

**From:** Cynthia Mellon  
**To:** [ARB Clerk of the Board](#)  
**Subject:** Comments on TFS from Climate Justice Alliance  
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October 26, 2018

Mary Nichol  
Chair, California Air Resources Board  
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The Climate Justice Alliance (CJA) is an alliance of over 60 community organizations, networks, and network support organizations on the frontlines of the climate crisis in North America. CJA's constituencies are rooted in Indigenous, African American, Latino, Asian Pacific Islander, and poor white communities. They are linked in a growing movement that demands bold action by governments and industry to confront the root causes of climate change. Our members are united in demanding a just transition from an economy dependent on fossil fuels, extraction, and dirty industries to a regenerative economy that will reduce greenhouse gas emissions at the source, restore equity, and put decision-making in the hands of communities. Eight of CJA's member organizations are based in California, with several located in the refinery corridor of San Francisco's East Bay. Nine others are national organizations with their head offices and directors located in California.

From our position as a national coordinating body, informed and guided by the knowledge and recommendations of our members, the Climate Justice Alliance submits the following comments with regard to the proposed California Tropical Forest Standard (CTFS).

The California Air Resources Board (CARB) should deny approval of the CTFS, based on the following:

**Carbon emissions should be reduced at the source, not offset or bargained on the market**

California, along with all other jurisdictions, should focus on achieving real emissions reduction and transitioning to a fossil fuel free economy. As has been amply stated in the recent report by the International Panel on Climate Change (IPCC) the world's environment must be protected from fossil fuels. Real and immediate emissions reductions are the only true solution to climate change. Conversely, California's cap-and-trade program and the proposed CTFS would continue to lock California into the status quo of bargaining on carbon emissions, rather than reducing them at source, as is so clearly needed.

**Offsets through carbon trading have not reduced emissions**

Carbon pricing systems, including carbon credits, offsets, and carbon pricing, have not been successful at reducing carbon emissions in any part of the world. <sup>[1]</sup> In the case of the refinery and

transportation sectors in California, emissions in the state have stayed the same during the most recent time period (2017). Most significantly, cap-and-trade and other market-based solutions serve as a distraction from what should be the primary focus: ending carbon emissions at the source and moving away from a fossil fuel economy.

### **Offsets have failed to improve air quality in the most vulnerable communities**

Carbon offsets do not result in a reduction of emissions, but rather, provide large-scale polluters, such as refineries, with a legal means for releasing greenhouse gasses. Communities like Richmond, CA, that have historically suffered from carbon co-pollutants, continue to do so. In Richmond, Martinez and other affected communities, residents struggle to protect the health of their families, especially vulnerable elders and children, many of whom suffer early deaths due to cancers, asthma and other debilitating diseases. According to latest data, the Chevron facilities in California emitted more than 11 million metric tons of GHGs, making it the largest corporate polluter in the state. Long distance carbon offsets provide no relief to these communities. For this reason, **we join CJA member group the Indigenous Environmental Network in calling for a just and thorough Environmental Assessment of California's refinery communities before entering into any further emissions reduction programs.**

### **Existing tropical forest offset programs harm Indigenous Peoples and other forest dwellers**

Tropical forest offset programs currently exist under the Reducing Emissions from Deforestation and Forest Degradation Program (REDD and REDD+). These programs do not meet the goal of reducing carbon emissions at the source and they have increased problems for Indigenous peoples. Tropical forest offset programs pose serious risk to human and indigenous rights. The market linkages proposed by CARB will exacerbate already existing problems, specifically:

Some communities involved in REDD have expressed that they do not understand the programs, thereby indicating that the requirements of meaningful free, prior, and informed consent are not being met. Furthermore, it is not always clear who is giving consent, if they are the appropriate entities to be doing so, and if coercion was involved. There have been widespread allegations of human rights abuse and obstruction of justice. The REDD programs are vulnerable to corruption and conflicts of interest, putting California in a position of being complicit with situations it cannot police at long distance.

REDD projects have put Indigenous people at risk of displacement and/or loss of control of their forests, which are vital to their way of life, cultures, food security, and sovereignty. In Brazil, Indigenous peoples, Afro-Brazilian descendants of enslaved peoples, and small farmers experience intimidation and coercion, and have at times been physically excluded from the forests that are their homes. Furthermore, they are expected to bargain with grossly disproportionate economic powers, [\[2\]](#) in relation to which they are at extreme disadvantage.

### **Increased Political Instability**

The current political situation in Brazil, which is an important REDD participant, increases the danger and uncertainty of any forest-related offset program. Most of the candidates in Brazil's recent election have showed no interest in protecting the rainforest. The new President-Elect, Jair

Bolsonaro, wants to open up Indigenous territories to mining and hydroelectric dams, while cutting resources to FUNAI and IBAMA, Brazil's agencies for Indigenous Peoples and the environment, respectively. Entering into an enhanced agreement on forest offsets with a government intent on deriving financial gain from the forests, with little regard for Indigenous peoples, does not seem prudent.

**Offset programs are not effective for eliminating carbon emissions**

Offset programs exchange ongoing, permanent harm for uncertain, temporary carbon sequestration.

No compliance market in the world accepts REDD+ carbon credits. To persist in promoting a program that is clearly failing is not in keeping with the standards of responsibility many have come to expect of CARB.

Communities affected by high levels of greenhouse gasses are not served by carbon offset programs, like that proposed through the California Tropical Forest Standard, which have not been effective at lowering Greenhouse Gas and co-pollutant levels. At the same time, peoples who have lived in and cared for forests since time immemorial are actively hurt by programs like the proposed CTFS, in which land itself is treated as a climate solution, and forest regions become open to takeover and development, displacing Indigenous peoples who risk losing control of their habitat, lifeways, food security, and sovereignty.

For the above-stated reasons, the Tropical Forest Standards should be rejected by the California Air Resources Board.

Respectfully submitted,

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[1] <https://www.alternet.org/environment/why-pollution-trading-will-never-be-climate-solution-california-or-anywhere-else>

[2] See UN Special Rapporteur on the Rights of Indigenous Peoples,  
[https://rightsandresources.org/en/publication/cornered-by-protected-areas/#.W8eGl\\_mP8cA](https://rightsandresources.org/en/publication/cornered-by-protected-areas/#.W8eGl_mP8cA)

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