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**Contact:** Kristin Brekke  
[kbrekke@ethanol.org](mailto:kbrekke@ethanol.org) / (605) 334-3381

**American Coalition for Ethanol provides comments to State of California  
on the new Low Carbon Fuel Standard under consideration**

**Sioux Falls, SD** (April 22, 2009) – The American Coalition for Ethanol (ACE) sent official comments to the California Air Resources Board yesterday in regard to its proposed Low Carbon Fuel Standard currently under consideration. ACE is the nation's largest ethanol advocacy association, with more than 1500 grassroots members nationwide.

The letter, from ACE Executive Vice President Brian Jennings to Mary Nichols, Chair of the California Air Resources Board, stated:

“We are committed to making certain that biofuels from all feedstocks make meaningful contributions to our nation’s clean energy economy and understand a low carbon fuel standard will likely be part of the policy shifts that lead to that clean energy future. In fact, ACE is prepared to support a LCFS, but today we unite with scores of other organizations, scientists, academics, and advanced biofuel advocates in expressing our serious concerns with the proposed design and enforcement of the California LCFS.

California is about to set a precedent for how biofuels are treated under climate change policies, and ACE is deeply disappointed with what we can only describe as bizarre and scientifically indefensible lifecycle greenhouse gas estimates that are clearly designed to penalize biofuels unfairly vis-à-vis petroleum. As others have already pointed out, including a group of more than 100 scientists and academics in a letter last month to Governor Schwarzenegger, CARB is making extreme assumptions about the carbon intensity of biofuels, relying on an untested ideology called “indirect land use change,” and remarkably assuming there are no such “indirect effects” from fossil fuels. As a result of the use of a number of indefensible assumptions in the LCA modeling, CARB will penalize biofuels, particularly corn ethanol, for so-called indirect land use changes, while petroleum will be given a free pass, as CARB has chosen to largely ignore indirect emissions from those fuels. This selective enforcement will place biofuels at an unfair competitive disadvantage in the California fuels market.

This is a classic case of allowing ideology to drive policy while ignoring good science. Predictions of greenhouse gas emissions based on ‘indirect land use change’ rely on computer models, which are driven entirely by assumptions used in those models. As many who have been following CARB’s process have pointed out, the assumptions in CARB’s models cannot be supported by any rational and objective review of the facts. As 111 scientists wrote to Governor Schwarzenegger in March of this year, ‘indirect effects have never been enforced against any other product in the world. California should not be setting a wide-reaching carbon regulation based on one set of assumptions with clear omissions relevant to the real world.’ The science is limited and not widely understood or accepted, and should not be enforced selectively against biofuels...

The politicization of lifecycle analysis – in this case to attack biofuels – undermines confidence in this tool, which will become an increasingly important aspect of all state and national efforts to reduce greenhouse gas emissions. By insisting on arbitrarily and capriciously ascribing greenhouse gas emissions to biofuels that cannot in fact be shown empirically and which depend entirely upon tortured use of computer models that lack the confidence of so many reputable scientists, CARB invites cynicism about its motives, about the basic veracity of its work, and about the use of this tool as a political weapon in other greenhouse gas control programs. As society embarks on this enormously important mission to reinvent the way humans produce and consume energy, this is a very dangerous precedent to set...

ACE is eager to work with the state of California to enact a LCFS that does not unfairly penalize biofuels while ignoring the indirect emissions from petroleum. We are concerned that the LCFS, as proposed, would hold oil harmless for much of its carbon intensity while unfairly inflating and distorting the carbon intensity of biofuels. A fair set of principles must be generated that allows biofuels to participate on an equal playing field with petroleum products. We encourage the implementation of a low carbon fuel standard in California, but based on the ample research indicating the arbitrary and inequitable use of indirect land use change measurements, we believe the proposed standard is the wrong approach.”

ACE’s full comments are attached as a PDF. For more information, visit [www.ethanol.org](http://www.ethanol.org).

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*The American Coalition for Ethanol (ACE) is the grassroots voice of the U.S. ethanol industry, a national trade association for the ethanol industry with 1500 members nationwide, including farmers, ethanol producers, commodity organizations, businesses supplying goods and services to the ethanol industry, rural electric cooperatives, and individuals supportive of increased production and use of ethanol. For more information about ethanol or ACE, visit [www.ethanol.org](http://www.ethanol.org) or call (605) 334-3381.*