

April 20, 2009

Mary Nichols, Chairwoman
California Air Resources Board
1001 "T" Street
Sacramento, CA 95814

Dear Chairwoman Nichols and members of the board:

First I would like to thank you for the opportunity to submit comments on behalf of the Michigan Corn Growers Association (MCGA). I am writing this letter to express our serious concerns about the low carbon fuel standard (LCFS) regulations that the California Air Resources Board (CARB) is proposing.

We believe that standards need to be based on sound, peer-reviewed and updated, scientifically-based data and we don't believe that the proposed regulations achieve this because of these factors:

- A recently released peer reviewed publication in the *Journal of Industrial Ecology* titled Improvements in Life Cycle Energy Efficiency and Greenhouse Gas Emissions of Corn-Ethanol has shown that corn based ethanol reduces direct greenhouse gas (GHG) emissions by 48% - 59% as compared to gasoline. California LCFS tables do not reflect this peer reviewed information.
- The adoption and usage of data of current production practices, input efficiencies and yield are missing. According to various National Agriculture Statistics Service and Economic Research Service reports, yield is increasing at a much faster pace than previously predicted. Growers have also increased fertilizer efficiency greatly over the past thirty years. Unfortunately, the CA-GREET model does not incorporate all of these yield advances and improved efficiencies.
- Updated feeding rates of co-products and their adjusted credits. Dr Michael Wang, et al in September, 2008 released up to date feeding and displacement ratios for distillers grains. The update shows that for each pound of distillers grains that is placed in a ration, it replaces 1.28 pounds of conventional corn and soy-based feed. This displacement is greater than the current ration CARB is using and the new data should be incorporated into the model.

Another issue that we feel needs to be reviewed is the adoption of land use change (LUC) into the LCFS. The model that CARB is looking to use is not peer reviewed, uses data that does not reflect the increase in efficiencies and is not widely adopted or supported amongst the scientific community. We do not believe this model should be used to develop or adopt regulations. Before adopting LUC a study on these changes should be required, thus allowing any model to be peer reviewed and any data from a model to be validated for soundness.

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Additionally, to apply indirect effects such as LUC to only one segment of fuels, such as biofuels, and to not apply any indirect effects to other fuels is simply unfair. To say that there are not indirect effects of using petroleum is unreasonable. We feel that all fuels should be treated equally in any adoption of indirect effects.

I strongly urge you to only use sound, scientific and updated, peer-reviewed data when adopting any regulations. If you have any questions or would like to discuss this issue further, contact me at 1-888-323-6601 or jpollok@micorn.org.

Thank you again for the opportunity to submit our comments.

Sincerely,

A handwritten signature in black ink that reads "Jody E. Pollok-Newsom". The signature is written in a cursive, flowing style.

Jody E. Pollok-Newsom
Executive Director
Michigan Corn Growers Association