



*U.S. Canola Association
600 Pennsylvania Ave., SE, Suite 300
Washington, DC 20003
Phone (202) 969-8113*

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California Air Resources Board
1001 "I" Street
Sacramento, CA 95814

Submitted electronically via: [Submit Public Comments to CARB | California Air Resources Board](#)

Re: Proposed Low Carbon Fuel Standard Amendments

California Air Resources Board:

The U.S. Canola Association (USCA) appreciates the opportunity to comment on the California Air Resources Board's (CARB) Proposed Low Carbon Fuel Standard Amendments issued on December 19, 2023.

The U.S. Canola Association (USCA) is a non-profit commodity organization whose mission is to increase domestic canola production and promote the establishment and maintenance of conditions favorable to growing, marketing, processing and utilization of U.S. canola. Canola has multiple uses and markets and is one of numerous feedstocks used to produce clean burning, renewable biomass-based diesel (BBD) and is a potential feedstock for sustainable aviation fuel (SAF).

The BBD industry is an important market for canola producers, utilizing approximately 1.2 billion pounds of canola oil in 2021. The BBD market provides a valuable outlet for surplus canola oil not utilized for food production.

Consistent with the intent of the LCFS, BBD from canola provides significant benefits to our national energy security, the environment, and the economy. Canola BBD contributes to the expansion and diversification of U.S. fuel and energy production, reduces emissions and improves air quality, and provides jobs and additional economic benefits, especially in rural communities. The canola and BBD industry have provided these benefits without significant disruption or adverse impacts to consumers.

Currently, U.S. canola production is primarily in the Northern Plains and Pacific Northwest region of the country. It is predominantly a Spring planted crop harvested in the Fall and grown as part of a beneficial crop rotation on diversified farms that grow five or more different crops. Canola production has grown modestly, but steadily over the past few decades, reaching over 2.3 million acres in 2023. There is potential for continued expansion of canola production in the U.S., including as a winter and double crop option in the Pacific Northwest, Great Plains, and

Southeast regions. This winter canola and double crop production provides additional vegetable oil feedstock from existing cropland and fallow land.

Crop-Based Biofuels Sustainability Criteria

The USCA believes CARB can utilize existing programs and data sources, such as the federal Renewable Fuel Standard (RFS) and USDA crop production data and statistics, to certify that feedstocks grown in North America that are used in the production of BBD are produced sustainably and meet CARB's proposed criteria.

The proposed amendments state that CARB staff are proposing additional guardrails on the use of crop-based feedstocks for biofuel production. Specifically, CARB staff are proposing to require pathway holders to track crop-based and forestry-based feedstocks to their point of origin and require independent feedstock certification to ensure feedstocks are not contributing to impacts on other carbon stocks like forests. The USCA does not believe that CARB needs to impose additional feedstock tracking and certification requirements. There is no evidence to suggest that deforestation is occurring in the U.S. due to land being converted to agricultural production. Expanded agricultural production is occurring through yield increases, improved agronomic practices, double cropping and use of previously fallow land that benefits environmentally from having "cover" crops.

The federal RFS already includes protections against land conversion to cropland for biofuel feedstock production. To be eligible for the RFS, feedstocks have to come from land that was non-forested and in production prior to December 19, 2007. EPA set a national baseline for eligible cropland in 2007 of 402 million acres. If cropland in subsequent years exceeds that baseline, biofuel producers would be required to track and trace where its feedstocks were grown. There is also a threshold of 397 million acres which, if exceeded, would trigger investigation and reassessment of the aggregate compliance program. Neither of these thresholds have been exceeded since 2007. We would also note that the most recent Census of Agriculture data released by USDA on February 13, 2024 shows a 2% decline of total farmland in the United States since 2017. We believe CARB could utilize the existing federal protections and monitoring of land conversion instead of imposing additional, unnecessary compliance burdens.

The USCA urges you to recognize that fuels produced and certified under the federal RFS meet CARB's proposed sustainability criteria. Additional requirements would place an unnecessary burden on the fuel and feedstock providers as well as on CARB's staff and resources for LCFS implementation and enforcement. This additional burden would increase costs without providing any additional environmental benefit.

We would also point out that, as noted in the proposed amendments issued in December, the California LCFS already accounts for land use change emissions in its life cycle methodologies. Additional certification requirements would be redundant and create unnecessary burdens and expenses that could increase costs and reduce the amount of renewable fuel available to achieve the LCFS targets.

Again, the USCA appreciates the opportunity to comment on the Proposed Low Carbon Fuel Standard Amendments and looks forward to supporting your efforts to implement an effective LCFS program.

Sincerely,



Andrew Moore
President
c/o U.S. Canola Association
600 Pennsylvania Ave., SE
Suite 300
Washington, DC 20003
202-969-8113
info@uscanola.com