

## Oppose Carbon Offset Scams Like the Growing Climate Solutions Act

April 14, 2021

Dear Members of Congress:

We, the undersigned organizations, encourage you to oppose the Growing Climate Solutions Act of 2021. While agriculture and land management can play key roles in addressing the warming climate, this legislation would allow greenhouse gas emissions to continue unchecked and would undermine efforts to build a healthy, sustainable, and resilient food system.

The Growing Climate Solutions Act would require the U.S. Department of Agriculture (USDA) to help agricultural entities generate carbon credits by certifying third-party verifiers and creating a “one stop shop” to educate and enroll farmers in third-party carbon markets. Power plants, refineries, and other polluters could purchase these carbon credits to offset their emissions, or even increase them, instead of actually reducing and eliminating them. Third-party verifiers have inherent conflicts of interest that would create a system ripe for fraud.

This legislation aims to build a framework for broad-scale development of carbon markets and to pave the way for a national cap-and-trade program. We oppose these carbon schemes for the reasons discussed below. Instead, Congress should invest in existing conservation programs to help transition farmers to more ecologically regenerative and resilient agricultural practices and systems — ones that do not facilitate more carbon offsets or carbon banks or rely on expensive and harmful chemical inputs, many of which are fossil fuel derivatives. Congress must also enact policies that require polluters to reduce and eliminate pollution at the source by stopping the expansion of oil and gas production and infrastructure, while investing resources to ensure environmental justice and a just transition to healthier, more sustainable communities.

### **Agricultural and forest offsets are an ineffective policy for addressing the climate crisis**

These carbon offset schemes allow utilities, fossil fuel companies and other polluters to continue releasing greenhouse gases, instead of actually reducing and eliminating their emissions. This is because fossil fuel based carbon extracted from where it has been sequestered underground for millions of years, safely trapped in the slow carbon cycle cannot be offset by temporary actions in the short carbon cycle.

- The majority of the earth’s carbon is stored in geological formations in the form of fossil fuels. Carbon locked in these “slow-exchange” reservoirs take tens of thousands to millions of years to cycle back into the atmosphere — unless interrupted by volcanic eruptions or fossil fuel extraction and combustion.<sup>1</sup>
- “Fast-exchange” reservoirs like soil and biomass have limited storage capacity and may re-release carbon in a matter of decades — or sooner from land conversion, unmitigated erosion due to flood episodes, or wildfires.<sup>2</sup>
- The fast carbon cycle (oceans, soil, forests) cannot absorb and sequester fossil fuel carbon pollution, as proposed through soil offsets, on the timescale of fossil fuels either

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<sup>1</sup> U.S. Global Change Research Program. “Second State of the Carbon Cycle Report.” 2018 at 47 to 48.

<sup>2</sup> U.S. Global Change Research Program. “Second State of the Carbon Cycle Report.” 2018 at 47 to 48.

prior to or after extraction.<sup>3</sup> The Earth is not an endless sponge to absorb fossil fuel carbon. If it was, we would not have climate change.

- Methods for measuring soil carbon sequestration remain underdeveloped, inconsistent, and influenced by specific climates and geographies.<sup>4</sup> There is simply no way to accurately estimate carbon sequestration because the fast carbon cycle does not function this way. Establishing a price for offsets consistent with integrity principles, including “permanent” and “quantifiable,” perpetuates a myth that agriculture can sequester fossil carbon quickly and definitively.

### **Carbon offset programs are incompatible with sustainable agriculture and may drive further consolidation of farms and agribusinesses**

Carbon offsets allow fossil fuel polluters to continue polluting the climate, while undermining sustainable farming. In addition, differences between carbon reservoirs, lack of leverage for farmers, and potential for disproportionate benefits all demonstrate that carbon banks are not good for agriculture:

- Market-based carbon credit programs give additional leverage to already powerful corporations, including agribusinesses, that have long squeezed farm income and drained rural economies.<sup>5</sup> Companies may continue to capture the majority of profits and valuable on-farm data at the expense of farmers.
- Carbon credit programs will likely be most feasible for larger operations, potentially leaving out smaller farms, farmers of color — including Black and Indigenous farmers and Tribal Nations — who are already underserved by USDA programs and Commodity Credit Corporation payments.
- Benefits of carbon payments would not extend to organic and other operations that have already invested in regenerative and/or agroecological practices.

