LF Bioenergy

September 22, 2025

Narges Manavi
California Air Resources Board
P.O. Box 2815
Sacramento, CA 95812

RE: Response to Public Comment on Tier 2 Pathway Application No. B0810: CNG from Dairy Manure

Dear Ms. Manavi,

Thank you for the opportunity to respond to public comments received during the public comment period for the LF Bioenergy LF1, LLC's Tier 2 Pathway Application B0810. In accordance with Section 95488.7(d)(5)(A) of the Low Carbon Fuel Standard (LCFS) regulation, this letter presents LF Bioenergy's response to comments from the Animal Legal Defense Fund on September 19, 2025 demonstrating that application revisions are not necessary and we respectfully request that CARB certify the pathway pursuant to Section 95488.7(d)(5)(B).

Comment #1

"First, the application incorporates an unlawfully truncated system boundary that ignores feedstock production at the source factory farms—Stauffer Farms LLC in North Lawrence, New York, which confines a total of 6,000 cows, and Forest View Heifers LLC in Nicholville, New York, which confines a total of 2,160 cows—and other emissions such as those from storage and disposal of digestate, resulting in artificially low Carbon Intensity (CI) values and inflated credit generation. A fuel pathway life cycle analysis must take into account "feedstock production" and "waste generation, treatment and disposal." In addition to the evidence provided in Exhibits A and B, more recent research indicates that emissions from factory farm gas production are significantly higher than currently appreciated, with especially high emissions from digestate storage. This recent study did not consider additional emissions from digestate handling and application, which is another potentially large source of emissions resulting from factory farm gas production that must be included in the pathway life cycle analysis. Yet, CARB and the pathway applicant ignore these and other emissions. In other words, this application dramatically undercounts the greenhouse gas emissions associated with this fuel by failing to apply the required "well-to wheel" analysis.

Concurrently, this application overcounts environmental benefits by ignoring that this is, in one factory farm owner's words, "lucrative" feedstock production. Liquified manure rotting anaerobically in massive waste "lagoons" is not an unavoidable and natural consequence of animal agriculture operations. This system and the methane emissions that it causes are the result of the source factory farms' intentional management decisions designed to maximize profits and externalize pollution costs. CARB cannot ignore that the emissions the pathway applicant claims as captured from the factory farms' lagoons are intentionally created in the first place. The manure handling practices at these factory farms are an integrated part of generating and using factory farm gas."Thus, the gas generated at this facility is an intentionally produced product and cannot now be claimed as "captured" to secure a lucrative negative CI value."

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Response for Comment #1

The life cycle analysis (LCA) system boundaries modeled in the CA-GREET 3.0 calculator include emissions from the storage and disposal of digestate. All modeling was conducted in conformance with LCFS requirements and has been reviewed by both CARB and a third-party verification body. Historically Stauffer Farms and Forest View Heifers have utilized lagoon(s) for anaerobic manure management where methane and carbon dioxide were vented directly to the atmosphere. Now that LF Bioenergy has installed a digester, emissions are captured and converted into RNG for use as a transportation fuel, reducing GHG emissions and improving air quality. Under the LCFS program, this process generates credits by mitigating methane emissions.

Comment #2

"Second, CARB has failed to ensure that the additionality requirements of Health and Safety Code section 38562 are met. Indeed, there is no evidence that CARB has investigated whether these purported emission reductions otherwise would occur. It does not appear that CARB has made any effort whatsoever to verify that these environmental attributes have not already been used elsewhere, such as in utility/consumer promotional programs in New York, other state low carbon fuels programs, or product marketing. CARB cannot certify this pathway without conducting this analysis. Moreover, there is evidence that these purported emission reductions would have occurred without the LCFS and are therefore not additional. The digester has existed since 2022 and has participated in the federal Renewable Fuel Standard. Accordingly, certification of this pathway would openly violate section 38562."

Response for Comment#2

Section 95488.8(i)(2)(E) defines that environmental attributes cannot be used in any other voluntary or mandatory program with the *exception of federal RFS*. CARB has reviewed contract flow diagrams and downstream contracts showing the chain of custody of environmental attributes related to this pathway. In addition, the application, including third-party contracts, were reviewed by a third-party validator who found the application package to be in conformance with LCFS requirements. Additional checks will be performed during annual verification of quarterly transaction reports to ensure there is never double-counting of environmental attributes.

Comment #3

"Third, this application is a good example of how CARB's flawed approach is rewarding the biggest factory farm polluters and incentivizing further expansion and herd consolidation, which does more climate harm than good. The source factory farms are not sustainable family farms—they are large industrial operations that confine a total of 8,160 cows. CARB should not allow these factory farms—or the applicant—to profit from the LCFS."

Response for Comment #3

While this comment appears directed to CARB and is not specific to our project, it is important to clarify that LF Bioenergy's project has not led to herd expansion or consolidation. Stauffer Farms is a multi-generational, family-owned dairy operation and should not be characterized as a factory farm.

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For the LCA, baseline emissions were evaluated by reviewing historical herd counts and manure management records. The data sources and modeling methodology have been reviewed and accepted by CARB and validated by an independent third party in accordance with Section 95488.8 of the LCFS regulation.
Improvements to manure management practices, due to the project, have resulted in reduced methane emissions and more sustainable dairy operations.

Comment #4

"Fourth, this application is so opaque that it is impossible for Commenters or other stakeholders to meaningfully evaluate it. The lifecycle analysis redacts information critical to understanding the CI calculation."

Response for Comment #4

The LF1 Tier 2 application is in line with all the requirements in Section 95488.7 and has been reviewed for completeness by CARB as well as a third-party validator. The life cycle analysis report thoroughly describes all baseline and "with project" emission sources including herd counts, manure management, process energy, and biogas production. All documents provided for public comment were reviewed by CARB and only proprietary information related to LF1 operations was redacted in compliance with CARB Guidance Document 20-05.

Comment #5

"Fifth, the inflated CI values CARB proposes work an additional environmental injustice on California citizens who will be exposed to higher levels of pollution from fossil transportation fuel and dirty vehicles made possible by excessive credit generation at factory farms. CARB has acknowledged that pollution from transportation fuels inflicts a racially disparate impact, so this continued certification of fuel pathways with extreme negative CI values to allow more pollution from deficit holders contributes to this injustice."

Response to Comment #5

This RNG project is located in New York and piped to California for participation in LCFS via book-and-claim with the intention to displace fossil-based fuels used for transportation. The suggestion that California citizens will be exposed to higher levels of pollution is unfounded with no evidence provided. This LF1 project improves manure management practices at Stauffer Farms from an open-air lagoon, that would otherwise vent methane and carbon dioxide, to a methane capture system to produce RNG, reducing GHG emissions and improving air quality.

Sincerely,

Signed by:
Lee J Laviolette
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Lee J. Laviolette
Chief Operating Officer