

Jordan Ramalingam, Manager, Alternative Fuels Section
California Air Resources Board
1001 I Street, Sacramento, California 95814

August 27, 2024

Dear Mr. Ramalingam,

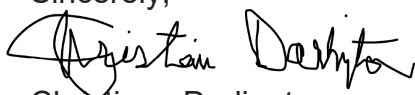
Thank you for the opportunity to respond to the proposed changes to the Low Carbon Fuel Standard Regulations relating to the utilization of biomass. The District has proposed changes to the provisions that relate to forest biomass, directly or indirectly, in order for the regulations to achieve the environmental safeguards and optimize biomass utilization for biofuels. As ARB is fully aware of the benefits of such utilization over open burning or wildfire, the District chooses not to belabor the point in this letter.

Instead, please see the language additions that offers a few important clarifications. First, we recommend the use of the term “dimensional lumber” instead of “wood product” because it is the higher grade materials that should be prevented from being used for biofuels. The term “wood products” include things like mulch, pet bedding, and landscaping chips, which would be appropriate for use as biofuel, as well. Therefore, the phrase dimensional lumber makes more sense.

Second, biomass from fire salvage operations is explicitly listed as this is an important source. Next, the District proposed language that clarifies that the use of plantation style tree farm biomass that is less than fifteen years old (as proposed by CARB) must go through the additional environmental safeguards for use in the program. Also, the word “compaction” is removed because that term is too broad to be used in this context, and finally, clarifies that national and state level environmental documentation could prove to satisfy environmental requirements. There are other small changes that just help clarify the regulation.

The District has consulted with several different forestry professionals to help support ARB with these changes, and is more than happy to facilitate any further discussion. Please note that attachment has the redline version of the regulation with notes.

Sincerely,



Christiana Darlington
General Counsel
Placer APCD

“Forest Biomass Waste” means small-diameter residues, limited to forest understory vegetation, ladder fuels, limbs, branches, and logs that do not meet regional minimum marketable standards for processing into dimensional lumber.

§ 95488.8. Fuel Pathway Application Requirements Applying to All Classifications.

g) 1_a_3) Forest biomass waste removed for the purpose of forest fire wildfire reduction, to reduce the risk to public safety, or forest stand improvement infrastructure, post-fire salvage, to create defensible space, or for forest restoration; and from a treatment wherein which no clear-cutting occurred; and that was performed in compliance with all local, State, and federal rules and permits.

§ 95488.9. Special Circumstances for Fuel Pathway Applications.

(g)(1)(A) when biomass is used in fuel pathways that is sourced from private commercially owned tree plantation lands, it must have been cleared or cultivated prior to January 1, 2008 and actively managed or fallow, , since January 1, 2008. Biomass may not be sourced from land that is covered under international or national law or by the relevant competent authority for nature protection purposes.

(g)(1) (B) Biomass must be produced according to best environmental management practices that reduce GHG emissions or increase GHG sequestration, including but not limited to: 1. Maintain or enhance biodiversity habitat on agricultural or forested lands; 2. Enhance soil fertility and avoid erosion; 3. Apply fertilizers in a manner that minimizes runoff, and soil and water contamination; 4. Reduce unsustainable water use, and minimize diffuse and localized pollution from chemical residues, fertilizers, soil erosion, or other sources of ground and surface water contamination. These requirements may be demonstrated through documentation prepared under FPA, NEPA or CEQA.