

**Comment 1 for Joint Discussion of Implementation of California Air Resources Board's Assembly Bill 32 Climate Programs (carbejac091423) - Non-Reg.**

First Name: Marta Dina  
Last Name: Argüello  
Email Address: mdarguello@psr-la.org  
Affiliation:

Subject: Comment for distribution to CARB Board Members  
Comment:

Marta Dina requested that the attached comment letter be distributed to CARB Board members in conjunction with the September 14th joint meeting.

Attachment: 'www.arb.ca.gov/lists/com-attach/1-carbejac091423-B3dRJF0uAnxQOghp.pdf'

Original File Name: PSR-LA and Allies CCUS CARB Comment Letter 8\_16\_2021 Final (1).pdf

Date and Time Comment Was Submitted: 2023-09-14 08:41:17

No Duplicates.

**Comment 1 for Joint Discussion of Implementation of California Air Resources Board's Assembly Bill 32 Climate Programs (carbejac091423). (At Hearing)**

First Name: James  
Last Name: Duffy  
Email Address: duffje@msn.com  
Affiliation: No affiliation

Subject: Cap and phase out the use of crop-based biofuel  
Comment:

Attachment: [www.arb.ca.gov/lists/com-attach/2-carbejac091423-AWVUJwdgUmcFelIN.pdf](http://www.arb.ca.gov/lists/com-attach/2-carbejac091423-AWVUJwdgUmcFelIN.pdf)

Original File Name: Duffy\_CARB-EJAC\_Joint\_Meeting\_written\_comments.pdf

Date and Time Comment Was Submitted: 2023-09-14 11:08:31

No Duplicates.

**Comment 2 for Joint Discussion of Implementation of California Air Resources Board's Assembly Bill 32 Climate Programs (carbejac091423). (At Hearing)**

First Name: Michael  
Last Name: Boccadoro  
Email Address: mboccadoro@westcoastadvisors.com  
Affiliation: West Coast Advisors

Subject: Dairy Methane Reduction Efforts  
Comment:

Please see the attached slides related to my comments at the 9/14 CARB/EJAC joint hearing.

Attachment: [www.arb.ca.gov/lists/com-attach/3-carbejac091423-BmoCZ1QzV3dWD1Mw.pptx](http://www.arb.ca.gov/lists/com-attach/3-carbejac091423-BmoCZ1QzV3dWD1Mw.pptx)

Original File Name: LCFS comments\_M Boccadoro (2).pptx

Date and Time Comment Was Submitted: 2023-09-14 11:51:39

No Duplicates.

**Comment 3 for Joint Discussion of Implementation of California Air Resources Board's Assembly Bill 32 Climate Programs (carbejac091423). (At Hearing)**

First Name: Wendy  
Last Name: Ring  
Email Address: wendy@climate911.org  
Affiliation: Climate 911

Subject: Comment on LCFS and Environmental Justice  
Comment:

I support the EJAC's resolution and hope that you give it the weight it deserves. My conclusion after listening to SB 32 Scoping Update workshops was that CARB solicits EJAC input and then ignores it. That's still structural racism in liberal clothing. This time I hope you do better.

Extremely and undeservedly generous credits incentivize the proliferation and growth of confined feeding operations which have numerous proven impacts to air, water, and surrounding environmental justice communities. They also support the overproduction of concentrated dairy products which contribute to rates of obesity, heart disease and cancer; and air pollution from biogas combustion, all of which fall more heavily on BIPOC communities.

Full life cycle analyses are needed before the mitigation value of bio-methane can be assessed. These LCAs must take into account methane leaks from digesters, distribution chains, and digestate; methane from enteric fermentation, and emissions from the production of rations for confined feeding.

There also needs to be re-evaluation of the impacts of land use change from growing biofuel feedstock on the climate and on indigenous people, as demand for plant oils has increased dramatically and will continue to grow.

Thanks for the chance to comment.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2023-09-14 13:34:13

No Duplicates.

**Comment 4 for Joint Discussion of Implementation of California Air Resources Board's Assembly Bill 32 Climate Programs (carbejac091423). (At Hearing)**

First Name: Ryan  
Last Name: Kenny  
Email Address: ryan.kenny@cleanenergyfuels.com  
Affiliation: Clean Energy

Subject: Slides to Accompany Sept. 14 Testimony  
Comment:

Hello,

Please find attached four slides in a PDF that I would like to use during my two minutes of testimony at the September 14th joint meeting of the CARB Board and EJAC.

