



April 12, 2023

Senator Ben Allen
 1021 O Street, Suite 6610
 Sacramento, CA 95814

Re: Senate Bill 709 (Allen) - SUPPORT

Dear Senator Allen,

Thank you for your leadership in furthering both climate and environmental justice. We strongly support SB 709's approach of increasing the integrity of our climate programs while protecting vulnerable communities from unintended and negative impacts of the same.

The undersigned organizations believe that to achieve its ambitious and necessary climate and environmental justice goals, California must operate with transparency, consider all emissions and emissions reductions associated with its climate change strategies, address and prevent disproportionate pollution burdens associated with those strategies, and

ensure that climate programs do not exacerbate or perpetuate existing environmental harms. Unfortunately, the state's Low Carbon Fuel Standard (LCFS) falls short in all of these areas.

The California Air Resources Board (CARB) operates the LCFS, one of California's flagship climate programs. The purpose of this program is to reduce the carbon intensity (greenhouse gas emissions associated with the production and use) of California's transportation fuels. Achieving this goal, however, requires a complete and accurate analysis of lifecycle greenhouse gas emissions from the production of those fuels. Currently, the LCFS arbitrarily excludes significant greenhouse gas emissions from the calculations of the carbon intensity of fuels produced from livestock manure. SB 709 directs CARB to include these emissions in its calculations of carbon intensity. Additionally, CARB guarantees that fuels derived from livestock manure will generate credits for ten years, even if the fuel ceases to be considered low carbon. SB 709 clarifies that credits should not be guaranteed to fuels regardless of their carbon intensity. Ensuring that all greenhouse gas emissions are included in the carbon intensity of fuels and ensuring that only allowing fuels that are low or zero carbon to generate credits is critical to the integrity and success of the program.

At present, much of the data that CARB relies upon to make carbon intensity determinations is not available to the public. The public and the legislature need access to this data in order to provide necessary oversight. SB 709 ensures that the public will have this access.

Finally, these factory farms and factory farm gas projects are disproportionately located in low-income communities of color in the San Joaquin Valley. As a result, these communities face a disproportionate pollution burden in the form of air and water contamination as well as odor and insect nuisance. Factory farm gas infrastructure does not address these harms. In fact, the incentives to produce factory farm gas entrench practices that impact communities and even appear to drive herd concentration in these same communities, exacerbating these harms and perpetuating a history of environmental racism. SB 709 addresses this perverse incentive by ensuring that livestock herds don't grow for the purpose of exploiting lucrative profits from the LCFS.

We are thrilled to see a climate leader in California champion this important issue to correct course on one of California's flagship climate programs and ensure it serves environmental justice rather than undermines it. Thank you, Senator Allen.

Sincerely,

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cc: Members, Senate Environmental Quality Committee