone.  
21 Please unmute and begin.

22 TYLER LOBDELL: Good afternoon. Thank you.  
23 Tyler Lobdell on behalf of Food and Water Watch. Food and  
24 Water Watch stands in solidarity with community members of  
25 the San Joaquin Valley and elsewhere who are impacted by

1 the factory farms that are unfortunately rewarded and  
2 incentivized by the LCFS today. We also support the  
3 comments provided by Leadership Counsel, and Earthjustice,  
4 and the EJAC recommendations.

5 I want to make two quick specific points about  
6 the presentations today. I want to address herd size and  
7 consolidation incentives created by avoided methane  
8 crediting. So when CARB adopted this policy in 2018, the  
9 industry -- the livestock industry itself called it a  
10 manure gold rush. The clear signal here is that more  
11 manure-emitting methane at factory farms means more  
12 opportunity to generate LCFS revenue. Earlier today,  
13 staff said that no one has data showing that the LCFS has  
14 the effect of incentivizing larger herds. That's not  
15 correct. We have prevented -- presented such evidence and  
16 will do so again.

17 But what's more concerning is that in response to  
18 a recent public records request, CARB could not muster a  
19 single analysis, study, or other records supporting the  
20 idea that the LCFS is not causing herds to get larger,  
21 even though this concern has been raised consistently by  
22 many advocacy groups. Avoided methane crediting has  
23 serious unintended consequences and environmental justice  
24 harms and it must be eliminated in 2024.

25 So moving to SB 1383 and direct regulation. In

1 response to Dr. Pacheco-Werner's questions about landfills  
2 compared to carries, staff explained that landfill  
3 emissions are reduced in two ways, capture and diversion  
4 of organics away from landfills describing diversion as a  
5 critical strategy.

6           Similarly, diverting manure away from what causes  
7 methane emissions at factory farms that is liquefying  
8 manure and storing it in lagoons is a far more effective  
9 way to handle these emissions. But dry waste management  
10 isn't suitable for digesters and biogas so it isn't an  
11 LCFS option. Ignoring 1383 direct regulation illuminates  
12 this critical strategy from reducing methane emissions  
13 from dairies and must be --

14           BOARD CLERK GARCIA: Thank you.

15           Katie -- Katie Little, I have activated your  
16 microphone. Please unmute and begin.

17           KATIE LITTLE: Thank you. Good afternoon Chair  
18 and members. My name is Katie Little and I'm here on  
19 behalf of the California Farm Bureau. We align our  
20 comments with our fellow dairy and agricultural  
21 stakeholders and urge CARB to continue implementing  
22 digesters and other projects to reduce dairy methane.  
23 California Farm Bureau represents almost 30,000 farmers  
24 and ranchers throughout the state. Our members provide  
25 important economic and environmental benefits to their



1 local communities and most notably safe and nutritious  
2 food.

3 California's dairy methane reduction programs are  
4 all critical to achieving the ambitious 40 percent  
5 reduction sought by the state. Dairy digesters are a  
6 vital part of this effort. And removing one of the most  
7 effective programs is counterproductive and will preclude  
8 the State's ability to achieve the methane reduction goals  
9 that have been established. We urge CARB to continue this  
10 partnership with our family dairies who are working to  
11 accomplish this reduction. We look forward to continuing  
12 these important efforts and important partnerships we have  
13 developed with you.

14 Thank you so much.

15 BOARD CLERK GARCIA: Thank you.

16 Phone number ending in 576, I have activated your  
17 microphone. Please state your name for the record and you  
18 can begin.

19 LISA MCGHEE: Hi. My name is Lisa McGhee with  
20 Tom's Truck Center. My comments address the preliminary  
21 draft of potential Low Carbon Fuel Standard credit  
22 amendments and update California Code of Regulations  
23 95486.3, generating and calculating credits for medium-  
24 and heavy-duty ZEVs fueling infrastructure pathways at  
25 slide 29, "(E), crediting is limited to 10 years starting

1 with the quarter following Executive Officer approval of  
2 the application." We recommend this should be a minimum  
3 of 15 years, which is the same as the LDA RHR -- HRI right  
4 now.

5           The regulation says the station should be open to  
6 two different trucking companies and it says the SOSS, the  
7 Station Operational Status System, is listed open for  
8 retail. We recommend "retail" should be deleted. LDA  
9 cars should not be included and LDA's relying station is  
10 not the same as meeting the heavy-duty.

11           SOSS number 3 states at least three OEMs have  
12 confirmed that the station meet protocol expectations and  
13 their customers can fuel at the station. We recommend  
14 SOSSs already list the station passed inspection by AH --  
15 by the AHJ and make them Society of Automotive Engineers  
16 fueling protocols. The three OEMs should be deleted.

17           (G) states if the Applicant fails to demonstrate  
18 fuel supply equipment within 24 months of approval, the  
19 Application will be canceled. We recommend the  
20 application have a minimum of 36 months and this is  
21 reasonable based on current experience and findings.

22           Next, the regulation should require a heavy-duty  
23 station meet minimum site, storage, and pressure that  
24 supports repeated 700 bar pressure. Storage plus  
25 reloading plus pressure is necessary to meet reliable

1 standards for medium- and heavy-duty HRI.

2 Finally, we support more and a maximum  
3 flexibility of capacity for medium- and heavy-duty RHI.

4 Thank you.

5 BOARD CLERK GARCIA: Thank you.

6 John O'Donnell, I have activated your microphone.  
7 Please unmute and begin.

8 JOHN O'DONNELL: Hello. I'm John O'Donnell with  
9 Rondo Energy. We're a California company that have  
10 invented and developed the world's most efficient energy  
11 storage. And the Low Carbon Fuel Standard has provided a  
12 lot of the incentive that is behind the company. Over  
13 time, the LCFS has driven all kinds of innovations that  
14 nobody knew were coming. CARB has understood that and has  
15 establishing stable price signals that have encouraged all  
16 kinds of investments and innovations in low carbon fuels.

17 We're a leader in an emerging technology sector,  
18 the storage of electrical energy as heat that can  
19 materially change the carbon intensity of liquid fuel  
20 production. Electrification of the production of  
21 transportation fuels is on track to cut the carbon  
22 intensity of liquid fuels by up to 80 percent. And doing  
23 so is quite cost effective as the cost of intermittent  
24 electricity, wind and solar power, continues to drop.

25 We're now decarbonizing on the first set the

1 production of corn ethanol at a California biofuel  
2 refinery. We're working across projects across the --  
3 across the country and internationally in decarbonizing  
4 the production of biofuels and petroleum fuels from  
5 feedstock through the refineries. And my main comment is  
6 I want to propose that you support your continuing to  
7 tighten the standards, because the credit price, the  
8 stable credit price, is critical for this ongoing  
9 technology deployment.

