



September 23, 2026

Lauren Sanchez, Chair
California Air Resources Board
Low Carbon Fuel Standard
1001 I Street #2828
Sacramento, CA 95814

Re: Tier 2 Pathway Application No. B0951; Response to comments received from Leadership Counsel for Justice & Accountability, Central Valley Defenders of Clean Water & Air, Animal Legal Defense Fund, and Food & Water Watch.

Calgren Dairy Fuels, LLC (C1007) ("Pathway Applicant") is responding within the scope of the Low Carbon Fuel Standard ("LCFS") Program §95488.7(d)(5)(A) to comments submitted by Leadership Counsel for Justice & Accountability, Central Valley Defenders of Clean Water & Air, Animal Legal Defense Fund, and Food & Water Watch. The above referenced parties are separately and collectively referred to throughout the document as "Commenter(s)". The comments were submitted before the public deadline of September 21, 2026, in reference to Tier 2 Pathway Application B0951 for the following project locations: Fern Oaks Dairy (F00704), 4 Corners Dairy (F00743), Legendairy Farms (F00911), Legendairy West (F00912), Four J Dairy Farms (F00913) (singularly "Project" and collectively "Projects"). (Four J Dairy Farms has been removed from this application after public comments as noted below.)

In accordance with §95488.7(d)(5)(A), "only comments related to potential factual or methodological errors will require responses from the fuel pathway applicant." After careful consideration, we have found that the public comments received are not related to factual or methodological errors and instead provide suggestions for adding pathway approval requirements. Nonetheless, the Pathway Applicant will address the Commenter's statements below. We believe no revisions to this pending application are needed following sufficient review and approval of our response by the California Air Resources Board.

LCFS System Boundary

"First, the application incorporates an unlawfully truncated system boundary that ignores feedstock production at the source factory farms—Fern Oaks Dairy in Porterville, California, which confines 6,590 cows; 4 Corners Dairy in Tulare, California, which confines 6,500 cows; Legendairy Farms and Legendairy Farms West in Tipton, California, which confines 7,850 cows; and Four J Dairy Farms [removed from application] in Pixley, California, which confines 4,300 cows; 25,240 cows in total—and other emissions such as those from storage and disposal of digestate, resulting in artificially low Carbon Intensity ("CI") values and inflated credit generation. . . . Yet, CARB and the pathway applicants ignore these and other emissions. In other words, this application



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dramatically undercounts the greenhouse gas emissions associated with this fuel by failing to apply the required “well-to-wheel” analysis.”

Response: The LCA, which applies the required “well-to-wheel” analysis, was performed and the Carbon Intensity of these projects were determined using a modified version of the Tier 1 Simplified CI Calculator for Biomethane from Anaerobic Digestion of Dairy and Swine Manure (DSM Calculator). The calculator has been approved by CARB and, as noted in the Staff Summary, “has been determined to be equivalent to CA-GREET4.0 pursuant to §95488.7(a)(1) of the LCFS regulation”. The CA-GREET4.0 model considers all emissions within the system boundary, including the emissions from storage and disposal of digestate. CARB approved each of the Projects’ boundary and model, and a third-party verifier verified the accuracy of the inputs in the model for each of the Projects. The third-party verifier also conducted site visits of the Projects and upgrading and injection facility to confirm the accuracy of the modified model and calculator to ensure regulatory compliance under the LCFS program. The emissions captured, purified, and utilized/sold as vehicle fuel are eligible for certified pathway approval and the generation of LCFS credits under the rules and regulations of the LCFS program.

Overcounting of Environmental Benefits; Manure Management as an Intentional Choice

“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 applicants claim 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 these facilities is an intentionally produced product and cannot now be claimed as ‘captured’ to secure lucrative negative CI values.”

Response: The baseline against which avoided methane emissions are quantified is prescribed by the CARB-approved calculator and the methodology it incorporates; it is not selected by the Pathway Applicant. Section 95488.9(f)(1)(A) of the LCFS Regulation conditions certification on the capture, by a biogas control system (BCS) or digester, of biomethane from manure management that would otherwise be vented to the atmosphere as a result of livestock operations. The quantification methodology giving effect to that condition is the CARB Compliance Offset Protocol for Livestock Projects (2014), incorporated into the DSM Calculator. Under that methodology, the baseline emissions means the emissions within the Project boundary that would have occurred if not for the installation of the BCS.