### **Carbon credit programs are ineffective at reducing emissions and pollute environmental justice communities**

Due to issues of flawed concepts of earth’s pollution absorbing capacity, impermanence, additionality, corruption, and market forces, carbon offset programs can increase emissions — of not just greenhouse gases, but also harmful co-pollutants like hazardous air pollutants, PM 2.5, and ozone precursors. This can be particularly acute in environmental justice communities when major sources of pollution rely on offsets instead of direct emissions reductions. Below are a few examples of such failures:

- A Stockholm Environment Institute report found that around 75% of offsets issued under the Kyoto Protocol were non-additional,<sup>6</sup> meaning they would have occurred even

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<sup>3</sup> Solomon, Susan. Et At. Irreversible climate change due to carbon dioxide emissions. Proceedings of that National Academy of Sciences. Feb 10, 2009. At 1704-1709.

<sup>4</sup> U.S. Global Change Research Program. “Second State of the Carbon Cycle Report.” 2018 at 249 to 252.

<sup>5</sup> Institute for Agriculture and Trade Policy (IATP). “Why carbon markets won’t work for agriculture.” January 2020 at 2.

<sup>6</sup> Kollmuss, Anja. Stockholm Environment Institute. “Has Joint Implementation reduced GHG emissions? Lessons learned for the design of carbon market mechanisms.” August 2015 at 5.

without the program in place. Similarly, a USDA study looking at conservation tillage practices found that only about 50% were additional.<sup>7</sup>

- A California Air Resources Board's US Forest analysis found 82% of the credits reviewed "likely do not represent true emissions reductions" due to lenient accounting rules for leakage, resulting in an additional 80 million tons of CO<sub>2</sub> emissions from over-crediting.<sup>8</sup> The states in the Regional Greenhouse Gas Initiative, a multistate carbon offset program, increased gas generation by 11.2% during the first seven years of the offset program instead of accomplishing reductions, while renewables only increased by 2.1% over the same time period.<sup>9</sup>
- A Food & Water Watch analysis found that states with carbon credit programs saw emissions of CO<sub>2</sub> and PM 2.5 increase in environmental justice communities, while emissions went down in more affluent communities.<sup>10</sup> For example, when carbon offsets subsidize manure digesters at factory farms, they incentivize the creation of methane — a far more powerful greenhouse gas than CO<sub>2</sub> — along with other harmful pollutants including ozone-forming volatile organic compounds, nitrates, ammonia, hydrogen sulfide, and harmful air pollutants emitted when the factory farm gas is combusted, all of which disproportionately impact environmental justice communities.<sup>11</sup>
- Researchers analyzing California's cap-and-trade program found that 52% of facilities increased emissions of greenhouse gases and co-pollutants, while cap-and-trade sources were disproportionately located in communities of color.<sup>12</sup>
- Carbon markets are open to fraud. A study in *Nature* identifies hundreds of millions of dollars in profits made by Ukrainian and Russian companies selling fraudulent credits into the EU Emissions Trading System.<sup>13</sup>

## **Building Back Better in agriculture means building healthier food systems and rural communities**

USDA has the necessary tools to build soil health, protect water quality, and avoid greenhouse gas emissions while boosting farm income:

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<sup>7</sup> Claassen, Rodger. U. S. Department of Agriculture (USDA). "Additionality in U.S. Agricultural Conservation and Regulatory Offset Programs." July 2014 at 16.

<sup>8</sup> Haya, Barbara. Goldman School Goldman School of Public Policy Working Paper. "The California Air Resources Board's US Forest offset protocol underestimates leakage." May 2019 at 1.

<sup>9</sup> Food & Water Watch (FWW). "The Lose Lose Reality of RGGI." April 9, 2018 at 1.

<sup>10</sup> FWW. "Cap and Trade Hurts Environmental Justice." December 2019 at 2.

<sup>11</sup> FWW. "Biogas From Factory Farm Waste Has No Place in a Clean Energy Future." July 2019 at 3.