10           You're going to see ongoing drops in the actual  
11 available carbon intensity of liquid transportation fuels.  
12 And they're cutting the carbon intensity of the vehicles  
13 that we have as the vehicle fleet evolves is good for the  
14 whole system.

15           Thank you.

16           BOARD CLERK GARCIA: Thank you.

17           Danielle, I have activated your microphone.  
18 Please unmute and begin.

19           DANIELLE ILLIG: Good evening, members of the  
20 Board. My name is Danielle Illig, Director of Compliance  
21 and Sales Operations at Clean Energy.

22           The SRIA proposed and early phaseout of avoided  
23 methane credits and an elimination of book and claim  
24 functionality for RNG to CNG, which will curb methane  
25 capture project investment and likely result in an

1 increase of fossil fuel consumption. Avoided methane  
2 credits are a major incentive used to build dairy and food  
3 waste digesters. We have seen the capital markets tighten  
4 and projects put on hold since the phaseout was first  
5 proposed in November of '22.

6 We propose all -- that all projects built by 2035  
7 received at least one 10-year crediting extension making  
8 them eligible through 2045. This is only five years  
9 beyond what's in the SRIA. The SRIA supports the State's  
10 2045 carbon neutrality goals and would accelerate digester  
11 deployments today. Also, the removal of book and claim  
12 functionality for RNG will alienate projects outside of  
13 California and may lead to stranded assets. There are  
14 only a handful of pipelines providing natural gas in the  
15 state, all of which are oversubscribed. CARB should  
16 commission a study to look at this issue and the existing  
17 pipeline system.

18 Finally, a false narrative has been floated to  
19 the Board that three diesel trucks one natural gas truck  
20 using dairy RNG generated more -- generates credit than  
21 four electric trucks. This is false and a  
22 misrepresentation of how the Low Carbon Fuel Standard  
23 works. Four EV trucks generate significantly more credits  
24 than one dairy RNG truck regardless of whether the  
25 electricity is from the grid, solar, wind, or dairy. It's

1 important to note that over 10 percent of EV usage in '22  
2 in California received its energy from dairy digesters.

3 I ask that CARB continue to be ambitious with the  
4 compliance target setting to extend the phaseout period of  
5 avoided methane credits and to not eliminate book and  
6 claim functionality for RNG to CNG. All eyes are on  
7 California and what we do with these amendments will have  
8 an impact on the market and other LCFS states.

9 Thank you for consideration of these comments.

10 BOARD CLERK GARCIA: Thank you.

11 Kimberly McCoy I have activated your microphone.  
12 Please unmute and begin.

13 KIMBERLY MCCOY: Good afternoon, Chair Randolph  
14 and the Board members. My name is Kimberly McCoy. I am a  
15 Climate and Environmental Policy Associate with Central  
16 California Asthma Collaborative.

17 The CARB Board should direct staff to incorporate  
18 the policy changes identified in the first resolution  
19 adopted by the permanent Environmental Justice Advisory  
20 Committee. The EJAC carefully considered the issues and  
21 invested its time, expertise, and energy to provide  
22 thoughtful recommendations to address their environmental  
23 injustice inflicted by the LCFS.

24 Staff appear more concerned with protecting  
25 profits for producers of and investors in factory farm gas

1 than achieving actual and substantial environmental  
2 benefits through the LCFS. Our flagship climate and  
3 transportation programs should be solely focused on  
4 improving air quality, greenhouse reductions, and  
5 environmental justice. Ensuring a return on investment  
6 and protecting lavish subsidies is not and should not be  
7 part of CARB's mission. Unfortunately, it seems to be in  
8 this program.

9           Prioritizing environmental justice, as CARB has  
10 complained, it does actually mean far more than giving  
11 EJAC leaders a seat at the EJAC table while ignoring their  
12 well-founded recommendations. As it stands, EJAC  
13 communities are at the table at the EJAC and here today,  
14 but we are still on the menu. The CARB Board must provide  
15 leadership and direct staff to incorporate the EJAC's  
16 resolution into the proposed regulations, otherwise the  
17 LCFS will sacrifice environmental justice communities for  
18 factory farm gas and hydrogen production.

19           Thank you.

20           BOARD CLERK GARCIA: Thank you.

21           Let's see, next -- sorry. Next, we will hear  
22 from Jan Warren. Jan, I have activated your microphone.  
23 Please unmute and begin.

24           Okay. Let's go to Kristin Olsen. Kristin, I've  
25 activated your microphone. Please unmute and begin.

1 KRISTIN OLSEN-CATE: Thank you. Good evening.  
2 This is Kristin Olsen from California Strategies here  
3 today on behalf of Monarch Bioenergy. Thank you for your  
4 service and for listening to all of us today. Monarch  
5 Bioenergy operates and develops renewable natural gas  
6 facilities throughout the country and has participated in  
7 CARB's LCFS Program for many years.

8 We applaud CARB for developing such an innovative  
9 program that significantly reduces methane emissions while  
10 making fuels and our air cleaner. For over a decade,  
11 Monarch and its team have created numerous jobs and  
12 deployed significant capital building and maintaining our  
13 RNG projects, projects that simply would not be viable  
14 without the strong and continued support of the LCFS  
15 Program. Monarch Bioenergy supports CARB staff proposals  
16 to increase the CI target to 30 percent by 2030.

17 We also join other groups encouraging  
18 consideration of an even more aggressive target such as 40  
19 percent, which will only accelerate progress. We  
20 understand, appreciate, and support CARB's goal of  
21 increasing program efficiency and helping protect the most  
22 vulnerable communities in California. We share those  
23 values and work hard to contribute to a better tomorrow in  
24 the communities in which we operate. We urge CARB to  
25 continue to support Monarch and the others via a durable



1 and stable LCFS credit market, recognizing the significant  
2 methane releases that we abate across the United States,  
3 and to allow our projects to continually participate in  
4 the LCFS Program regardless of location throughout the  
5 country.

6 Thank you again for your time and support of our  
7 efforts at Monarch.

8 BOARD CLERK GARCIA: Thank you.

9 Next, we will hear from Akashdeep Singh, Jan  
10 Warren, Kathryn Kuchta, Hannah Huffines, Kyle Heiskala,  
11 and the Original Dra

12 So Akashdeep, I have activated your microphone,  
13 please unmute and begin.

14 AKASHDEEP SINGH: Good afternoon, Chair and  
15 members. My name is Akashdeep Singh and I am speaking on  
16 behalf of the Union of Concerned Scientists. We have been  
17 a long-time supporter of the LCFS and have been involved  
18 in its implementation for more than 15 years. This  
19 provides vital support for transportation electrification  
20 which will be key to achieving CARB's other critical  
21 regulations.

