



January 5, 2022

Comments on the 2022 Scoping Plan Update Natural and Working Lands Scenarios Technical Workshop

California, like the United States, has adopted a 30x30 goal for the conservation of 30 percent of its land and coastal waters by 2030. The scenarios being considered by CARB for the 2022 Scoping Plan to protect natural and working lands consider different approaches to reducing the risk of severe fire and to increasing the carbon content of soil on agricultural lands. However, these scenarios do not consider the impact of California's Low Carbon Fuel Standard (LCFS) on natural and working lands.

CARB has been working on methodologies for including co-benefits in evaluating the worthiness of programs to reduce greenhouse gas emissions. These would appear especially relevant for evaluating programs that impact natural and working land sinks. es. Many producers receive credits from both California's LCFS and the federal renewable fuel standard (RFS), as well as generous federal investment tax credits.

The stage is set for a renewable diesel soy boom comparable to the ethanol corn boom of the mid 2000s. While this will likely affect Midwest farmers and South American farmers much more than California farmers, it is likely to have a large, albeit indirect, impact on land use globally. This assault on nature will worsen our biodiversity crisis and could decimate global 30x30 goals.

CARB must endeavor to estimate all indirect land use effects of the LCFS. Use of any feed or food crops as feedstock for LCFS fuels sets in motion a destructive cycle of land conversion from forests or grassland to agricultural land. People are not going to eat less because they are using soy to run their diesel vehicles. According to the United Nations Food and Agriculture Organization, agricultural expansion is the major cause of deforestation and loss of forest biodiversity. **CARB should consider a scenario that would show the effects of eliminating all LCFS credits related to natural and working lands globally.** Consideration of all impacts of the increased quantities of water that are needed to grow crops for renewable diesel or ethanol, as well as the increased quantities of fertilizer and pesticides that will be used to grow these crops is also essential. All effects on both water quantity and water quality must be considered.

The production of corn-based ethanol in the US now uses 40 percent of corn produced in the US. If there were no ethanol mandate, with its associated incentive credits to producers, considerable land would be available for producing other crops for food, or for conversion back to forest, scrub or grasslands.

Marathon and Phillips 66 have applied to convert their petroleum refineries in Martinez and Rodeo to renewable diesel refineries. Presently the US capacity for producing renewable diesel is 0.6 billion gallons per year. The DOE recently announced that by 2024 this capacity could increase to 5.1 billion gallons—if current

proposals and ongoing construction are implemented. Because there is insufficient used cooking oil or waste animal fat to meet the feedstock demands of the vastly increased capacity of renewable diesel refineries, they will need to use food or feed crops like soybeans, palm oil, corn, or crops. The prices of soy oil and other oils have already begun to increase. Because of the LCFS credits available to producers of oils used for this program, farmers in California as well as farmers throughout the world will have significant incentives to increase their production of soybeans. Ultimately this creates tremendous pressure to destroy forests and grasslands to produce crops for use as feedstocks for “renewable” fuels.

As an example of forward-looking policy that California might replicate, the European Union’s Renewable Energy Directive (RED) II, in effect from 2021-2030, disallows palm oil-based biofuels as counting toward a member state’s mandatory renewable energy target—because of the associated indirect land use changes. While biodiesel made from soybean oil has also been categorized as high risk of causing deforestation and emitting more GHGs than using fossil fuels, it can still count toward meeting a country’s RES target. These food/feed oils are all substitutes for each other so hopefully the EU will also ban the use of soybean oil to produce renewable fuels. California should follow the EU’s lead by disallowing LCFS credits for renewable transportation fuels that use any feed or food crops as feedstocks.

Thank you for considering these comments. We look forward to reviewing CARB’s selected scenarios.

Sincerely,



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