

As Indigenous Peoples Protest, California Approves Global Cap-And-Trade Plan

By: [Steve Horn](#) | September 23, 2019

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SACRAMENTO — California [voted to endorse](#) the [Tropical Forest Standard](#), a contested plan to extend [California's cap-and-trade system](#) globally into the world's forests.

Cited by proponents as a way to halt deforestation and by opponents as both a false solution to the climate crisis and a policy lever which could make it even worse, the [California Air Resources Board](#) passed it by a [7-4 vote](#). The plan is not actually the law of the land in the state yet, however, but simply an endorsement, for now, of its framework.

Falling under the category of REDD (reducing emissions from deforestation and forest degradation), the Tropical Forest Standard is a carbon offsets scheme long opposed by Indigenous people and environmental justice groups throughout the world because it is viewed as a financialization of forestry. Environmental justice advocates, by contrast, prefer standalone strict forest preservation regulations divorced from the for-profit market.

Forest offsets allow preservation of forestry to be traded for emissions elsewhere, with forests acting as de facto collateral for greenhouse gas emissions. It has also [come](#)

[under serious question](#) whether REDD, and [California's cap and trade program](#) on its own, actually put a damper on greenhouse gas emissions or just make a bad situation worse for the climate crisis.

The Tropical Forest Standard grew conceptually out of the [Governors Climate Task Force](#), a coalition of 38 subnational governmental leaders outside of the United States and two within the U.S. (California and Illinois) formed to tackle climate change. That task force was spearheaded by then-Governor Arnold Schwarzenegger. First put on the table as a concept called [REDD Offsets Working Group](#) under Governor Jerry Brown, during his last weeks in office in 2018, the Air Resources Board held a hearing to consider and vote on the Tropical Forest Standard, a last key piece of his gubernatorial legacy.

Due to opposition from Indigenous groups and environmental justice activists to the proposal, the Air Resources Board did not take a vote that day. Instead, it created a stakeholder group moderated by [Assemblyman Eduardo Garcia \(D-Coachella\)](#) to work through the contested issues.

That group met three times in 2019, Garcia explained at the hearing. He said that he held one meeting with opponents, one with proponents, and a third with both groups in the same room. Each meeting, he explained, had 20-30 representatives from those groups. After those meetings, Garcia and three other state representatives [wrote a letter](#) on June 17 in support of the Tropical Forest Standard.

“We believe that informed action, as presented by the standard and however imperfect, is the preferred action over the status quo,” said Garcia.

But Gary Hughes, an opponent of the plan and the California Policy Monitor for the group [Biofuelwatch](#), said he believes the stakeholder group was a way to provide “narrow handrails” and channel outrage. He saw it as a way of buying time for proponents of the scheme and a way to shape their message.

Instead, Hughes pointed to the California Legislature’s Joint Committee on Climate Change Policies as a more apt arena to provide legislative oversight and accountability on the Tropical Forest Standard in a public setting. The Real News previously reported that the Joint Committee [only met once in 2019](#) and did not even hire a staffer until the legislative session was well into its busiest time for bill deadlines. The Joint Committee did not even have the state’s latest climate numbers available to it at the time. And due to it being a committee bill passing deadline week, only two members—the chair and vice-chair—even showed up.

Indigenous, Environmental Divide

The hearing took place in a packed room, with opponents of the bill wearing red “Reject TFS” t-shirts. Those supporting the plan wore green t-shirts reading “Lead on Climate Change: Support the California Tropical Forest Standard.”

Indigenous groups from places ranging from Ecuador, Mexico, and Indonesia spoke in opposition of the plan. But Indigenous proponents from around the globe also backed the plan.

One of those opponents was Mirian Cisneros, President of the Kichwa Peoples of Sarayaku from the Amazon rainforest in Ecuador. With tears in her eyes, she expressed sorrow in the aftermath of the vote.

“Well, we learned a lesson from a lot of people who don’t have scruples and who are very weak,” said Cisneros through a translator. “And obviously we have a lot of work to do to educate all the brothers and sisters of our Indigenous peoples. I am also outraged by the Indigenous peoples who have come here saying they are speaking on behalf of all Indigenous peoples without the communities knowing what they are up to and without the authorization of the communities.”

Proponents celebrated their victory, by contrast. One Indigenous proponent of the proposal, Francisca (“Xica Arara”) Oliveira de Lima, the leader of the Arara Indigenous

people in Acre, Brazil, said she foresaw the victorious result in her dreams the night before.

“It’s a historic moment and I feel strong emotions about it,” she said through a translator. “This is the start of the next 50 years. I’m still aware that it’s our responsibility now to follow that Brazil sees this through. It’s not enough to just be on paper, it has to happen, too.”

Cisneros remains skeptical that this happiness will last, however.

“Today they left the hearing with a big smile, but one day that joy is going to convert into sadness, just as we are weeping now,” she said. “I may not be there, but my children are going to know about the struggle that I waged against this. Our children will celebrate each and every one of us because we gave it our all and tried to defend our territories from this.”

Even individual tribes were split on the Tropical Forest Standard.

Two rank-and-file members of the Yurok Tribe, the largest in California, testified against the plan, but several Yurok leaders advocated for it. Those opposed said that the tribal leadership did not consult with its members when [writing a letter to endorse](#) the standard as part of the public comment period for the plan.

“I’m here to say that we didn’t agree to any of this. The membership hasn’t been notified or anything and this is something a couple people signed over,” said Shannon Albers, a member of the [Yurok Tribe](#) who grew up on the [Hoopa Valley Indian Reservation](#). “But they come over and say they have 6,000 members, but they don’t even understand or haven’t heard of this and then when they find out about this, it’s a done deal. And now they’re mad.”