22 However, we are here today in solidarity with  
23 many of the environmental and environmental justice  
24 organizations you've heard from today to urge CARB to  
25 modernize the LCFS to ensure equity meets the needs of

1 Californians and supports the attainment of air quality  
2 standards.

3 First, the drop in credit prices that  
4 precipitated this process came from a glut of renewable  
5 diesel credits. CARB must place a hard cap on the share  
6 of compliance from liquid-based biofuels to the LCFS  
7 imbalance. The current proposal to simply increase  
8 stringency and would result in worse economic consequences  
9 with fewer environmental benefits.

10 Further, avoided methane credits for dairies must  
11 be phased down more quickly than staff is proposing. CARB  
12 should instead seek to regulate methane emissions from  
13 dairy as soon as they are legally allowed to do so next  
14 year. California must continue steadfastly moving away  
15 from combustion in the transportation sector. The LCFS  
16 can play a key role in this transition, but if there are  
17 not -- if there are not significant changes to the current  
18 proposal, the LCFS would not live up to their promise and  
19 could even be counterproductive.

20 Thank you so much for your time.

21 BOARD CLERK GARCIA: Thank you.

22 January Warren, I have activated your microphone.  
23 Please unmute and begin.

24 JAN WARREN: Got it. Thank you very much.

25 Jan Warren from Walnut Creek. I want to support

1 the EJAC recommendations. Equity is living in a community  
2 with clean air and water with access to a living wage job,  
3 healthy affordable food, health care, and a place to call  
4 home. There needs to be healthy investments in impacted  
5 communities. Enough of the fossil fuel investments there.

6 Transition -- let's see I want to thank Board  
7 Member Takvorian for her comment about the length of time  
8 needed to send signals to industry. Economic dependence  
9 is a reality. Ethanol started being added to gasoline in  
10 the 1920s and 30s, continued through World War II and is  
11 still with us. Ten percent of our gasoline has ethanol  
12 and was added during the 1970s oil embargo. Ethanol is a  
13 domestically produced alternative fuel commonly made from  
14 corn. And overall, 94 percent of ethanol in the U.S. is  
15 produced from corn.

16 There's an ethanol plant at the Port of Stockton  
17 and a project wants to use that ethanol to inject CO2 into  
18 a river formation and transport it via barge down the  
19 Stockton deep water channel. There needs to be guardrails  
20 on crop-based fuels.

21 Economic dependence is a reality even when the  
22 original intention was just to get new industry off the  
23 ground. No one wants to give up market share and most  
24 businesses want to continue to grow. I appreciate that  
25 the biodigester folks have been successful at reducing

1 methane from dairy cows and we know the health impacts  
2 that others are experiencing.

3 I'm hearing today from people who want to  
4 increase any excess product for new markets, so they want  
5 to generate more and more in export, excess, whether  
6 that's biogas, or fossil fuel, or ethanol, or someone  
7 else. There's a limit. Business likes creativity and  
8 certainty. Does anyone remember the term "bridge fuel"?  
9 We need to step down and let's remember spoiler alert,  
10 fossil fuel industry wants to drag out the transition to  
11 clean energy as long as they can.

12 Thank you.

13 BOARD CLERK GARCIA: Thank you. Kathryn, I have  
14 activated your microphone. Please unmute and you can  
15 begin.

16 KATHRYN KUCHTA: Can you hear me?

17 BOARD CLERK GARCIA: Yes, we can.

18 KATHRYN KUCHTA: Hi. My name is Kathryn Kuchta.  
19 I work at Skyview Dairy where I'm a fourth generation  
20 dairy farmer in Bakersfield, California, Kern County. I  
21 just had my son. He's five months old, so he would maybe  
22 hopefully be our fifth generation.

23 I work on the dairy every day. I used to, but  
24 now I'm slowing getting back. And we got our digester  
25 implemented in 2021. And it has greatly helped our air

1 and just our whole facility in general. It's made  
2 everything much cleaner. I often run on the dairy. I  
3 marathon train and I ran when I was pregnant. And I was  
4 thankful when ever I say it inflated knowing that it's  
5 doing its job. CalBio and the whole program with LCFS  
6 we're thankful for their work in implementing that.

7 We also work with Starbucks and have a  
8 partnership with them to continue sustainability actions.  
9 They're very impressed with the digester. They love it.  
10 And we did a video with them too. And they do CO2 reports  
11 and they tell us where we can improve on. So the digester  
12 really helps and we're like very low for our standard. So  
13 now, we're working on getting those other things done, so  
14 we can get to that zero number. We also have solar on our  
15 farm and we do water conservation, and we're working to  
16 help the endangered species as well. So just trying to  
17 help in any way we can to keep doing the efforts for  
18 sustainability that CalBio and all of them have helped to  
19 implement and start. Thank you.

20 BOARD CLERK GARCIA: Thank you.

21 Hannah, I have activated your microphone. Please  
22 unmute and begin.

23 HANNAH HUFFINES: Hi, CARB staff and everyone  
24 attending. My name is Hannah Huffines. I'm the  
25 Environmental Commodities Manager at Maas Energy Works.

1 Maas Energy is a California-based developer owner and  
2 operator of dairy digesters. When the California Air  
3 Resources Board first developed the Low Carbon Fuel  
4 Standard to accomplish greenhouse gas reduction goals, our  
5 company was formed in response to the program's objectives  
6 for methane reduction by dairy digesters. Since then,  
7 Maas Energy has developed over 60 dairy digesters, most of  
8 them California based, and employed over 120 hard working  
9 individuals invested in working with dairy farm owners to  
10 build digester projects that capture methane emissions and  
11 deliver fuel to the California transportation sector.

12 We're able to do this because CARB leadership has  
13 established incentives and a price for low carbon  
14 intensity credits, which we are incredibly grateful for.  
15 It's allowed us to build an entire company and dedicate  
16 years to the State's carbon neutral goals.

17 I'm here today because some of CARB's proposals,  
18 including removing incentives for dairy digesters. Dairy  
19 digesters will no longer be able to now claim a methane  
20 reduction benefit, even if dairy digesters are indeed  
21 capturing methane and creating a carbon negative operation  
22 where there otherwise wouldn't have been one.

