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LOS ANGELES COUNTY ELECTRIC TRUCK & BUS COALITION



VALLEY IMPROVEMENT PROJECTS FOR SOCIAL & ENVIRONMENTAL JUSTICE

June 21, 2023

Governor Gavin Newsom  
1303 10<sup>th</sup> St, Suite 1173  
Sacramento, California 95814

**Re: The Low Carbon Fuel Standard**

Dear Governor Newsom:

On behalf of the undersigned organizations, we are writing to urge you to direct systemic, just, and commonsense changes to California's Low Carbon Fuel Standard (LCFS). When you signed Executive Order N-79-20, you wisely recognized that advancing zero-emissions transportation is important not only for tackling greenhouse gas emissions, but also for addressing deadly air pollution and remedying environmental injustice. You also aptly noted in the Executive Order that "California's long-term economic resilience requires bold action to eliminate emissions from transportation, which is the largest source of emissions in the State." Unfortunately, the LCFS program has not met your call to action.

By lavishly crediting fuels favored by the oil industry and industrial agribusiness, the LCFS fails to align with the State's crucial goals of air quality improvement, environmental justice, and climate solutions. Incredibly, roughly 80 percent of the \$3-4 billion in annual LCFS revenues goes to biogas and biofuels (biofuels) that end up being burned in engines, fouling our air, and perpetuating reliance on polluting transportation, all while harming people and ecosystems.

Current efforts to amend the LCFS are not solving these glaring problems. The changes proposed by the California Air Resources Board (CARB) staff will largely keep the LCFS a combustion-oriented program—even if they begin to address some issues on the margins. Perpetuating support for polluting fuels makes no sense when CARB has articulated that the only way to comply with federal air quality requirements is to advance zero-emissions transportation by attainment deadlines. An LCFS program that continues to invest billions to prop up combustion and polluting factory farms will run afoul of air quality standards and further harm our state's most vulnerable residents. The LCFS should therefore prioritize the only scalable transportation solutions that are pollution-free from end-to-end: zero-emissions vehicles powered by clean energy.

We recognize it can be hard for agency staff to rebuff large corporate actors like oil companies, big agriculture, and others that dominate participation in this rulemaking and benefit financially from the LCFS. This is why we need your leadership to direct staff to ensure the program meets the need of all Californians for clean air and a healthy environment. This means targeting LCFS support toward zero-emissions transportation and leaving polluting biofuels behind.

Specifically, we urge you to direct CARB to eliminate distorted crediting of "avoided" methane, cap the unrestricted use of crop biofuels, and increase support for key ZEV priorities that your administration has overseen, including electrifying transit, school bus, and drayage truck fleets. Such direction would build upon Governor Brown's 2018 Executive Order B-48-18, which catalyzed the LCFS

zero-emissions infrastructure credits that have been instrumental to California's leadership on electric vehicle deployment. These and other changes are needed to reduce harm to overburdened communities and threatened habitats and to make the LCFS consistent with key California priorities.

To end, we would like to point out the moral reprehensibility of several entities engaged in the LCFS debate. Some lobbyists like the Western States Petroleum Association are concurrently fighting to keep the LCFS a combustion-centric program (so that their members can greenwash their operations) while having the audacity to file lawsuits challenging the U.S. Environmental Protection Agency's decision to grant California's waiver for seminal, life-saving regulations like the Advanced Clean Trucks rule. With "friends" like these, who needs enemies?

We need your leadership to modernize the LCFS program so that it supports, rather than thwarts, California's attainment of air quality standards and ends unjust pollution harms. We appreciate your consideration, and we look forward to engaging with you to advance a zero-emissions future.

Sincerely,

Sasan Saadat,  
Earthjustice

Phoebe Seaton,  
Leadership Counsel for Justice and Accountability

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