



June 6, 2017

California Air Resources Board
1001 I Street
Sacramento, CA 95814

Re: Comments on the May 23rd Dairy and Livestock Greenhouse Gas Reduction Working Group

Via online submission

Dear ARB Staff:

Thank you for the opportunity to participate in the May 23rd Dairy and Livestock Greenhouse Gas Reduction Working Group meeting. As organizations working directly with residents of disadvantaged communities throughout the San Joaquin Valley, we look forward to continuing our work with the various state agencies responsible for achieving the short-lived climate pollutant reductions pursuant to SB 1383 as well as California's ambitious climate goals while ensuring all state strategies are beneficial to communities most harmed by this pollution.

As discussed during the meeting, the San Joaquin Valley is home to about 76 percent of the state's dairy farms, most of which are industrial style facilities with liquified manure management and little to no pasture access. According to the Short-Lived Climate Pollutant Plan, the dairy industry contributes about 45 percent to the state's total methane emissions, with methane emissions from liquefied manure at dairy facilities and enteric fermentation accounting for 25 and 20 percent of California's methane inventory respectively. This region also contains many of the state's top 25% most overburdened communities according to CalEnviroScreen; disadvantaged communities of color in the Valley are burdened by poor air quality, contaminated water, high heat, saturation of industrial facilities, coupled with high rates of chronic disease and various socioeconomic factors that create barriers to opportunity and healthy lifestyles. These communities are at the frontlines of climate change and do not currently have access to the resources needed to adapt.

Direct emission reductions from California dairies is crucial to achieving both air quality and climate goals set forth by the legislature. The state must implement and prioritize strong regulations to further reductions in methane and criteria air pollutants resulting from dairy operations. While this working group provides an opportunity to facilitate these aims, it must be driven by a broad group of stakeholders with a shared commitment to both reducing climate pollutants and improving air quality.

We are concerned that the regulatory development process in the workgroup is being driven by the dairy industry and allied groups. Community-based advocates such as Kevin Hamilton and Janaki Jagannath, for example, were asked to participate in subgroups at the last minute before the latest meeting and community environmental justice advocates are thus not having the same relational or positional role in the stakeholder process as does the industry and allied groups. Moreover, it appears that the subgroups and mission statements

were developed without any input from the community or environmental justice perspective. At a minimum, we ask that Phoebe Seaton be designated as a member of the dairy digester and non-digester subgroups, respectively. Furthermore, we ask the Air Resources Board to establish a fourth subgroup focused on pasture-based dairy strategies, and appoint Brent Newell and pasture dairy experts to this subgroup (the current subgroup 1 mission statement appears to indicate a focus on composting without any mention of pasture-based management strategies).

From a substantive perspective, we are also deeply concerned about a bias towards dairy digesters for the production of electricity and biogas as a transportation fuel. This approach relies on the on-going and unprecedented use of cap and trade auction allowance revenue to subsidize private parties, and also allows pollutant intensive electricity to pollute the air in the San Joaquin Valley, an ozone and PM2.5 nonattainment area (on a per megawatt basis, digester electricity is approximately 20 times more nitrogen oxide intensive than a modern combined-cycle natural gas-fired power plant). While biogas used in heavy duty trucks may or may not be more advantageous than diesel fuel, the lifecycle emissions associated with the production of that biogas, including ammonia and volatile organic compounds, does not support the widespread use of dairies as biorefineries given the Valley's air quality crisis.

Pasture-based dairy production, among other strategies, are all recognized as methane reduction strategies. (*See* Food & Ag Code section 412(a)). Pasture-conversion and enhanced pasture management offers opportunities to not only avoid methane generation from lagoons, but also provide additional co-benefits including carbon sequestration in healthy soils.

This implementation work group has the opportunity to work with all stakeholders to develop a collaborative approach that positions dairy production in California to be not just consistent with the 2030 targets in SB 1383, but the inevitable 2050 reductions necessary to transition California's agricultural economy to the decarbonized model for long-term economic, social, and environmental sustainability.

Sincerely,

Phoebe Seaton
Leadership Counsel for Justice and Accountability

Brent Newell
Center on Race, Poverty, & the Environment

Kevin Hamilton
Central California Asthma Coalition
Medical Advocates for Healthy Air

Janaki Jagannath
Community Alliance for Agroecology