23 If our entire industry exists because of this  
24 incentive, if taken away, we have no feasible method for  
25 building new digesters. It's simply too extensive. We

1 cannot support new growth without with methane reduction  
2 benefit. So we're very much concerned and encourage the  
3 Air Board to reconsider incentivizing our industry to take  
4 risks and invest in digesters.

5           These projects take years to build, then a couple  
6 more years to generate revenue, and then a larger even few  
7 more years to see payback. Ten years of avoided methane  
8 benefit at minimum. And really anything short of 20 years  
9 is barely scratching the surface of giving the industry  
10 enough confidence to continue investments. We really  
11 enjoy the work that we do.

12           BOARD CLERK GARCIA: Thank you.

13           Kyle, I have activated your microphone. Please  
14 unmute and begin.

15           KYLE HEISKALA: Good evening, CARB Board. My  
16 name is Kyle Heiskala. I'm the Policy Co-Director with  
17 Environmental Health Coalition in the San Diego-Tijuana  
18 region.

19           I'm here in support of the EJAC resolution and  
20 speaking in solidarity with the requests being made by EJ  
21 communities living across California. Please end the  
22 avoided methane crediting, cap lipid-based biofuels, and  
23 direct staff to start a rulemaking for direct methane  
24 regulation. While we don't have dairies impacting  
25 residents in San Diego's portside communities, our members

1 have had a small taste of what it's like being next to a  
2 biofuel facility.

3           The noxious odors that were being generated from  
4 a biodiesel processing facility across the street from  
5 senior apartments where community elders were living were  
6 unbearable. They couldn't open their windows without  
7 noxious odors watering their eyes, and causing respiratory  
8 issues. Their quality of life was devastated by being  
9 near this facility and I've stood across the street and  
10 have my own eyes water with the fumes.

11           While our local experiences our not a cow farm or  
12 a dairy, I can't imagine the impacts of living next to  
13 a -- an entire factory farm. When thinking about the  
14 future and a climate safe economy, we must transition to  
15 avoid climate disaster. It looks all electric in my  
16 dreams. Biofuels cannot be our long-term solution.

17           To reiterate, please make the requested changes  
18 from the EJAC before the LCFS returns to the Board to end  
19 methane crediting, the cap -- to cap unrestricted use of  
20 lipid-based biofuels, and to begin the rulemaking process  
21 for direct regulation of livestock emissions beginning in  
22 2024.

23           Thank you.

24           BOARD CLERK GARCIA: Thank you.

25           And lastly, we'll hear from The Original Dra.



1 Can you please state your name for the record.

2 THE ORIGINAL DRA: The Original Dra. Sure.

3 Yeah, and I just -- I'm so worried about the  
4 climate. I don't understand why people aren't taking this  
5 seriously. You know, I've been capturing my own carbon  
6 myself and I feel like that's something that people need  
7 to do, because we emit emissions. Also my animals do. I  
8 was thinking about like killing them, but then I thought  
9 no they're really useful for this, because I've been able  
10 to gas my car with my own methane. I just have this tube  
11 that I stick into my butt and then it goes into the tank.  
12 And it's been really sustainable and good. And it's like  
13 why isn't everybody else willing to do what it takes to,  
14 you know, lower these emissions, because we have a climate  
15 crisis and our earth is dying.

16 And like, you know, we have a water crisis as  
17 well. I've been, you know, saving my own sewage and like  
18 giving it back to myself, because that's sustainable. So  
19 I feel like we need to be, you know, incentivizing people  
20 to do these same things, because it's so important. Like,  
21 we have a major threat on our hands and if people aren't  
22 willing to go the extra mile to do what it takes to make  
23 sure that they're not emitting, you know, emission as  
24 well, then, you know, we're going to get anywhere. And so  
25 it's really important that people take this upon their

1 shoulders and do everything in their power to make sure  
2 that they're not emitting stuff.

3           And, you know, at the same time, it's like people  
4 breathe different amounts of air. So I'm just wondering  
5 like -- I feel like someone else could be breathing more  
6 than me and that's not equitable. And I don't want them  
7 taking all my fresh air. So I don't know if we need some  
8 kind of bubble around us or something, but it's really not  
9 equitable the way that the air is, you know, being able to  
10 be breathed in by certain people.

11           And I think that, you know, like I said, people  
12 aren't taking this serious enough to do whatever it takes,  
13 you know, even if it's like, you know, whatever it needs  
14 to be. So once people start taking it seriously, then I  
15 think that we can really reduce the greenhouse gases and,  
16 you know, that takes people, you know, capturing their own  
17 carbon and whatnot.

18           So people need to get on that. This is  
19 ridiculous. It's about time that we do something instead  
20 of just telling other people what to do.

21           BOARD CLERK GARCIA: Thank you. And that  
22 concludes the Zoom commenters that raised their hand  
23 before the sign-ups closed.

24           CHAIR RANDOLPH: All right. Thank you.

25           Do Board members have any additional questions or

1 comments on this item?

2 Mr. De La Torre.

3 BOARD MEMBER DE LA TORRE: Thank you. I didn't  
4 speaker earlier, because I wanted to wait till this, to  
5 have -- hear everybody and it's what I wanted to highlight  
6 for staff. These aren't questions. These are just the  
7 things that I see that I would like to see as we're all  
8 thinking over the next couple of months on this proposal.

9 This is my third version, third iteration with  
10 LCFS. I was here for the first one and then the second  
11 one. Here we are on the third one. And I want to start  
12 by saying when we -- and I've said this to lots of folks.  
13 When we started this, we weren't really sure, because it  
14 hadn't been done anywhere. We weren't really sure -- you  
15 know, we used obviously the best minds that we have on  
16 this team. And I always talk about how our science is  
17 going to kick your science's ass. So it did. It worked  
18 out really well.

19 The initial iteration of this really worked out  
20 well. I mean, I think we got a little greedy. We thought  
21 it was working so well. Let's do this, and do this, and  
22 do this. And then, you know, what's ended up happening is  
23 the credits aren't worth as much, and not doing all of the  
24 wonderful things that we would like it to do. And so for  
25 the last several months, I've been telling people we're

1 going to trim this program, period, and some people are  
2 going to up unhappy about that. We're not here to make  
3 sure that people business plans succeed. We are here to  
4 put the best program together that has strong credits,  
5 that can do again the priority work for this agency. And  
6 so I'm very focused on that. So that's my preface.

7           Here are a handful of things. The CI for avoided  
8 methane, I would like to see that tightened up. I  
9 understand the logic of why we do what we do, but I still  
10 think it is too generous, so -- in comparison to  
11 everything else. So when I saw that chart, that staff  
12 presented that has most of them being above the line and  
13 then there's a couple that are below the line and -- that  
14 gives me heartburn. And so I think we've -- we should  
15 look at what -- how we're scoring. And I understand we're  
16 tied to other standards elsewhere. But, you know, we made  
17 this up -- this program up, many, many years ago. We can  
18 make adjustments that are rational, that are again based  
19 in science, and based on our judgment of what we are  
20 looking to do.

