



June 23, 2023

Our Mission

We're working to rapidly reduce climate pollution at scale, starting in California.

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The Honorable Brian Maienschein
Chair, Judiciary Committee
California State Assembly
1020 N Street, Room 104
Sacramento, CA 95814

The Honorable Bill Essayli
Vice Chair, Judiciary Committee
California State Assembly
1020 N Street, Room 104
Sacramento, CA 95814

RE: Senate Bill 390 (Limón) - Protecting the Integrity of Voluntary Carbon Offsets - SUPPORT

Dear Chair Maienschein and Vice Chair Essayli,

I am writing to express my strong support for SB 390, introduced by Senator Monique Limón, on behalf of The Climate Center. This bill plays a vital role in safeguarding the integrity of voluntary carbon offsets and ensuring that environmental claims related to greenhouse gas reductions are quantifiable, real, additional, and durable.

The Climate Center is a California nonprofit 501(c)(3) organization founded in 2001 with a mission to deliver rapid greenhouse gas (GHG) reductions at scale, starting in California. Our strategic goal is to enact the bold policies required by science to put California on the path to net-negative emissions by 2030, catalyzing the nation and the world into accelerated climate action.

Under existing law, it is unlawful to make misleading or deceptive environmental marketing claims. However, SB 390 takes this protection a step further by specifically addressing the certification, maintenance, marketing, and sale of voluntary carbon offsets. It establishes important standards to prevent the misrepresentation of the environmental benefits associated with these offsets.

The bill prohibits any person from certifying, issuing, maintaining, marketing, or selling a voluntary carbon offset if they know or should know that the associated greenhouse gas reductions or removal enhancements are unlikely to be quantifiable, real, and additional. This provision ensures that voluntary carbon offsets deliver genuine and verifiable emissions reductions, enhancing transparency and consumer confidence in offset markets.

Furthermore, SB 390 addresses the durability of greenhouse gas reductions or removal enhancements. It prohibits the marketing, sale, or availability of a voluntary carbon offset if the person knows or should know that its greenhouse gas reductions are less durable than the atmospheric lifetime of carbon dioxide emissions. This provision prevents the promotion of offsets that may not provide long-term climate benefits, reinforcing the importance of lasting environmental impact.

The bill also addresses the atmospheric lifetime of greenhouse gasses associated with voluntary carbon offsets. However, given the complex nature of the carbon cycle, this bill allows for voluntary carbon offsets to be sold if it is explicitly stated that the offset is not physically equivalent to the climate impact of carbon dioxide emissions. It prohibits marketing, sale, or availability of an offset if the person knows or should know that the atmospheric lifetime of the offset's greenhouse gas reductions or removal enhancements is less than the atmospheric lifetime of carbon dioxide emissions. This provision ensures that offsets contribute meaningfully to addressing climate change and do not merely shift emissions from one sector to another.

By establishing these critical standards, SB 390 protects consumers, promotes environmental integrity, and enhances the credibility of voluntary carbon offset programs. It aligns with our collective goal of achieving meaningful emissions reductions and advancing a sustainable future.

Therefore, I urge you to support SB 390 and recommend its passage in the Assembly Judiciary Committee. This bill is a crucial step toward ensuring that voluntary carbon offsets contribute effectively to our climate goals while preventing deceptive practices that undermine the credibility of offset markets.

Thank you for your attention to this important matter. I trust that you will consider the merits of SB 390 and take necessary action to protect the integrity of voluntary carbon offsets.

Sincerely,

Nicole Rivera
Government Relations Director
The Climate Center