The manure handling systems and associated ponds at each Project dairy were designed, permitted, and in continuous operation under the San Joaquin Valley Air Pollution Control District and the Central Valley Regional Water Quality Control Board well before these Projects were contemplated. The Projects did not alter manure handling at any dairy in a manner that increases volatile solids loading or gas production. CARB reviewed and approved each Project’s baseline, and a CARB-accredited third-party verifier confirmed it through document review and on-site inspection.

Whether the LCFS should credit avoided methane emissions at all is a question of program design that the Board considered and resolved in the amendments to the LCFS Regulation. It is not a factual or methodological error in this Application.

Health and Safety Code / Crediting Non-additional Reductions

“Second, CARB has failed to ensure that certification of this pathway complies with the additionality requirements of Health and Safety Code section 38562. The Calgren Dairy Fuels project participates in the federal Renewable Fuel Standard. The Fern Oaks and Legendairy digesters were built with funding from the Dairy Digester Research and Development Program, totaling over \$2,888,000 in public investment. As we explained in both of our petitions, the California Department of Food and Agriculture (CDFA) has already claimed the purported methane emission reductions from these digesters. These purported methane emission reductions would have occurred without the LCFS and are not additional. Certification of these pathways with this proposed CI value would openly violate § 38562 by crediting nonadditional reductions.

It appears that CARB has not analyzed whether these purported emissions reductions ‘otherwise would occur’ at all. For example, the Lifecycle Analysis Report describes how manure flush water from Four J Dairy, between 2014 to October 2024, ‘was directed to a mixed substrate digester . . . located .7 miles away on-site at the Calgren Renewable Fuels (Calgren) campus for generation of biogas used as thermal production fuel in Calgren’s co-located heat and power cogeneration plant.’ The Calgren campus digester handled manure from Four J Dairy right up until the current digester at Four J Dairy completed construction in October 2024 on a new lagoon. Yet the Lifecycle Analysis Report describes the previous manure management system as ‘interim’ and ‘not a baseline condition’ without any justification or explanation. CARB should properly consider the previous ten years of manure management at Four J Dairy as the farm’s baseline. Without an additionality analysis, CARB cannot know whether the purported emissions reductions would have occurred but-for the LCFS program, or whether similar reductions would have occurred regardless through use of the old digester.”

Response: According to CARB’s response to a 2022 rulemaking petition, the Health and Safety Code § 38562 does not apply to LCFS as it was “not developed based upon that section’s authority and is not bound by its requirements.”

The additionality standard that does apply to this Application is set out in the LCFS Regulation itself. Under section 95488.9(f)(1), a fuel pathway utilizing biomethane from dairy cattle manure digestion may be certified with a CI reflecting the reduction in greenhouse gas emissions achieved by the voluntary capture of methane, provided that a biogas control system or digester captures biomethane from manure management that would otherwise be vented to the atmosphere, § 95488.9(f)(1)(A), and that the baseline quantity of avoided methane reflected in the CI calculation is additional to any legal requirement for the capture and destruction of biomethane, § 95488.9(f)(1)(B). No law, regulation, or legally binding mandate requires the capture and destruction of manure methane at any of the Project dairies. The Projects accordingly satisfy the additionality requirement the LCFS Regulation imposes.

The LCFS program has incentivized the development of numerous GHG-reducing projects, the Projects included. Without the financial incentives made available by the LCFS program, the project owners would not have built these digesters and would not have captured these emissions. The expenses of installing, operating, and maintaining the equipment required to capture, condition, compress, and inject dairy manure methane are substantial, and no dairy operation would incur them absent the credit revenue the LCFS provides. The digesters were built and have been operated for the express purpose of participating in the LCFS. As described in the lifecycle analysis, the Projects’ digesters began capturing methane emissions in 2023 and 2024, and the Pathway Applicant submitted this application as soon as the Projects became eligible under the program rules. The Projects have never operated without the intention of generating LCFS credits.