21           Two, non-fossil hydrogen. I want to make clear  
22 that -- and I don't use the color system. I hate it that  
23 we have a CI for hydrogen, and we're going to get that  
24 from the Feds this fall I understand, but that we overlay  
25 that -- and this is my personal view, we overlay that with

1 non-fossil fuel. So low CI plus not fossil fuel based,  
2 that's California's green hydrogen, to address some of the  
3 concerns that we heard today. Throughout the day, a lot  
4 of folks were very worried of hydrogen being a Trojan  
5 Horse, and I am as well. So I think we need to do  
6 everything we can to drive in that direction moving  
7 forward.

8           Tropical force biofuels, tropical forest based  
9 biofuels is another concern of mine. And I think we all  
10 should be very concerned and make sure that this LCFS  
11 program does not directly or indirectly, or in any way,  
12 shape, or form incentivize those activities in tropical  
13 forests, because that would really be cutting off our  
14 noses to spite our face.

15           The holdback provision for utilities, I think  
16 there should be two things with it. One, narrow the  
17 vehicle incentives to just low income, folks. Make them  
18 worth something for the people who need it. When we saw  
19 that, because there's so many people buying electric  
20 vehicles and the credit that's available is minor, there's  
21 hardly any money in it, et cetera. But if we focus that  
22 on low-income folks buying used -- in most cases, used  
23 EVs, that could really like get us something on the  
24 vehicle side.

25           And then, of course, infrastructure -- charging

1 infrastructure. For those multi-family, the places where  
2 low-income folks could benefit from it on the charging  
3 side, and then medium- and heavy-duty trucks,  
4 high-capacity charging for them. So those are two  
5 categories that I would say, vehicles just for low-income  
6 and charging infrastructure, and fueling infrastructure.  
7 I'm assuming -- I didn't even talk about hydrogen fueling  
8 like we did last time. I assume that's still potentially  
9 part of this, but fueling and charging for medium- and  
10 heavy-duty. I think narrowing it down like that, we get a  
11 bigger bang for our buck.

12           Zero-emission transit. Allowing -- I'm not sure  
13 if it's in the holdback provision or if it's just in the  
14 regular credits to support where our transit buses that we  
15 have -- we have mandated in order to give those transit  
16 districts a little left. They've had some difficulties.  
17 It was well publicized during the budget process. And so  
18 we're asking them to make this transition, we should  
19 support it as well that giving them these credits for  
20 going the right thing.

21           And then finally jet fuel. Jet fuel is  
22 essentially diesel. And I have said many times here that  
23 diesel is the worst thing we've got going in California.  
24 It's particularly in underserved communities like the one  
25 I live in. It's over 70 percent of the carcinogenic

1 effect on air pollution. And that's just diesel. I don't  
2 know what the percentage is for jet fuel, but you would  
3 add on top of that. So I think we should find the right  
4 way - and we've got these great minds. We've got great  
5 lawyers - to put together some way to bring jet fuels into  
6 the mix here and then incentivize that as well.

7 So those are my points. Thank you, Madam Chair.  
8 And I'm sure we've got a few more months. I know we have  
9 a few more months to flesh all of this out, but I wanted  
10 to put those markers down. Thank you.

11 CHAIR RANDOLPH: Thank you.

12 Board Member Kracov.

13 BOARD MEMBER KRACOV: Hi. Thank you, Chair, and  
14 sorry I couldn't be with all of you today. I want to  
15 welcome our new Board Member Cliff Rechtschaffen if he's  
16 listening. I look forward to learning from him, and  
17 working with him, and he has, as our Chair does, this  
18 terrific background from the Public Utilities Commission,  
19 this really important intersection with infrastructure.  
20 And we have so much work to do in that area, so it's great  
21 that Cliff is joining us.

22 I'd like to thank staff, Rajinder Sahota, for all  
23 the time and education that she graciously provided me on  
24 this one. Matt Botill for of the work particularly that  
25 he's done with the EJAC, our Environmental Justice

1 Advisory Committee. Cheryl, Dillon, the whole team. We  
2 saw from the slides how enormously impactful this program  
3 has been, what a market mover it has been, and that it's a  
4 key part, you know, maybe even perhaps the center piece of  
5 our climate policy.

6 I want to thank all the stakeholders, especially  
7 the EJAC, and its leadership. I attended several meetings  
8 throughout the summer and learned a lot from that process,  
9 and their recommendations. If I can, I'll take a few  
10 moments here, Chair. It's been important for me to sort  
11 of construct a framework, sort of two lenses, over which  
12 I'm viewing this program.

13 The first lens is that the program should align  
14 as close as possible with CARB's work to implement our  
15 State's climate laws and regulatory activities, and the  
16 projections that result from all of that in our recently  
17 passed Scoping Plan that we should lineup as closely as  
18 possible with our world-leading petroleum demand-side  
19 reduction efforts. ACF, Clean Cars II, Innovative Clean  
20 Fleets for the transit buses. So I strongly the SRIA  
21 proposal as does EJAC that LCFS give as much credit as  
22 possible for zero-emissions vehicles and fast charging  
23 infrastructure, heavy- and medium-duty transit buses,  
24 multi-family. You know, that's what allows us to get  
25 across the bridge to the zero emissions promise land that



1 we imagine.

2 We need help big time from LCFS on  
3 infrastructure. I also want to align my views on the  
4 utility holdback with what Board Member De La Torre just  
5 expressed. Also, LCFS must align with SB 1383 methane  
6 reduction and regulation for landfills, methane gas  
7 delivery, digesters from dairies. We're supposed to be  
8 reducing organic waste disposal in-state by 75 percent in  
9 2025. And we are way behind on that goal.

10 So let's strongly support the changes to the  
11 biomethane book and claim deliverability requirements  
12 proposed in the SRIA. If California consumers are going  
13 to pay for LCFS, it should be for fuels that are  
14 physically consumed and delivered in California pipelines.  
15 We need to support California's SB 1383 organics projects,  
16 with LCFS credits to meet California's goals. This  
17 requires investments in jobs in California.

18 And I believe these changes to the delivery  
19 requirements that are proposed should take effect  
20 immediately for all new projects, all the new crediting  
21 pathways.