Thank you.

Attachment: [www.arb.ca.gov/lists/com-attach/5-carbejac091423-B2YAYIQxUXACYQd0.pdf](http://www.arb.ca.gov/lists/com-attach/5-carbejac091423-B2YAYIQxUXACYQd0.pdf)

Original File Name: Addressing EJs False Narrative Sept 14 2023.pdf

Date and Time Comment Was Submitted: 2023-09-14 14:46:11

No Duplicates.

**Comment 5 for Joint Discussion of Implementation of California Air Resources Board's Assembly Bill 32 Climate Programs (carbejac091423). (At Hearing)**

First Name: Joshua  
Last Name: Wilson  
Email Address: shayla@caliberstrat.com  
Affiliation: POET

Subject: POET's Comments on Joint Discussion of Implementation of CARB's AB 32 Climate Programs  
Comment:

Please find POET's comments attached.

Attachment: [www.arb.ca.gov/lists/com-attach/6-carbejac091423-WmpWaQc3B2AGMIRk.pdf](http://www.arb.ca.gov/lists/com-attach/6-carbejac091423-WmpWaQc3B2AGMIRk.pdf)

Original File Name: 09142023\_POET Comments re CARB\_EJAC LCFS.pdf

Date and Time Comment Was Submitted: 2023-09-14 14:55:48

No Duplicates.

**Comment 6 for Joint Discussion of Implementation of California Air Resources Board's Assembly Bill 32 Climate Programs (carbejac091423). (At Hearing)**

First Name: Laura

Last Name: Haider

Email Address: lauragreen.rosenberger@gmail.com

Affiliation:

Subject: LCFS

Comment:

It is a waste of money and mined materials to build the infrastructure for these new fuels. There are many leaking pipes and much negligence. We can't put hydrogen in the old leaky Aliso Canyon Gas Storage without repairing it. In addition, there are damaging hurricanes & earthquakes, damaging railroad tracks resulting in fuel train wrecks. Oil pollution and escaped farm gasses will ruin our health & economy. Let's go straight to various storages of electricity including storage of electricity in bidirectional vehicle batteries. We need this investment money for more electrification incentives and rooftop solar.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2023-09-14 16:52:36

No Duplicates.

**Comment 7 for Joint Discussion of Implementation of California Air Resources Board's Assembly Bill 32 Climate Programs (carbejac091423). (At Hearing)**

First Name: Mark  
Last Name: Huising  
Email Address: mark.o.huising@gmail.com  
Affiliation:

Subject: CARB meeting assembly bill 32  
Comment:

My name is Mark Huising, and I am a Professor and Climate Advocate at the University of California Davis, speaking here on personal title. I encourage the members of the California Air Resources Board to take decisive action to stop the loophole where methane captured from manure at dairies and cattle feed lots will be allowed to serve as an offset to continue to burn fracked fossil methane gas. We are in our climate crisis because of enormous amounts of GHG emissions from burned fossil fuels combined with the emissions attributed to land use in support of large-scale industrial agriculture. In California, the single-largest source of methane is actually a cattle feed lot, not a fossil extraction site. While letting that methane escape into the atmosphere is arguably worse than capturing it, avoided methane crediting monetizes and commodifies this pollution. This creates a cynical incentive to produce more methane from manure, so that fossil fuel companies can continue to extract fossil methane while claiming that this is now an emissions-free source of energy. This amplifies the perverse relationship between fossil fuel companies and industrial ag that together are together pushing our climate outside of safe planetary boundaries. The UN published large week a very sobering assessment that we are far behind on our GHG emission reduction goals compared to where need to be to remain on track for even 2 degrees global warming. The only way to potentially get ahead of this climate crisis is to stop emitting greenhouse gases. This is simple, not easy. This means rapidly transitioning to renewables, instead of enabling offsetting schemes that prolong fossil fuel use and reward the incredibly polluting practices of beef and dairy production. Avoided methane crediting schemes are accounting tricks that will not lead to actual emissions reductions. Please end these incentives so that we can work towards the protection of our air and preserve a stable, livable climate for all Californians.

