

The Importance of Supply

ARB staff proposed the idea of promoting the supply of compliance-eligible offsets in November 2009, and is continuing to consider multiple paths for generating offset credits in 2010, including: (a) ARB issuing offset credits for projects using ARB-approved protocols; and (b) ARB recognizing offset credits from ARB-approved offset programs. These could include sectoral programs such as those reducing emissions from deforestation and forest degradation in developing countries (REDD). Offset credits from ARB-approved linked cap-and-trade programs (such as WCI Partner jurisdictions) are also proposed to be compliance-eligible in California's cap-and-trade program.

ARB staff is planning to incorporate provisions in the cap-and-trade regulation that would allow multiple methods to be used to make offset credits available following Board approval of specific protocols or programs. To develop the approach to issuing compliance-eligible offset credits based on specific protocols, ARB staff is:

- Proposing to work with qualified third-party offset programs to bring emission reductions from new projects into the offset system: ARB recognizes that third-party offset programs (such as the Climate Action Reserve) have existing capabilities and infrastructure that can be deployed quickly to enhance the supply of compliance-eligible offsets. ARB is exploring the conditions and processes by which third-party offset programs can use the ARB-adopted protocols to help generate compliance-eligible offsets.
- Relying on the Climate Action Reserve (CAR) work on four protocols: forestry, manure management digesters, urban forestry, and ozone depleting substances (ODS): ARB recognizes the extensive contributions that stakeholders and experts have made to the CAR protocols, including fashioning effective solutions to difficult problems. Accordingly, ARB is relying on this work to help support ARB's offset quality objectives as well as provide continuity and stability for offset projects both within California and other parts of the United States. As part of its evaluation of these protocols, ARB staff is examining several aspects for potential adjustment, including:
 - Evaluating mechanisms for ensuring permanence in forestry projects to ensure that they are effective and enforceable by ARB.
 - Reviewing technical details to determine whether to incorporate minor adjustments, such as whether to require credits for the ODS protocol to be limited to destruction at facilities with Resource Conservation and Recovery Act permits.

- Recommending minor modifications to each protocol to align with requirements of the cap-and-trade program, such as aligning project start eligibility dates and crediting periods, or alignment of terms and definitions.
- Proposing to recognize emission reductions from existing CAR projects under the four protocols: ARB staff is developing a process so emission reductions from qualified existing CAR projects can be brought into the compliance system and become compliance eligible. Recognizing existing projects will help to create an initial supply of offset credits for the cap-and-trade program. The definition of the eligible start date for existing projects is under consideration. The process must be adopted by the Board as part of the cap-and-trade rulemaking and be consistent with applicable verification and enforcement provisions of the final regulation.
- Proposing to review and adopt additional protocols. ARB staff will evaluate additional offset project types and protocols in the future. Protocols developed by third parties will be reviewed and, if acceptable, be considered for adoption by ARB.

Rulemaking Requirements

ARB's offset program is being developed as part of the cap-and-trade rulemaking. The rulemaking will include the requirements for a verification program that is consistent with international standards and subject to ARB oversight. This oversight includes verifier accreditation, requirements for verification services, and conflict of interest requirements. The rulemaking will also include enforcement provisions that would apply to parties that participate in the offset program. Those parties may include project developers, verifiers, and compliance entities. Finally, the rulemaking also will include a process for cooperation with qualified third-party offset programs.

For additional information, contact Kevin Kennedy, Assistant Executive Officer, at (916) 322-6964, or by e-mail at kmkenned@arb.ca.gov.

News media inquiries can be directed to Stanley Young, ARB's Communications Director, at (916) 322-1309, or Lindsay VanLaningham, Cal/EPA's Acting Communications Director, at (916) 445-3123.

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