<sup>12</sup> Cushing, Lara, Dan Blaustein-Rejto, Madeline Wander, Manuel Pastor, James Sadd, Allen Zhu, and Rachel Morello-Frosch. "Carbon Trading, Co-Pollutants, and Environmental Equity: Evidence from California's Cap-and-Trade Program (2011–2015)." *PLOS Medicine*, 2018, 1–21; Cushing, Lara J., Madeline Wander, Rachel Morello-Frosch, Manuel Pastor, Allen Zhu, and James Sadd. "A Preliminary Environmental Equity Assessment Of California's Cap-and-Trade Program," 2016. <http://dornsife.usc.edu/PERE/enviro-equity-CA-cap-trade>.

<sup>13</sup> Schneider, Lambert. *Nature Climate Change*. "Perverse effects of carbon markets on HFC-23 and SF<sub>6</sub> abatement projects in Russia." August 2015 at 1061–1063.

- The Environmental Quality Incentives Program (EQIP) pays farmers for practices that can build soil health and make farmland more resilient to a changing climate. Yet up to 85% of farmers vying for EQIP funding are turned away in a given year.<sup>14</sup>
- USDA can close loopholes that enable unsustainable factory farms to capture conservation funding for use in other false solutions, such as building manure lagoons and creating factory farm gas operations.
- The Conservation Stewardship Program (CSP) is an example that pays farmers to increase conservation in farming practices.
- Rather than funding ad-hoc practices, incentives can activate a comprehensive strategy promoting widespread shifts to organic, regenerative, and agroecological farming systems. Simply encouraging farmers to practice no-till agriculture, dependent upon fossil-fuel derived herbicides like glyphosate, for example, will not meaningfully reduce emissions or build healthy, resilient soil.

Instead of continuing the legacy of pollution through carbon markets, we encourage policies that eliminate pollution at the source and support local food economies, better living wages for farmers and farmworkers, and pathways for sustainable practices of food and energy production.

Congress needs to transition away from factory farming and large agricultural interests by increasing funding for conservation programs, and supporting farms in adopting regenerative practices that enhance soil health, protect biodiversity, and help make our food system more resilient to the climate crisis -- all without the use of counter-productive carbon pricing systems including offsets and banks. Black, Indigenous, Tribal, family farmers and ranchers need structural reforms that ensure fair markets and prices, and infrastructure that supports transitions to and sustainable continuance of regenerative farming. Ecologically regenerative farming should be incentivized in addition to, and not instead of, carbon reductions in the energy and transportation sectors. We urge you to oppose the Growing Climate Solutions Act of 2021 and support policies that will halt greenhouse gas emissions and empower rapid transition to a more just, healthy and sustainable future for all.

Sincerely,

Original Signatories:

Biofuelwatch  
 Businesses for a Livable Climate  
 Call to Action Colorado  
 CatholicNetwork.US  
 Family Farm Defenders  
 Food & Water Watch  
 Friends of the Earth

Indigenous Environmental Network  
 Institute for Agriculture and Trade Policy  
 Loretto Earth Network  
 Organic Consumers Association  
 Progressive Democrats of America  
 Public Justice  
 Rapid Shift Network

Additional Signatories

198 methods

350 Butte County

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<sup>14</sup> Congressional Research Service. "Environmental Quality Incentives Program (EQIP): Status and Issues." R40197. May 9, 2011 at Table 3 on page 8.

350 New Hampshire  
350Brooklyn  
350NJ-Rockland  
350NYC  
350NYC  
50by40  
A Stone's Throw Bed & Breakfast  
A+ B2B Copy (Green tech specialization)  
ABC Earth Care Team  
ActionAid USA  
Agroecology Research-Action Collective  
All Our Energy  
Alternatives for Community & Environment  
(ACE)  
Animal Legal Defense Fund  
Animals Are Sentient Beings, Inc.  
Ashtabula, Geauga, Lake Counties Farmers  
Union (Ohio)  
Athens County's Future Action Network,  
acfan.org  
Benedictine Sisters of Erie  
Beyond Pesticides  
Beyond Plastics  
Big Reuse  
Brighter Green  
Bronx Climate Justice North  
Buffalo River Watershed Alliance  
Campaign for Renewable Energy  
Center for Food Safety  
Central Jersey Environmental Defenders  
Chemung County Mother's Out Front  
Church Women United in New York State  
CleanAirNow  
Climate Hawks Vote  
Coalition Against Pilgrim Pipeline - NJ  
Coalition for Outreach, Policy, and  
Education  
Coalition to Protect New York  
Colorbrightongreen  
CWA Local 1081  
divinAmerica, llc  
Don't Gas the Meadowlands Coalition  
Earth Ethics, Inc.  
Earthworks