Grant funding from the Dairy Digester Research and Development Program (“DDRDP”) does not establish that the claimed reductions are non-additional. Section 95488.9(f) of the LCFS Regulation governs eligibility for carbon

intensities that reflect avoided methane emissions, and it does not condition eligibility on non-participation in other incentive programs. Grant funding of this kind offsets a portion of capital cost at installation. It does not fund the recurring cost of operating, maintaining, metering, monitoring, and annually verifying the digester, gas conditioning, compression, and injection equipment, which the Pathway Applicant bears and recovers through LCFS credit revenue. Absent that revenue, continued operation of this equipment would not be economically viable and baseline emissions would resume.

The Commenters further assert that CDFA “has already claimed” the methane emission reductions associated with the DDRDP-funded digesters. DDRDP reporting quantifies estimated program benefits for state budget and legislative reporting purposes. It does not issue, retire, or transfer any tradable environmental attribute, and it does not create a competing claim to the emission reductions reflected in the carbon intensity certified under the LCFS. No LCFS-creditable attribute was conveyed to CDFA or to the State, and the Pathway Applicant retains sole title to the attributes associated with the biomethane delivered under this Application. The absence of double counting was confirmed by the CARB-accredited third-party verifier as part of its validation of this Application.

With respect to Four J Dairy, the Commenter contends that because flush water from Four J Dairy was sent to the nearby Calgren Renewable Fuels digester between 2014 and October 2024 (prior to Four J digester installation), that arrangement must be treated as the baseline condition and that any methane reductions associated with the Four J digester therefore are not additional. While we believe the comment to be inconsistent with the LCFS baseline methodology and with CARB's evaluation of this application, we have removed the Four J Dairy pathway from this application so that the Four J baseline may be further evaluated. Below we describe the basis for why we believe the comment to be without merit.

Baseline. Under section 95488.9(f) and the methodology incorporated into the DSM Calculator, the baseline is the manure management system prescribed by the Regulation for the dairy as it would operate without the project digester in place, not an interim off-site arrangement that existed prior to on-site Project development. The LCFS livestock manure methodology uses a counterfactual “no project” baseline: the manure management that would exist had a biogas control system (“project”) never been installed. The Instruction Manual for the Tier 1 CI Calculator for Dairy and Swine Manure Biomethane directs applicants to develop baseline inputs “as if the project BCS [Biogas Control System] was never installed” (July 2, 2025, p. 6, 8, 11). Neither the regulation nor the manual defines the baseline as conditions just before the application, or as a period when a digester already operated. When a pathway application is submitted does not change how the baseline is set. Furthermore, the commenter’s interpretation would suggest that were a BCS (digester) to be replaced and a new digester installed, the new fuel pathway would be ineligible (on account of the immediately pre-existing manure handling); in fact, in that circumstance the baseline condition and project eligibility would remain unchanged on account of the LCFS livestock manure methodology that uses a counterfactual “no project” baseline. The application models that no-project system as the baseline, as the methodology requires. CARB staff and the third-party verifier reviewed and verified these inputs.

Notably, the commenter acknowledges that the application disclosed the 2014-2024 routing of manure flush water to the Calgren digester. While CARB was aware of that arrangement when evaluating the pathway, we have removed the pathway from this application so that CARB may further evaluate the Four J baseline.

Additionality. Under §95488.7(d)(5)(A), applicant responses address “potential factual or methodological errors” in the application. Whether avoided methane crediting satisfies Health and Safety Code section 38562 is a program-design question. CARB addressed it in adopting the LCFS livestock provisions and the 2024 amendments (Master Response 1, Page 9-12, in Response to Comments on the Draft and Recirculated Environmental Impact Analyses

Prepared for the Amendments to the Low Carbon Fuel Standard (Nov. 6, 2024), as incorporated by reference in the LCFS Final Statement of Reasons and Addendum). The commenter's argument does not identify any factual or methodological error in this application.

Incentivization of Methane Production

“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 confines a total of 25,240 cows. CARB should not allow these factory farms - or the applicants - to profit from the LCFS.”

Response: The above comment is addressed to CARB and does not fall within the scope of the fuel pathway application. As per sections 95488.7 and 95488.8 of the LCFS Regulation, the pathway applicant provided all the required information and supporting documentation necessary to certify the Tier 2 fuel pathway application to both CARB staff and an approved third-party verifier.