22 Also, LCFS should tightly adhere to our Scoping  
23 Plan fuel mix projections in transportation through 2040.  
24 These next 15 to 17 years there will still be internal  
25 combustion trucks running on diesel. There still will be

1 hard-to-decarbonize sectors. These are the sectors where  
2 we need the cleaner bridge fuels like biogas and biofuels.  
3 These are the sectors where LCFS has been very successful,  
4 because the alternative -- the unacceptable alternative is  
5 another two decades of dirty diesel. So I strongly  
6 support, as does EJAC, the proposal, for example, in the  
7 SRIA to add intrastate jet and marine fuel deficits to the  
8 program. But let's be aware that this means more SAF,  
9 more sustainable aviation fuel, more alternative fuels,  
10 refined in our communities, more use of the biofuels  
11 supported by LCFS. I mean, that's the reality. We can't  
12 have it both ways.

13           So just one example. I'm zooming in today from  
14 Copenhagen, Denmark, where we just visited MAN, which is  
15 by far the largest ship engine manufacturer in the world,  
16 80 percent market share. It's working on methanol,  
17 zero-emission ammonia fuel. But widespread use of these  
18 fuels, especially like deep sea containers -- tankers is  
19 decades away. We just heard that. It's the fact. We  
20 must face these facts as policymakers. That is why LCFS  
21 is still needed. And for those that are producing these  
22 bridge fuels, industry, who is closely watching our  
23 actions today, and when this comes back to us for a vote  
24 next year, they need a return on investment. They need  
25 regulatory certainty to be able to amortize the costs. We

1 get it.

2           But there's also a second lens. The LCFS subsidy  
3 for these same bridge fuels has to end. The SRIA  
4 therefore proposes to end the avoided methane credit in  
5 2040, because the Scoping Plan projects we no longer will  
6 have a major need or a role for renewable natural gas in  
7 transportation. Now, how that is worded must be  
8 scientifically accurate. I heard from RNG coalition about  
9 that. And our agency, the PUC, our State must truly  
10 support SB 1440 and the pipeline injection of biomethane  
11 from wastewater and waste digesters. If remember, Board  
12 Member Guerra, the last paragraph on SB 1440 that you  
13 negotiated in our Advanced Clean Fleets resolution, we  
14 have to do that.

15           You know, that being said, I want to hold the  
16 line on the 2040 phaseout proposed in the SRIA by our  
17 staff, but frankly, this should be the case for all the  
18 bridge fuels. We need to signal this to industry. Yes,  
19 you get a fair return from LCFS for biogas and biofuel  
20 projects, but that's it. If you want to build or plan to  
21 rely on LCFS past 2040 and can't figure something else  
22 out, yes, you will strand assets. These are bridge fuels  
23 that we do not want in the transportation sector after  
24 2040. We decided that, colleagues, when we voted on ACF.  
25 And that is what our Scoping Plan projects.

1           Otherwise, we subsidize -- LCFS subsidizes the  
2 very things we're trying to prevent, longer use of ICE  
3 engines, more bigger CAFO manure ponds, and slower  
4 progress on decarbonizing off-road. And when we do that,  
5 we negatively impact other non-climate, but equally  
6 important State policies, like criteria pollutant  
7 detainment, ammonia in the Central Valley, air toxics, and  
8 public health impacts at fence-line communities in South  
9 Coast air basin. Pay to gasify plastics in our waste  
10 stream, because the purported Carbon intensity benefits,  
11 when the last thing we want to do is encourage more  
12 plastic use.

13           So that's the fundamental fear that I heard  
14 voiced by EJAC. The LCFS can subsidize bridge  
15 infrastructure that's going to be very hard to dismantle.  
16 And Board Member Takvorian touched on this earlier, but we  
17 get that too.

18           So with these lenses, I see a few other of the  
19 EJAC recommendations as presented during our last Board  
20 meeting. Recommendation 3 on dairy methane, we regulate  
21 every major source of methane and GHG emissions. We have  
22 a rule for landfill control, so does CalRecycle for  
23 organics. We have a rule for methane and gas delivery,  
24 expensive Cap-and-Trade for our largest GHG stationary  
25 sources, mobile sources of all shapes and sizes,

1 regulations for harbor craft, for truckers, for small the  
2 rail lines, but not the dairies. Instead, consumers pay  
3 them.

4           Now, I visited with the dairymen who were  
5 extremely persuasive about the need for digesters and  
6 methane capture the way that they do it. Yes. But this  
7 is about LCFS and this exceptionalism seriously distorts  
8 our LCFS CI crediting. SB 1383 itself explicitly says  
9 this sector can be regulated in 2024. That's in three  
10 months. That was the deal. CARB's recent dairy and  
11 livestock report identifies significant evidence gaps  
12 about how well the program actually works and concludes  
13 that quote, "Our record keeping and reporting regulation  
14 developed pursuant to SB 1383 could provide a mechanism to  
15 obtain the necessary data," end quote.

16           I would support this and a Board Resolution  
17 indicating that we will initiate in 2024 rulemaking for  
18 this sector. And that also should include enteric  
19 emissions.

20           The large customers of the dairies, consumer  
21 product companies understand this. It's inevitable that  
22 they're going to have to report and mitigation their Scope  
23 3 GHG emissions. I'm in the European Union today. Here,  
24 they have a carbon tax, the ETS. It goes into effect next  
25 year. Industry accepts it and I'm seeing how they're

1 adapting, investing. And many of these same big firms  
2 also do business in our state.

3           Recommendation 5 on lipids and the impacts that  
4 biofuels like soybean oil can have on land use. There's  
5 significant expansion of hydrotreated fuel production in  
6 North America, four to six billion gallons of annual  
7 capacity is expected. I've seen the analysis from UC  
8 Davis experts on this, Dr. Wara, and agree that we must  
9 address it with guardrails and commitments to additional  
10 study.

11           EJAC Recommendation 6, and I'll finish soon,  
12 preventing out-of-state enhanced oil recovery as an  
13 eligible sequestration method. I believe we should  
14 address this.

15           So to conclude, there are these two lenses on my  
16 LCFS glasses. The program is very successful and can be  
17 enhanced to specially target zero-emission infrastructure  
18 and transition. For biofuels and biomethane, LCFS also  
19 can be a much needed bridge until 2040. These are cleaner  
20 than diesel and there has to be an appropriate return on  
21 investment. But we also need to signal to industry that  
22 the credit and subsidy has to end. Otherwise, I do  
23 believe we imperil our zero-emission future.

24           We should use both these lenses, Chair, Board  
25 colleagues to carefully examine the language of the rule

1 and resolution when it comes to us next year. In the mean  
2 time, I hope that these comments have helped provide  
3 direction to staff as requested for this Board meeting  
4 today.

