



April 21, 2025

Rajinder Sahota
California Air Resources Board
1001 I Street
Sacramento, CA 95814

RE: AMP AMERICAS COMMENTS ON THE THIRD 15-DAY CHANGES TO THE LOW CARBON FUEL STANDARD REGULATION

Dear Ms. Sahota:

Thank you for the opportunity to comment on the Third Proposed 15-Day Changes to the Low Carbon Fuel Standard ("LCFS"). Amp Americas ("Amp") strongly supports the LCFS and rapid finalization and implementation of the adopted amendments. We appreciate the California Air Resource Board's ("CARB's") leadership on this program, quick release of these proposed minor changes for public comment, and ongoing work to rapidly finalize amendments so that the market for low carbon fuels can continue to move forward in California.

ABOUT AMP

Founded in 2011, Amp develops, owns, and operates renewable natural gas ("RNG") facilities that convert dairy waste into renewable energy. Over our history, Amp's projects have prevented over 2 million metric tons of carbon equivalent emissions, and we plan to rapidly expand our impact over the next several years.

As a pioneer in the dairy RNG industry, Amp registered the first 5 dairy RNG-to-CNG pathways in California's LCFS program, and we were the RNG supplier for the first 11 dairy RNG-to-hydrogen pathways. Our experience developing, operating, and reporting on these and other assets gives us a unique perspective on the impact CARB policy has on investment and project development activity related to low carbon fuels. Our projects and resulting methane and carbon dioxide reductions have been made possible by CARB's leadership in decarbonizing transportation, and we encourage CARB to continue to support the technology-neutral, performance-based policy framework that has made the LCFS so unique and successful.

RAPID FINALIZATION OF REGULATION SHOULD ENABLE RULE TO APPLY TO Q1 REPORTING

We strongly support CARB and the Office of Administrative Law ("OAL") finalizing this package as soon as possible to provide clarity to the market and clean fuels investors. Provided that CARB and OAL finalize the rule before Q1 reporting is due, we anticipate the step down in 2025 stringency and new benchmarks would apply to Q1 reporting. We strongly support the rapid finalization of this rulemaking process to enable this outcome and bolster the market for clean fuels. We support comments from the RNG Coalition and agree that all stakeholders have received adequate notice and are prepared to implement the amendments as soon as they are finalized through OAL.



INVESTMENT CERTAINTY NEEDED TO SUPPORT INVESTMENTS IN LOW CARBON FUELS

We strongly support the LCFS program, which has been critical in advancing a wide array of climate and environmental priorities for California, including reducing methane from dairies. While we remain concerned about the program's evolution away from its successful technology-neutral, performance-based framework – including through artificial limitations on avoided methane crediting and book-and-claim accounting for biomethane – we are generally supportive of the amendments adopted at the November 8, 2024 Board Meeting and the minor adjustments reflected in the 3rd 15-Day Changes. At this point, the most important thing to support California's clean fuels market is to rapidly finalize and implement the proposed amendments, in order to provide certainty to the market and allow ongoing investment to support California's clean transportation objectives.

SPECIFIC COMMENTS ON THE 3RD 15-DAY CHANGES

We appreciate CARB releasing the minor proposed adjustments to the rule via a 3rd 15-Day Change package, and offer the following comments on some of the changes:

- We appreciate and support clarification around timing and use of the CA-GREET4.0 model and associated Tier 1 CI Calculators.
- As we have previously stated, we support efforts to expand carbon capture and sequestration (CCS) in California and the role of the technology in California's climate change policies. We support clarification around the renewable hydrogen provisions, including that biomethane and other renewable pathways should apply to non-CCS hydrogen pathways. We urge CARB to work through implementation to ensure biomethane is utilized in relevant hydrogen pathways (e.g., steam methane reformation processes) to ensure these goals are met and California advances its renewable hydrogen goals.
- We support added clarification proposed on key elements of the program, including changing provisions related to avoided methane crediting and credit true up from "may" to "shall."
- We appreciate the addition of a definition of "Break ground" to add additional clarity to the rule.

MAINTAINING IMPLEMENTATION DISCRETION IS CRITICAL

We appreciate OAL's efforts to ensure clarity of the regulations, as well as CARB's rapid and thoughtful response. However, we note that with a market-wide policy like the LCFS, where innovation is taking place all the time and new and unforeseen variables arising, it is critical that CARB maintain discretion in implementing the program moving forward. While some of the clarifying changes limit some implementation flexibility, we urge CARB to continue proactive stakeholder outreach throughout the implementation process, providing ongoing market guidance as appropriate, and exercising discretion in implementation and enforcement of the rule to ensure that the rules remain clear and to avoid unintended or unnecessary burdens on project developers that do not advance the program's objectives. Ongoing stakeholder engagement and timely guidance on implementation issues remains essential to ensuring proper compliance planning, accurate credit generation, and maintain market certainty for regulated parties.



For example, we note that the 3rd 15-Day Changes removes text related to updates to Tier 1 Calculators, as that text is deemed unnecessary. We support that change and agree it is unnecessary, however that does not mean that CARB should not retain the ability to update Tier 1 calculators through a deliberate public process, should there be good rationale for doing so. We would appreciate future guidance on this point, describing how Tier 1 calculators will be updated moving forward, and we look forward to continuing to work with CARB on this and other provisions, to ensure the program is implemented in the most streamlined and effective manner possible.

MAINTAINING TECHNOLOGY NEUTRALITY WILL BE CRITICAL

Amp looks forward to continuing to work with CARB and stakeholders to bolster the program and its unique, powerful, technology-neutral and performance-based approach. In particular, as we have detailed in our previous comments throughout this process, the following items are especially critical to ensuring an even playing field for all low carbon fuels and thereby increasing competition, reducing costs, and accelerating emissions reductions. We look forward to continuing to work on these issues with CARB and stakeholders once the current amendments are finalized:

- Maintain avoided methane crediting for dairy digester and other biomethane projects,
- Maintain book-and-claim accounting for biogas and avoid arbitrarily restricting market opportunities for methane reductions,
- Enable biogas-to-electricity pathways, including pathways utilizing non-fuel cell technology,
- Ensure streamlined reporting requirements that align with other state and federal reporting requirements wherever possible, and
- Maintain discretion and implementation flexibility to account for unique attributes of various fuel pathways, and avoid unnecessarily penalizing investors acting in good faith.

Thank you again for the opportunity to comment on the 3rd 15-Day Changes and your work to rapidly finalize and implement these critical regulatory amendments. We look forward to continuing to support California low carbon fuels goals, and working with CARB and stakeholders on an ongoing basis to ensure the LCFS remains a durable driver of investment in the clean fuels projects for California.

Sincerely,

Cassandra Farrant

Cassandra Farrant
Head of Environmental Credit Compliance
Amp Americas