Thank you for your attention, with respect,

Dr. Mark Huising

Attachment:

Original File Name:



Date and Time Comment Was Submitted: 2023-09-14 18:20:03

No Duplicates.

**Comment 8 for Joint Discussion of Implementation of California Air Resources Board's Assembly Bill 32 Climate Programs (carbejac091423). (At Hearing)**

First Name: Virgil

Last Name: Welch

Email Address: virgil@caliberstrat.com

Affiliation: California Carbon Solutions Coalition

Subject: Comments Re: Environmental Justice Advisory Committee/CARB Joint Meeting  
Comment:

Attachment: [www.arb.ca.gov/lists/com-attach/9-carbejac091423-UGABPIxsVDNRZQIx.pdf](http://www.arb.ca.gov/lists/com-attach/9-carbejac091423-UGABPIxsVDNRZQIx.pdf)

Original File Name: 091423CCSCCEJACCARB.pdf

Date and Time Comment Was Submitted: 2023-09-14 19:05:34

No Duplicates.

## **Comment 9 for Joint Discussion of Implementation of California Air Resources Board's Assembly Bill 32 Climate Programs (carbejac091423). (At Hearing)**

First Name: Gary  
Last Name: Hughes  
Email Address: garyhughes.bfw@gmail.com  
Affiliation: Biofuelwatch

Subject: Biofuelwatch Comment for joint CARB/EJAC 14 Sept 2023 mtg  
Comment:

Esteemed Chair, members of the board, members of the EJAC,

My name is Gary Hughes, I work with the international organization Biofuelwatch, I want to express congratulations to the EJAC and CARB for a well organized informative meeting. Some excellent presentations, thank you. These comments were meant to be provided as oral public comment during the meeting but for efficiency and for saving time AND out of respect for meeting participants, these comments are offered in written form.

Our organization stands by the recommendations of the EJAC, such as the recommendation to cap lipid feedstocks for making fuels like renewable diesel. We think history will look unkindly on the promoters of the scaling up the production and utilization of liquid biofuels. Among other concerns, the deforestation risks are immense and remain inadequately addressed by CARB. A cap on these lipid feedstocks is a good first step, phasing out these lipid feedstocks altogether would be a better overall objective. The same as many meeting participants who offered presentations today we at Biofuelwatch also have some serious doubts about the accuracy of the estimation by CARB of the GHG impacts resulting from the manufacture and utilization of these liquid biofuels.

Along those lines I want to address some misleading information about renewable diesel that was offered by CARB staff when describing the LCFS.

There was a characterization of 'biomass based diesel' as being a 'non fossil fuel', but that ignores the realities of the hydrotreated vegetable oil (HVO) refining process, which is fossil fuel intensive, as making renewable diesel or sustainable aviation fuel from feedstocks like soy or animal tallow relies on emissions intensive fossil gas for the refining process. The steam reformation of fossil gas (steam methane reforming-SMR) is the singular current source of the hydrogen that is required in massive amounts to make a liquid fuel from lipid feedstocks like vegetable oils (which most of the world refers to as food).

At the same time we know that some of the feedstocks being utilized to make so called renewable diesel are also petroleum based, an example being the highly publicized efforts of a company called Fulcrum Bioenergy to process plastic garbage (municipal solid waste) into a 'syn crude' feedstock to use at the Marathon/Neste

joint venture biofuel refinery in Martinez. Though there are real reasons to have doubts about whether these 'syn crude' feedstocks are being produced and utilized in significant amounts, because the promise of Fulcrum Bioenergy is a bit of a 'waste to energy' unicorn, it goes with out saying that these are not benign feedstocks, waste to energy was long ago debunked as a climate solution, and the refining process to make liquid fuel from such a feedstock is still heavily reliant on fossil energy.

So, after all that has happened over the last years, with the overall irregular governance in the Bay Area refinery corridor, and with what a court has now ruled was a totally flawed California Environmental Quality Act review of the refinery conversions to liquid biofuels, it remains truly worrisome that CARB staff continue to infer that these high carbon liquid biofuels are free of fossil fuel, when the truth is far different.