5 Thank you.

6 CHAIR RANDOLPH: All right. Thank You.

7 Board Member Hurt.

8 BOARD MEMBER HURT: I'll be pretty quick my  
9 comments. I'll think I'll align mine with Board Member  
10 Kracov and De La Torre, much of what they said is what I'm  
11 interested in seeing more of, and staff tailoring LCFS to  
12 meet some of these goals. I'll start with hydrogen and  
13 ask all my questions around that as I think there's a lot  
14 of confusion on whether we're going to take folks down the  
15 wrong path when it comes to hydrogen being the fossil fuel  
16 portion is the clean, green, whatever you want to call it,  
17 I want to make sure that we closely look at that and  
18 handle that appropriately.

19 I also hope we can maximize what we can under our  
20 authority to affect aviation jet fuel through those  
21 programs and we can begin effectively to move the nation  
22 in a conversation in that area. And to add that we're  
23 looking at it as a generator. I'm just wondering what  
24 more we can manage in that conversation too. We have  
25 others to look at this as an important area.

1           The dairy digesters are a small portion of the  
2 LCFS. It definitely has a large impact on communities  
3 struggling with their clean air in communities of color.  
4 But for digesters though, what would the impact be? Would  
5 it be less? Some say yes, some say no. But are there  
6 other reliable alternatives to deal with this that we  
7 should be incentivizing more, and how do we ensure that  
8 we're not incentivizing and subsidizing manure to be more  
9 valuable than milk?

10           Like this is what I'm thinking about that we must  
11 make sure that we're not doing. And I believe the goal of  
12 a closed loop sustainability system makes good sense when  
13 we're dealing with waste, but I never want us to get to, I  
14 think the saying is, the tail wagging the dog. We don't  
15 want to get there with dairy digesters.

16           But as a role, when I -- I get a little bit  
17 worried when I hear a hundred more is necessary and I've  
18 heard even bigger numbers. I just want to make sure that  
19 it's narrowly tailored. That it's locally used in this  
20 closed system idea.

21           Feedstocks, crop-based, is it a cap or do we  
22 greatly increase the ILUC values or the CI? That's  
23 something I'd like to hear more from staff on. There are  
24 concerns when it comes to crop-based and also tropical as  
25 well. And I think those are the ones that are really



1 important to me to learn and understand more about. I  
2 would say, I've said it before, about the utilities hold  
3 back, that public transit is extremely important to me,  
4 how we can incentivize and help our public transit for  
5 those folks who will maybe not even get to use EVs, that  
6 they are traveling in zero-emission transport publicly.

7 And I will end there.

8 Oh, actually I do have a question. For those  
9 refineries that place in the crediting, if they have  
10 extensive NOVs, are they eligible to bank on or receive  
11 credits for sustainable fuels or better numbers? I hope  
12 I'm articulating it. I'm probably not doing it quite  
13 well, but there's a concern that some refineries -- I know  
14 they have to participate in LCFs, but if they have  
15 extensive NOVs, like how do they --

16 DEPUTY EXECUTIVE OFFICER SAHOTA: For anyone that  
17 wants to generate credits in the program, they have to be  
18 in compliance with all federal, State, and local  
19 regulations.

20 BOARD MEMBER HURT: Okay. That is all for me.  
21 Thank you, Chair.

22 CHAIR RANDOLPH: All right. Dr. Pacheco-Werner.

23 BOARD MEMBER PACHECO-WERNER: Thank you, Chair.  
24 I just want to thank everyone on their comments, both in  
25 person an online. And I know many of you traveled very

1 far to give testimony. And I just want to say I  
2 appreciated each and every one of you. And, you know,  
3 speaking from the valley, I definitely see, you know, both  
4 of those worlds that were highlighted today. And I think,  
5 you know, there is a -- there is room to say that, you  
6 know, ag industry, you know, continues to meet the call  
7 whenever we challenge them on reductions and there are  
8 many challenges that remain that continue to affect  
9 communities today that we can't leave on the table.

10 I definitely agree with a lot of what Board  
11 Member Kracov stated and I do want to specifically call  
12 out the inclusion of the intrastate jet fuel. And I'm  
13 glad that we're moving forward on that piece.

14 I also, in terms of the feedstock piece, you  
15 know, I think we heard a lot today about different types  
16 of feedstock. And so that idea that, you know, not all  
17 feedstock is the same and how do we think through the  
18 different types of -- effects of the different types of  
19 feedstock, and, you know, credit them appropriately I  
20 think is a -- is a direction that I would like to see  
21 staff go through as well, and not just -- not as a way to  
22 punish other feedstock, but as a way to continue to  
23 challenge that industry as a well, to continue to build  
24 more and more sustainable practices in their operations,  
25 as part of meeting all of our climate goals.

1           Lastly, I think it's important to think about  
2 all -- everyone here, you know, is a partner. And I think  
3 that -- I really want all of us to think about, you know,  
4 in our -- in our meetings the challenge to save the  
5 planet, in 2045, that we look back and we are truly -- we  
6 can say we are proud of what we did and that no community  
7 was sacrificed to make this happen. And I think if we use  
8 that as our Northstar, we can come up with really good  
9 solutions that continue to both see our industries as  
10 partners, but also challenge them to build on their most  
11 innovative practices that yield the most public health  
12 benefit, because in the end, that's what this is really  
13 about.

14           Thank you.

15           CHAIR RANDOLPH: Dr. Shaheen.

16           BOARD MEMBER SHAHEEN: Thank you. So I just  
17 wanted to wrap by thanking everyone for all their hard  
18 work and energy today. We've had a long day and I feel  
19 like I understand a lot more than I did going into the  
20 hearing. I think we've got a lot of work to do and I'm  
21 not going to revisit a lot of the questions and the  
22 priorities that I raised earlier. I want to work with  
23 everyone to reach common ground and bring about clean air  
24 and address climate change, but also to think about the  
25 markets and the effects, and in particular the underserved

1 communities. So I just wanted to conclude by saying I'm  
2 looking forward to working with everyone on this, all the  
3 stakeholders, and staff, and my fellow Board members, and,  
4 of course, the Chair.

5 CHAIR RANDOLPH: All right. Thank you.

6 I will just make a few comments. First of all, I  
7 want to thank staff for the extensive staff report. It  
8 was -- it was lengthy, but it was really important to  
9 understand the science behind all the analysis that you  
10 all do and why questions like just simply saying, oh,  
11 we're going to reduce the CI score for avoided methane is  
12 not as simply as it may seem on the surface, right,  
13 because we're trying to have a -- sort of a program that  
14 is based on a consistent way of analyzing. So I really  
15 appreciated that analysis.

