



Liane M. Randolph, Chair
California Air Resources Board
1001 I Street
Sacramento, CA 95814

February 16, 2024

Re: ASPCA Comments on Proposed Low Carbon Fuel Standard Amendments (lcs2024)

Dear Governor Newsom, Chair Randolph, and Members of the California Air Resources Board (CARB),

Thank you for the opportunity to provide comments to the California Air Resources Board's (the Board) Public Hearing to Consider Proposed Low Carbon Fuel Standard (LCFS) Amendments. This is a great opportunity to enhance California's efforts and commitment to mitigating the climate crisis, establishing the future we envision for our environment, economy, and communities – for people and animals alike. If our vision is for a resilient, thriving, and equitable future, it is imperative that we continue to reflect upon what we can do better, take a critical eye to business as usual, and incentivize the transition to a more humane and sustainable future.

Founded in 1866, the ASPCA® (The American Society for the Prevention of Cruelty to Animals®) was the first animal welfare organization to be established in North America and today serves as the nation's leading voice for vulnerable and victimized animals. As a 501(c)(3) not-for-profit corporation with more than two million supporters nationwide and over 200,000 supporters in California, the ASPCA is committed to preventing cruelty to dogs, cats, equines, and farm animals throughout the United States.

Originally intended as a tool to combat climate pollution in the transportation sector, the LCFS has become one of the nation's largest and most lucrative pollution trading enterprises for factory farm biogas. This shift has inadvertently perpetuated harmful outcomes rather than serving its original environmental objectives. By offering yet another revenue stream, the LCFS is driving the construction of more factory farms and factory farm biogas projects in states far from California, causing significant harm to animals, air, water, public health, rural economies, and overall quality of life. Current practices in the LCFS, such as "avoided methane crediting" and potentially inaccurate life cycle assessments, not only enable pollution but disproportionately harm low-income communities and communities of color where factory farms are often located.

In order to address these issues with the proposed LCFS, the ASPCA asks you to consider the following reforms to the LCFS:

1. Eliminate "avoided methane crediting" in 2024.

2. Address the potential for inaccuracies in the Life Cycle Assessment that ignore associated up and downstream greenhouse gas emissions from factory farm gas production.
3. Remove the 10-year "grace period" for factory farm gas producers.
4. Stop the potential for "double counting" by allowing factory farm gas projects paid for and claimed by other programs to sell LCFS credits as well.

CARB holds a pivotal opportunity this year to adopt new rules that align the LCFS with California's environmental justice commitments. Environmental justice, zero emission, and climate advocates have presented a clear alternative to the current policies that heap lavish rewards on the biggest polluters through the Comprehensive EJ Scenario. We urge CARB to adopt those recommendations and heed the communities in the state with the most significant exposure to air pollution.

We implore you to lead the charge in creating a resilient, thriving, and equitable future. Now is the time to reform the LCFS to protect communities most affected by its current flaws. Your decisive action in this critical matter will demonstrate your continued commitment to bold climate action rooted in justice.

Thank you for the opportunity to provide comments for the Public Hearing to Consider Proposed Low Carbon Fuel Standard Amendments. For any questions or follow-up, please contact Brittany Benesi at brittany.benesi@aspc.org.

Sincerely,

A handwritten signature in black ink that reads "Brittany Benesi". The signature is written in a cursive, flowing style.

Brittany Benesi
Senior Legislative Director, California
American Society for the Prevention of Cruelty to Animals