Indigenous groups were not the only ones divided on the Tropical Forest Standard. Environmental groups also did not see eye to eye on the issue, with environmental

justice-oriented organizations opposing it and larger, corporate-funded groups supporting it.

After it got the affirmative vote, [Environmental Defense Fund](#)—one of the central backers of the plan, which [receives funding](#) from oil industry financiers and Wall Street—praised the state for it what it described as “climate leadership.”

“The Tropical Forest Standard sends a clear message that California sees itself as a catalyst in solving the global climate crisis, and acknowledges the essential role Indigenous peoples play in forest protection,” Derek Walker, Vice President for U.S. Climate for EDF, [said in a press release](#). “As nations gather in New York to raise their ambition and recommit to climate action, there’s no better place to look for inspiration than to California and the Tropical Forest Standard. The rest of the world should follow California’s lead.”

[Katie Valenzuela](#), political and policy director for the [California Environmental Justice Alliance](#), saw the situation as a form of divide and conquer.

“It is a shame that—yet again—environmental justice communities are forced to defend themselves against a strategy promoted by corporate-funded environmental groups,” said Valenzuela. “These groups often promote strategies that sacrifice the health and well-being of communities of color in the interest of promoting dubious solutions for our climate crisis. In this case, these environmental groups promoted the TFS as a way to help companies ‘greenwash’ their organizations without actually reducing emissions, and created serious divisions within Indigenous communities to accomplish their goal.”

“Worse Than Doing Nothing”

About 100 people signed up to testify at the hearing.

Opponents dominated the first half of the meeting, but a “fireworks effect” took place, in which proponents spoke during the grand majority of the second half of the meeting. Air Resources Board staff chooses the order of speakers.

The California Air Resources Board has a mix of permanent staff and appointed voting Board members, the latter all chosen by the governor for six-year appointments. The Board has a voting chairperson, too, also selected by the governor. The current chair is [Mary Nichols](#), originally a Schwarzenegger appointee, reappointed by Brown. Nichols also formerly worked as Assistant Administrator for Air and Radiation for the U.S. Environmental Protection Agency under Bill Clinton.

In Nichols' introductory remarks, she cited the need to act on global deforestation, with fires breaking out worldwide and clear cutting [morphing](#) forests from carbon sinks into serious greenhouse gas emitters.

“We’ve all witnessed the disappearance of tropical forests across the globe over the last decades and most recently we have all seen images of the Amazon burning,” said Nichols. “So far this year, more than 87,000 fires have ignited across Brazil alone. This amounts to more than 80 percent more fires than this same period last year. Many of these fires were ignited specifically to clear land for cattle ranching and for crops reflecting the current economic reality that values cleared forests more than in-tact forests.”

Nichols added that she believed that the Tropical Forest Standard can serve as a solution to “flip the economic equation that has led to the wholesale clearing of tropical forests. That is the motivation for this issue being in front of us.”

But Valenzuela, the former and first ever staffer for the Joint Committee on Climate Change Policies—then chaired by Assemblyman Garcia— called the plan “worse than doing nothing” on the issue. It was a statement made with much gravitas, given her former boss, Assemblyman Eduardo Garcia, sat at the dais as she testified.

“You are considering a standard that has proven to fail,” said Valenzuela, who also staffed the stakeholder process before switching jobs to work for CEJA. “There have

been billions of dollars invested. Let me repeat, billions have been spent on schemes very similar without success. If we think that we are going to change and do something that would magically succeed, I don't understand where the proof comes from because the critiques have not been responded to."

Climate "Leader"

After the public comments, the Air Resources Board responded, explaining how they would vote and why. Those voting "yes" cited the duty they felt California has to act as a "leader" on climate change.

"California has been a leader in the world on local air pollution and climate change, and yes, even for local pollution. What we've done in zero-emission vehicles and emissions standards has been a model for the rest of the country and the world. It's followed us," said Board member [Daniel Sperling](#). "And what we do is so hugely important. And so, I'm a proud Californian that we have taken leadership and I'm proud of our staff for such a great job of working through the details of how to make this work. And so I'm looking forward to us adopting this rule."

But [Diane Takvorian](#), Executive Director of the San Diego-based [Environmental Health Coalition](#) and an Air Resources Board member, slammed the entire process which transpired over the last year.

"I have no doubt that we all are all sharing the same goal of preserving tropical forests, but I have to say that this version of the Tropical Forest Standard has no significant revisions to the fundamental framework you presented in November and I'm deeply disappointed about that," she said. "There was the clear sentiment of members of this Board that a different, more expansive view be taken and in my view, that didn't happen."

She added that “The current evidence [is] that the underlying framework for this Tropical Forest Standard has not worked on an international level and I have not heard any evidence that California knows better than the UN or other international bodies.”

A previous version of this article stated that the Environmental Defense Fund receives funding from the oil industry. This was written in error. EDF, instead, receives funding from industry financiers. That is now reflected in the article.

EDF also [receives funding](#) from the Cynthia and George Mitchell Foundation, which [invested 56 percent](#) of its equity into the Oklahoma City-based oil and gas drilling company, Devon Energy for fiscal year 2017. One of the members of EDF’s Board of Directors and the president of the family foundation, Katherine Lorenz, is the granddaughter of George Mitchell. Mitchell is [considered the father](#) of the modern hydraulic fracturing boom. Devon [bought](#) Mitchell Energy in 2001.