

February 20, 2024

Chair Liane Randolph and  
Members of the Board  
California Air Resources Board  
1101 I Street  
Sacramento, CA 95814  
[cotb@arb.ca.gov](mailto:cotb@arb.ca.gov)

**Re: Fix the Low Carbon Fuel Standard - Prioritize Zero Emission Investments**

Dear Chair Randolph and Members of the Board,

On behalf of the undersigned advocates, we respectfully submit the following critical process and substantive recommendations that CARB must take to ensure the LCFS aligns with and truly advances our state's zero-emission transportation priorities.

The LCFS is an important financing component of private and public sector transportation electrification investments that California needs to achieve the successful implementation of its landmark clean transportation regulations, like the Advanced Clean Fleets, Advanced Clean Cars II, and Advanced Clean Trucks rules, which CARB itself developed and approved.

Despite its unique potential to support these life-saving regulations, the LCFS proposed by staff is misaligned with electrification goals, worsens environmental injustices, and will continue to founder from a glut of lipid-based biofuels and livestock biogas that will undercut the credit price. CARB must spend more time to ensure that the policy fulfills its unique role in helping secure California's zero-emission transportation future without further exacerbating harm to vulnerable communities. The April workshop must feature a robust discussion about these core program issues and not just focus on biofuels certification and auto adjustment mechanisms for credits. We also request a hybrid workshop format that allows in-person attendance and offers Spanish translation to ensure the discussion is accessible to impacted communities.

**We request an informational Board hearing before a vote.**

In previous regulation processes, the Board has followed the release of a staff proposal with a non-voting, informational Board hearing. Considering that the LCFS is a complex policy with long-lasting and far-reaching impacts, deviating from this standard practice will rob the public of the opportunity for meaningful engagement and the Board of the opportunity to give direction. In addition, many Board members are new to the role, and 10 of 16 Board members have not previously participated in a major update to the LCFS. The Board will reach a stronger decision if members are given an opportunity to ask questions and provide direction to staff in an informational meeting before they are asked to vote. A non-voting hearing will give also the Board and staff more time to meaningfully engage with the Environmental Justice Advisory Committee, whose eight recommendations rooted in environmental justice principles were not properly considered in staff's proposal. Providing one additional informational hearing for both

the public and Board to analyze and engage is especially crucial given that staff's current proposal is vastly different from what they had presented in previous workshops and at the September 2023 Board meeting. Finally, holding a non-voting meeting this year will still meet the timing requirements of the Office of Administrative Law and enable 2025 implementation.

CARB has the opportunity to finally align the LCFS program with all of California's other zero-emission transportation laws, regulations, and investments. The Board needs more public engagement opportunities to ensure successful alignment, and getting it right in this rulemaking is critical.

**Critical changes to the LCFS are needed in this rulemaking.**

The need for more engagement opportunities is underscored by the major deficiencies in the staff proposal that the Board must fix in this rulemaking. On behalf of our diverse coalition of advocates, we urge CARB to prioritize fixing the LCFS this year in the following ways:

- Reign in bogus credits that are depressing the credit price, distorting markets, and harming people and ecosystems by:
  - Eliminating avoided methane crediting for fuel derived from livestock manure.
  - Capping the use of lipid biofuels.
- Leverage the LCFS to achieve a zero-emissions future for all Californians by:
  - Creating ZEV multipliers to boost electric school bus and electric public transit bus and rail system deployments.
  - Following through with the inclusion of intrastate jet fuel as a deficit generator and starting to analyze the path toward including California's share of the fuel used in interstate and international flights.
  - Allowing credits for zero-emission transportation fuels used for ocean-going vessels, and simplifying the process for credits for shore power installations serving electrified harbor crafts and for dispensing green hydrogen.

In conclusion, we request that CARB ensure the April workshop is comprehensive and accessible and that it hold an informational non-voting hearing to allow greater public and Board engagement before the vote. This will ensure appropriate Board direction, ultimately producing the best policy possible for achieving CARB's zero-emission transportation future with the greatest benefits for environmental justice communities.

Thank you for your consideration of our requests. We look forward to further collaborating with CARB on improving the LCFS and securing a zero-emission transportation future for all Californians.

Sincerely,

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