16 Between now and sort of when the staff proposal  
17 comes out and as we're gathering public comments, some of  
18 the things I'm going to be thinking about are some of the  
19 conversations about how to help the program support  
20 zero-emission infrastructure some more. We've gotten a  
21 lot of questions. There were some comments about, well,  
22 how much are we going to be crediting that infrastructure?  
23 Are we going to be changing that crediting over time? So  
24 I want to explore that a little bit more and understand  
25 what the pros and cons are of some of the concepts that

1 were workshopped. You know, thinking about what are --  
2 what are the most effective ways to help support mass  
3 transit, to help support infrastructure for heavy- and  
4 medium-duty vehicles.

5 I -- one of my colleagues noted earlier that they  
6 didn't feel like we could move forward without -- with our  
7 updates to LCFS without fully addressing the question of  
8 regulating dairies under 1383. I don't -- I don't agree  
9 with that. I think we can move forward with how we want  
10 to deal with LCFS. I think we can think about how we want  
11 the existing landscape of facilities here in California to  
12 be handled. And then we can have a conversation about  
13 what is the next logical regulatory step on 1383, because  
14 we cannot craft a regulation between now and the of next  
15 year when we want to get our LCFS changes done.

16 But there's certainly an opportunity to continue  
17 to have public discussion and engagement with staff about  
18 what the next logical step is around 1383 and how we  
19 approach dairies. You know, when we look at the 1383  
20 report and it talks about more digesters, it's really  
21 talking about these are the dairies that exist here in the  
22 state and how can we capture the methane on the dairies  
23 that exist here? They are emitting dairy -- emitting  
24 methane as we speak, and what can we do to capture that  
25 methane?

1           There is State support for the enteric  
2 strategies. \$25 million the Legislature has provided. So  
3 as soon as the FDA approves an enteric additive, there  
4 will be funding to help deploy that. There, of course, we  
5 continue to support alternative manure management  
6 programs, but digesters are a piece of that puzzle. And  
7 so really it's just a question of how are we  
8 incentivizing, or regulating, or both those facilities,  
9 because our ultimate goal is to capture the methane.

10           And so as we think about the timeline that was  
11 workshopped around 2040, and, you know, obviously there  
12 are folks who want a much shorter timeline. But I think  
13 there's a lot of really important issues around  
14 incentivizing that sort of fast deployment of digesters in  
15 that -- in the short term to capture the methane that is  
16 being released today, and what is the best way to do that.

17           So that's dairies -- oh, feedstock. Okay. That  
18 was the last issue I wanted to cover. I do really want to  
19 hear more about potential guardrails, what the potential  
20 options are. I'm very mindful of the fact that a lot of  
21 the analysis around feedstock is very forward, looking  
22 right? If trends go a certain way, a certain thing may  
23 happen. So it's not a today problem, but it could  
24 potentially be a significant problem, right? So the  
25 question is what's the right data to understand the scope

1 of that problem, what are some of the short-term  
2 guardrails we should put into place and then how do we  
3 think about gathering the right data and understanding  
4 the right strategies in the longer term?

5           And so I think we really need to do both of those  
6 things. And so I'll be looking for more staff analysis  
7 and engagement on that topic, as we think about how to  
8 tackle sort of what are things we should do in the short  
9 term and how should we be thinking about the long term.

10           I think those were all the key things I wanted to  
11 discuss. I really appreciate all the engagement.  
12 Shout-out to the SEIU workers from SFO. I will see you  
13 all for my 5 a.m. flight tomorrow morning. Appreciate you  
14 coming. I agree that talking the jet fuel issue is also a  
15 really important piece of this regulatory update. And so  
16 looking forward to how that's going to play out as we  
17 continue to develop the proposal.

18           So I think that's it for this item. Did staff  
19 want to say anything?

20           Okay. I know everybody is really tired, but we  
21 do have open public comment.

22           Do we have anyone signed up?

23           BOARD CLERK GARCIA: No, no one signed up. Oh,  
24 we just got a hand in Zoom.

25           CHAIR RANDOLPH: Okay. Call them. Let's go.

1           BOARD CLERK GARCIA: Okay. So one commenter the  
2 Original Dra. I have activated your microphone. Please  
3 unmute and begin.

4           THE ORIGINAL DRA: Yeah. Actually, what's going  
5 on is really sad, because everything that you guys are  
6 doing is based off of lies. It's not based off of factual  
7 information, like fossil fuels aren't from fossils.  
8 There's an abundance of oil that comes from the earth just  
9 like the water and they want us to make us think it's a  
10 scarcity, so that you put people in a fearful, you know,  
11 chaotic mode, so that they make irrational decisions and  
12 believe whatever you guys tell them. And, you know, we  
13 don't ever talk about the fact that you need all of these  
14 like fossil fuels in order to get all of your electric  
15 energy stuff or whatever.

16           And not only that, there's a bunch of radiation  
17 that comes off of these electric charging stations and  
18 infrastructure that nobody talks about, let alone -- you  
19 know, it comes from our phones. It comes from many  
20 avenues, but we never talk about that or the fact that  
21 those lithium batteries are literally combustible bombs  
22 that you're putting people in and incentivizing people to  
23 get in, wanting that to be the only way for people -- one  
24 of the only ways for people to get around.

25           But we don't talk about the dangers that it is



1 putting them in inside a Literal bomb that can continue to  
2 explode and they emit toxic gases when that happens. But  
3 you guys have this agenda, which is coming from the UN.  
4 That's the thing that people need to be paying attention  
5 to, that this isn't something that isn't coming down the  
6 pipe from a global entity that wants to take total  
7 control. And so people need to understand that.  
8 Everything that you're telling people is a lie, like we  
9 don't need to reduce all of these things, because it's not  
10 killing the planet. But we don't want to talk about the  
11 things that are sprayed from the air or all these other  
12 things that are, you know, poisoning the people.

13           But we're sitting here saying that we need to  
14 save the planet so it doesn't matter if people die in a  
15 lithium bomb or kids, you know, die from mining for  
16 lithium and so many other things. So it's very sad that,  
17 you know, we sit here and push this in this echo chamber  
18 of like repeating the same thing to make people afraid so  
19 that you push them into a new way of life. You guys need  
20 to think about what you're doing, because it is pure evil  
21 and it is not what you should be doing, because it's --

22           BOARD CLERK GARCIA: Thank you.

23           That concludes the open commenters.

24           CHAIR RANDOLPH: All right. Thank you.

25           The Board meeting is adjourned.

(Thereupon the Air Resources Board meeting  
adjourned at 6:15 p.m.)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