The Commenters speculate that the LCFS program incentivizes expansion and consolidation of dairies but fail to recognize that dairy industry consolidation is a trend that has been occurring for decades, not only in California, but all over the country. Additionally, each Project is a separate entity than the dairy operation. Each dairy's main source of revenue is from the production and sale of milk to be processed into consumer grade dairy products, where herds are managed based on product demands, not gas production. Methane and other gases are byproducts of this process. The LCFS program only provides incentives to reduce GHG emissions from milk-producing operations. The expenses associated with installing, operating, and maintaining the technical equipment necessary to capture and purify associated methane are significant. Therefore, the incentives offered by the LCFS program do not contribute to increasing methane production, but instead, help capture waste emissions that would otherwise be cost-prohibitive without the program's incentive. The incentives thus support protecting the environment.

Redaction and Clarity

“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 calculations. The CI values for biogas from dairy manure at Legendairy Farms and Four J Dairy [removed from application] are unusually low, -411.85 and -411.66, when the average current CI score for biogas to natural gas pathways approved in 2026 was -276.29. However, neither the applicants’ materials nor CARB’s summary contains a clear justification for these CI values.”

Response: The pathway applicant has provided all required information and documentation applicable to the public review. Calgren Dairy Fuels, LLC has followed the “LCFS Guidance 20-05” and its examples of ‘Over-redacted’ and ‘More reasonably redacted’ examples for reference. Any information considered confidential business information is redacted as specified under sections 95488.7 and 95488.8. Consistent with section 95488.7(c) of the Regulation as amended, no public information, including emissions data, has been redacted from the materials posted for public review. The fuel pathway application, along with the required supporting documentation, was thoroughly examined and reviewed by both CARB and the third-party verifier.

The Commenters’ comparison of the Legendairy Farms and Four J Dairy [removed from application] carbon intensities to an average of pathways certified in 2026 does not identify an error. Carbon intensities for dairy manure biomethane pathways vary widely because the avoided methane term is driven by project-specific inputs, including herd size and composition, the baseline manure management system, volatile solids loading, climate zone, biogas collection and

methane destruction efficiency, and the transport distance and energy demand of conditioning and pipeline injection. A carbon intensity below the certified average is a function of those inputs, not of an unexplained adjustment. Each input was reported in the Application, reviewed by CARB staff, and verified by a CARB-accredited third-party verifier, which conducted site visits at each Project and at the injection facility.

Carbon Intensity Values

“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: The Projects deliver measurable benefits to the communities in which they operate. All of the Project dairies were legally operating prior to the commissioning of the current Project digesters. Capturing methane that would otherwise be emitted from open lagoon storage reduces greenhouse gas emissions from each dairy and reduces odor and associated air quality impacts in the surrounding area, contributing to improved local air quality and public health. The Projects also support construction employment and ongoing operations, maintenance, metering, and monitoring employment, and represent substantial private capital investment in the communities where they are located. Placing these digesters into service reduces overall emissions and has a positive effect on air quality and on the surrounding environments, populations, and ecosystems. The digester systems and the upgrading facility do not contribute to environmental injustice within the surrounding community or to the residents of California.

To the extent this comment concerns the carbon intensity values CARB certifies program-wide and the conduct of deficit holders elsewhere in the State, it is addressed to CARB and does not fall within the scope of this fuel pathway application. As per sections 95488.7 and 95488.8 of the LCFS Regulation, the pathway applicant provided all the required information and supporting documentation necessary to certify the Tier 2 fuel pathway application to both CARB staff and an approved third-party verifier.

Discriminatory Impact

“Finally, the certification of these pathways would result in a discriminatory impact, in conflict with CARB’s obligations under California Government Code § 11135, Title VI of the Civil Rights Act, and Health and Safety Code § 38562(b)(2) which impose an affirmative duty on CARB to ensure that its policies and practices do not have a discriminatory impact on the basis of race and do not disproportionately impact low-income communities. The five dairies are located in Tulare County, which has a significantly higher Latino/a/e/ population than California (approximately 68.2% compared to approximately 41.2%) according to US Census Data. Additionally, Tulare County has a significantly higher poverty rate than California as a whole, and its residents have lower incomes compared to others in the state.