Eastern Cherokee Organization ECO  
Ecoaction Committee of the Green Party of  
the U.S.  
Endangered Species Coalition  
Environmental Justice Taskforce of the  
WNY Peace Center  
Environmental Stewardship Committee of  
the New York Society for Ethical Culture  
Environmentalists Against War  
Erie Benedictines for Peace  
Factory Farming Awareness Coalition  
Fossil Free Tompkins  
Fox Valley Citizens for Peace & Justice  
Franciscan Action Network  
FreshWater Accountability Project  
Future Coalition  
GAIA  
Gas Free Seneca  
GBC Sustainability Team  
Global Justice Ecology Project  
Green Delaware  
Green Party of Nassau County  
Green Party US EcoAction Committee  
Green State Solutions  
Greenpeace USA  
GreenRoots  
Harford County Climate Action  
Hilton Head for Peace  
Hoosier Environmental Council  
Howard County Climate Action  
iEat Green, LLC  
Indivisible Nation BK  
Indivisible Ulster  
Inner-City Neighborhood Art House  
Institute for Policy Studies Climate Policy  
Program  
John Muir Project of Earth Island Institute  
Johns Hopkins Center for a Livable Future  
Kickapoo Peace Circle  
L&R Manufacturing  
Labor Network for Sustainability  
Livelihoods Knowledge Exchange Network  
Long Island Progressive Coalition  
MADRE

Milwaukee Riverkeeper  
Morningside Gardens Green Committee for  
Environmental Sustainability  
Mothers Out Front  
Mothers Out Front - Long Island Team  
Mothers Out Front, Croton Hudson, NY  
Movement Rights  
MoveOn.org Hoboken  
Nassau Hiking & Outdoor Club  
National Black Environmental Justice  
Network  
National Family Farm Coalition  
NC Council of Churches  
New Jersey Tenants Organization  
New York Communities for Change  
New York Lawyers for the Public Interest  
NOFA-NH  
North American Climate, Conservation and  
Environment (NACCE)  
Northeast Organic Farming Association -  
Interstate Council  
Northeast Organic Farming Association of  
Vermont  
Northern Plains Resource Council  
Nuclear Age Peace Foundation  
Nuclear Information and Resource Service  
NY Climate Advocacy Project  
NYCD16 Indivisible  
Occupy Bergen County  
Ocean Conservation Research  
Orange Residents Against Pilgrim Pipelines  
Organic & Regenerative Investment  
Cooperative  
People Demanding Action  
People for a Healthy Environment  
People Over Pipelines  
Peoples Climate Movement-NY  
Pesticide Action Network North America  
(PANNA)  
Physicians for Social Responsibility  
Physicians for Social Responsibility FL  
Plymouth Friends for Clean Water  
Princeton Student Climate Initiative  
Protecting Our Waters

Physicians for Social Responsibility AZ -  
Director  
Putnam Progressives  
Rachel Carson Council  
Ramapough Lunaape Nation  
Reach Out America  
Regional Farm and Food Project  
Residents Allied for the Future of Tioga  
(RAFT)  
River Guardian Foundation  
Rural Vermont  
SCNY Office of Peace, Justice and Integrity  
of Creation  
Seneca Lake Guardian  
Show Up LI  
Sisters of Charity Federation  
Sisters of St. Dominic of Blauvelt, New York  
Slow Food North Shore  
Slow Food USA  
Socially Responsible Agriculture Project  
SOMA Action  
Stop the Algonquin Pipeline Expansion  
Sustainable Tompkins, Inc.  
Tampa Heights Acupuncture  
The Banner  
The Climate Mobilization North Jersey  
The Corner House  
The Wei LLC  
Thomas Berry Forum for Ecological  
Dialogue  
Three Parks Independent Democrats  
Thrive\_At\_Life: Working Solutions  
Toxic Free North Carolina  
Toxics Information Project (TIP)  
United Native Americans  
Wall of Women  
Water Climate Trust  
WESPAC Foundation, Inc.  
[www.Eco-Poetry.org](http://www.Eco-Poetry.org)  
Zero Hour