

February 20, 2024

Dear Governor Newsom and Members of the California Air Resources Board,

The Campaign for Family Farms and the Environment appreciates the opportunity to comment on the Notice of Public Hearing to Consider Proposed Low Carbon Fuel Standard Amendments. CFFE is a coalition of state and national organizations, including Dakota Rural Action, Iowa Citizens for Community Improvement, Land Stewardship Project, Missouri Rural Crisis Center, Food & Water Watch and Institute for Agriculture and Trade Policy. Our organizations work together as CFFE to change policies that promote consolidation in animal agriculture at the expense of independent family farms, rural and urban economies, workers and an open, fair and competitive food system.

Our members have witnessed the shift in the structure of the livestock sector away from independent diversified farms to industrialized animal feeding operations in their communities. These factory farms concentrate animals and their waste, burdening surrounding communities with air and water pollution. A report by Food & Water Watch called *Factory Farm Nation: 2020 Edition* provides many examples of what happens to communities when livestock and their waste is concentrated in specific regions. Just one example of FWW's findings illustrates the problem: hogs on factory farms in Duplin County, North Carolina produce the same weight in manure as residents of Boston. But unlike human sewage, hog and other livestock waste is not treated before being released into the environment. Around the country, neighbors of these facilities report odors and other health impacts, and losing the ability to spend time outdoors. Anaerobic digesters are touted by the industry as a win-win solution that creates usable energy while reducing the environmental impact from the management of massive quantities of manure. But communities around the country know that this technology is far from a real solution. Instead, digesters allow factory farms to not only remain a burden on surrounding communities, but often to grow even larger.

Unfortunately, California's preference for manure-derived biogas in the LCFS program is driving the expansion and entrenchment of factory farms and dirty biogas projects farm beyond California, including into our communities. The LCFS has become a lucrative financing tool for factory farm biogas. It is driving the construction of more factory farms and factory farm biogas projects in states far from California, causing severe harm to air, water, public health, rural economies, and overall quality of life.

The current flaws in the LCFS, such as "avoided methane crediting" and inaccurate life cycle assessments, not only enable pollution but disproportionately harm low-income communities and communities of color who live near factory farms and manure digesters. This is in stark contrast to the environmental justice commitment set by California.

CFFE believes that climate change is a serious challenge that requires a dramatic response. This crisis demands more than highly speculative market-based schemes that will allow polluters to

keep polluting and let agribusiness pay farmers less for their crops and livestock. A serious plan to address agriculture and climate change must address structural issues, not just attempt minor improvements in environmental performance in a highly consolidated, industrialized factory farm system. Factory farms require huge quantities of feed, water, chemical inputs and energy and manage manure in a way that drives greenhouse gas emissions. California's climate programs must support a dramatic transition in how we raise animals for food that is centered on independent family farms and sustainably managed grazing systems.

Using California's climate programs, including the LCFS, to support expensive manure management projects on confinement operations fails to make this necessary structural change, and instead props up and expands the factory farm system. Prioritizing grazing over factory farm manure management would increase the sequestration of carbon in pastures, and also avoid the emissions from industrialized animal operations' feed production and liquid manure storage. Manure lagoons not only emit high amounts of methane and nitrous oxide, but they are also highly vulnerable to natural disasters such as hurricanes and floods. And confinement operations decouple grazing animals from grasslands, requiring more synthetic fertilizers for feed production, which drives further emissions.

In addition to these overarching concerns about LCFS' support for manure digesters, we urge you to prioritize the following changes to the standard:

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

For practices related to manure management, including anaerobic digesters, the LCFS calculation should evaluate not only the risks of increased ammonia emissions and water pollution from disposal of digestate, but also the potential that the contract will lead to an increase in the total number or density of livestock raised on the site. The potential for LCFS funding to lead to more animals being raised on an operation with a digester, and the increase in enteric emissions and carbon emissions from feed production related to the increase, should be incorporated into a new LCFS scoring system for manure-derived biogas.

The California Air Resources Board (CARB) has the opportunity to adopt new rules that would realign the LCFS with California's environmental justice commitments and stop rewarding factory farms around the country for their pollution. CARB's Environmental Justice Advisory Committee has presented a clear alternative that CARB should incorporate to align the LCFS

with California's environmental justice commitments and end the state's support of environmental harm in communities across the country.

We appreciate the opportunity to comment on this critical subject. If you have questions or need more information, please contact Patty Lovera at pattylovera20@gmail.com.

Sincerely,

Campaign for Family Farms and the Environment