The community that these facilities occupy already faces substantial and disproportionate pollution burden, including extreme and disproportionate impacts from ozone, PM 2.5, drinking water contamination, and groundwater contamination, all of which are caused and exacerbated by dairy operations. According to a study by UC Davis, Tulare County already has one of the highest asthma-related emergency room visit rates for children in the state.

The communities these factory farms occupy also suffer from critical groundwater overdraft and water pollution. The source factory farms are located in the Tule Subbasin, which is critically overdrafted under the

Sustainable Groundwater Management Act (SGMA). By granting the application, CARB would further incentivize expansion and herd consolidation—as well as the production of cow manure—in an area that cannot support continued unreasonable groundwater use and abuse by the dairy industry. As explained in the Petition for Reconsideration, wells are already going dry and other adverse effects of overdraft, including further impaired water quality, are already affecting residents and communities in this region.

The certification of this pathway would do nothing to remedy these myriad disproportionate impacts. Rather, it would incentivize the most polluting herd and manure management practices and incentivize the expansion of herd populations. Further, it would violate section 38562 by failing to ensure that such certification would not disproportionately impact low-income communities (§ 38562(b)(2)) and by failing to ensure that it would not interfere with efforts to achieve and maintain federal and state ambient air quality standards (§ 38562(b)(4)).”

Response: The Projects do not add cattle to the dairies. The dairies are pre-existing and permitted operations, and the Projects do not expand them. The Projects reduce each dairy’s emissions profile and reduce the impact of methane emissions on the local community and population. That reduction in greenhouse gas emissions from these dairy operations contributes to improved air quality and public health in the surrounding area. The Projects also generate economic benefits, including construction and ongoing operations employment and local investment, which further support the well-being of the community. By capturing and mitigating methane emissions, the Projects align with California’s broader climate goals and reflect the Pathway Applicant’s commitment to responsible environmental stewardship in the communities where it operates.

The fuel pathway applicant provided permits for the digesters, the upgrading facility, and the dairy operations, issued by the San Joaquin Valley Air Pollution Control District (SJVAPCD), which were reviewed by both CARB and the third-party verifier. To the extent this comment concerns CARB’s obligations under Government Code § 11135, Title VI of the Civil Rights Act, and Health and Safety Code § 38562 in administering the LCFS program as a whole, it is addressed to CARB and does not fall within the scope of this fuel pathway application. As per sections 95488.7 and 95488.8 of the LCFS Regulation, the pathway applicant provided all the required information and supporting documentation necessary to certify the Tier 2 fuel pathway application to both CARB staff and an approved third-party verifier.

The Commenters’ groundwater overdraft and Sustainable Groundwater Management Act (“SGMA”) arguments are directed at the dairy operations and at CARB’s program design, and they do not identify a factual or methodological error in this Application. Groundwater extraction in the Tule Subbasin is regulated by the Groundwater Sustainability Agencies with jurisdiction over that subbasin under SGMA, and manure and process water management at each dairy is regulated by the Central Valley Regional Water Quality Control Board under the General Order for Existing Milk Cow Dairies and each dairy’s Waste Discharge Requirements and nutrient management plan. Neither regime is administered by CARB, and neither is altered by certification of this pathway.

The Projects do not add cattle, do not expand the permitted footprint of any dairy, and do not increase the volume of manure generated or of process water applied to land. Capturing biogas from covered lagoons changes the fate of methane emissions, not how much water the dairies use. To the extent the Commenters contend that anaerobic digestion degrades water quality, digestate management at each Project dairy is conducted under that dairy’s existing Waste Discharge Requirements and nutrient management plan, enforced by the Regional Board.

Fugitive Emissions and Methane Leakage

“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.” (citing Semra Bakkaloglu et al., Methane Emissions Along Biomethane and Biogas Supply Chains Are Underestimated, 5 One Earth 724–736 (2022).)

Response: Uncaptured and fugitive methane is addressed in the carbon intensity calculation through the collection efficiency and destruction efficiency terms of the CARB-approved calculator, which apply conservative values prescribed by the Regulation and the Livestock Protocol rather than values selected by the Pathway Applicant. Methane that is not captured is not credited; it remains in the baseline.