But this obfuscation also distracts from another very real issue, and that is the public safety issues at the refineries making these fuels, as the reliance on tremendous amounts of hydrogen to hydrotreat lipid feedstocks is indeed raising the risk of high temperature hydrogen imbalances in the refining process, which results in upsets, extensive flaring and increased risk of explosions. Nothing was shared today about the problems around the biofuel refinery conversions themselves, and the emerging public safety and public health concerns.

Unfortunately, we have seen that CARB trends towards a sweep it under the rug approach when it comes to addressing the real world impacts of these biofuels.

It is long past time for decision makers to stop taking refuge in the political convenience of converting fossil fuel energy infrastructure to bioenergy infrastructure and calling it a climate solution, because the outcomes are not as safe, green or as climate friendly as we are being told, and precious time is being wasted.

Our organization asks that there be greater scrutiny of these refinery conversion dynamics in the future.

Thanks for your attention to this comment. Great meeting tonight.

Gary Graham Hughes  
Americas Program Coordinator  
Biofuelwatch

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2023-09-14 19:50:58

No Duplicates.

**Comment 10 for Joint Discussion of Implementation of California Air Resources Board's Assembly Bill 32 Climate Programs (carbejac091423). (At Hearing)**

First Name: Sean  
Last Name: Trambley  
Email Address: sean@americanbiogascouncil.org  
Affiliation: American Biogas Council

Subject: Comment on LCFS from American Biogas Council  
Comment:

Please find the attached comment from American Biogas Council, also provided in person at the meeting.

Thanks you for your consideration.

Sincerely,

Sean Trambley

Attachment: [www.arb.ca.gov/lists/com-attach/11-carbejac091423-BXYFJwdgV3dRZm0d.pdf](http://www.arb.ca.gov/lists/com-attach/11-carbejac091423-BXYFJwdgV3dRZm0d.pdf)

Original File Name: ABC Testimony to CARB EJAC 9 2023 ST.pdf

Date and Time Comment Was Submitted: 2023-09-14 20:07:34

No Duplicates.

**Comment 11 for Joint Discussion of Implementation of California Air Resources Board's Assembly Bill 32 Climate Programs (carbejac091423). (At Hearing)**

First Name: Joshua  
Last Name: Kehoe  
Email Address: kehoej1@gmail.com  
Affiliation: none

Subject: intrastate marine fuel deficits  
Comment:

Dear CARB personnel,

I am somewhat confused how EJAC intends to add intrastate marine fuels to a deficit generating status. I was unable to listen past around 5:30PM this evening, so may have missed further discussion of this point. My apologies if so.

My understanding is travel through the North American ECA, in which California Regulated Waters are a part, already requires the use of 0.1% sulfur (or less) marine fuel, almost always in the form of marine gasoil (MGO), a distillate product that burns far cleaner than heavy residual fuel oil or the like. I only bring this up because the EJAC slide shows a bulker with a stream of black smoke emitting from its stacks. This does not occur with use of MGO.

Given provisions in the Commercial Harbor Craft (CHC) legislation that went into effect this year, there should be increasing use of shore-based electrical power available to moored vessels so they don't have to operate their shipboard generators, which will help in reducing port emissions. Required 99-100% renewable diesel use by CHC was also mandated, so there should not, theoretically, be any deficits generated by CHC since they are running in RD. CHC fuel use therefore should not be an issue here.

What fuels does EJAC then propose to add as deficit generators? Fuels sold in California for use in personal watercraft? Bunker fuel sold to vessels at California ports to ocean-going vessels (OGV)? Such bunker fuel would have to be limited to that used during intrastate voyages only, and I would guess most of the bunker is delivered to vessels performing either 1) interstate voyages, or 2) international voyages. The fuel consumed would also need to only be MGO, as heavy fuel oil (HFO) or very low sulfur fuel oil (VLSFO) is not allowed to be combusted in California Regulated Waters (CRW) or the North American ECA anyhow. I would also guess much of the MGO sold in California is consumed outside CRW as well. Unlike intrastate jet travel, where there is one fuel type consumed on one aircraft with guarantee of use in California airspace, no such simple scenario exists for marine fuels, for the most part. And for those able to be monitored and assumed to be operating exclusively in CRW, the commercial harbor craft, their emissions are attempting to be regulated already as through the CHC legislation.

Thank you for the opportunity to comment, and for your time.

Sincerely,  
Josh Kehoe

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2023-09-14 19:58:07

No Duplicates.