Biogas and biomethane volumes are metered at the digester, at the conditioning equipment, and at the injection point. The third-party verifier confirmed meter calibration and reconciled reported volumes against those records during its site visits. Leak detection, inspection, and repair at the Projects and at the upgrading facility is conducted under the applicable SJVAPCD permit conditions and other applicable state and federal requirements.

Digestate Handling and Land Application

“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.”

Response: Emissions associated with post-digestion storage, handling, and land application of digestate are inside the system boundary and are reflected in the carbon intensity through the calculator’s post-digester storage and effluent management terms. They are not omitted.

The published estimates the Commenters rely on were developed at other facilities with different climates, solids separation equipment, storage configurations, and land application practices, and were not offered by their authors as substitutes for the emission factors CARB has adopted. A contention that CARB’s adopted emission factors are too low is a comment on the approved methodology, which CARB has already subjected to public review, rather than an identified error in this Application’s use of that methodology. The Project-specific inputs governing digestate management were verified by the third-party verifier.

Avoided Methane Crediting and Direct Regulation Under SB 1383

“CARB cannot certify this application—especially now that it has directed the Executive Officer in Resolution 24-14 to ‘prepare a plan for initiating, developing, proposing, and implementing a livestock methane regulation[.]’” The Commenters further note in the accompanying footnote that CARB has solicited public feedback to inform implementation of the dairy and livestock provisions of Senate Bill 1383.

Response: This comment is addressed to CARB’s program design and to the Board’s rulemaking authority under Health and Safety Code section 39730.7. It does not identify a factual or methodological error in the Application. Resolution 24-14 directs the Executive Officer to prepare a plan for a future livestock methane regulation. It does not amend the LCFS Regulation, does not suspend section 95488.9(f), and does not alter the standard the Executive Officer applies to a pending Tier 2 fuel pathway application under sections 95488.7 and 95488.8. The same is true of an information solicitation issued to inform future implementation of Senate Bill 1383.

The Board considered the future of avoided methane crediting in its amendments to the LCFS Regulation. Section 95488.9(f)(3)(A) phases avoided methane crediting down over time. This Application was prepared and evaluated under the Regulation as amended and is subject to those limits. The Commenters’ reliance on the prospect of a future livestock methane regulation is misplaced for a further reason. Section 95488.9(f)(3)(B), which cuts off subsequent

crediting periods when a law, regulation, or legally binding mandate requiring greenhouse gas emission reductions from manure methane comes into effect during a project's crediting period, applies by its terms only to pathways associated with projects that break ground after December 31, 2029. The Project digesters were constructed and commissioned in 2023 and 2024. Adoption of a livestock methane regulation under Senate Bill 1383 would therefore not curtail crediting for these Projects under that subsection, and the prospect of such a regulation is not a basis to deny certification of this Application.

Materials Incorporated by Reference

“As Commenters have explained through numerous comments, the Petition for Rulemaking to Exclude All Fuels Derived from Biomethane from Dairy and Swine Manure from the Low Carbon Fuel Standard Program (included and incorporated here as Exhibit A), and the Petition for Reconsideration (included and incorporated here as Exhibit B), the California Air Resources Board’s (“CARB”) treatment of factory farm gas under the Low Carbon Fuel Standard (“LCFS”) is flawed, and staff’s assessment of this application is no different.”

Response: Each of those documents challenges the LCFS Regulation as a whole rather than this Application. CARB responded to the reconsideration petition in 2022, as cited above, and the Regulation, as amended, remains in effect. Certification of a Tier 2 fuel pathway is governed by sections 95488.7 and 95488.8 of the Regulation as it currently exists.

Under section 95488.7(d)(5)(A), the Pathway Applicant’s obligation is limited to responding to comments that identify potential factual or methodological errors in the Application. The incorporated materials identify none.

Calgren Dairy Fuels has always been in full support of moving toward new methods of sustainable energy and the transition away from excessive use of fossil fuels. The Projects are a testament to and promotion of new methods of creating clean, renewable, and high-quality gas to be used in vehicle transport. We continue to support CARB for their efforts toward making a sustainable future an achievable reality and continue to support and invite criticism that will refine the rules and regulations of a constantly expanding industry.

Respectfully,



Travis C. Lane
Chief Executive Officer