



National Indian Carbon Coalition

Providing Resources and Training for Greenhouse Gas Management in Indian Country

What is a carbon footprint?

- When you use energy or products manufactured with fossil fuels you generate carbon dioxide and other greenhouse gas emissions (GHGs) that contribute to climate change.
- The combination of emissions caused by your home, transportation, and daily life is known as your “**carbon footprint.**”

Why support carbon offsets?

Carbon offsets are a practical and effective way to **address climate change** and **encourage the growth of renewable energy**.

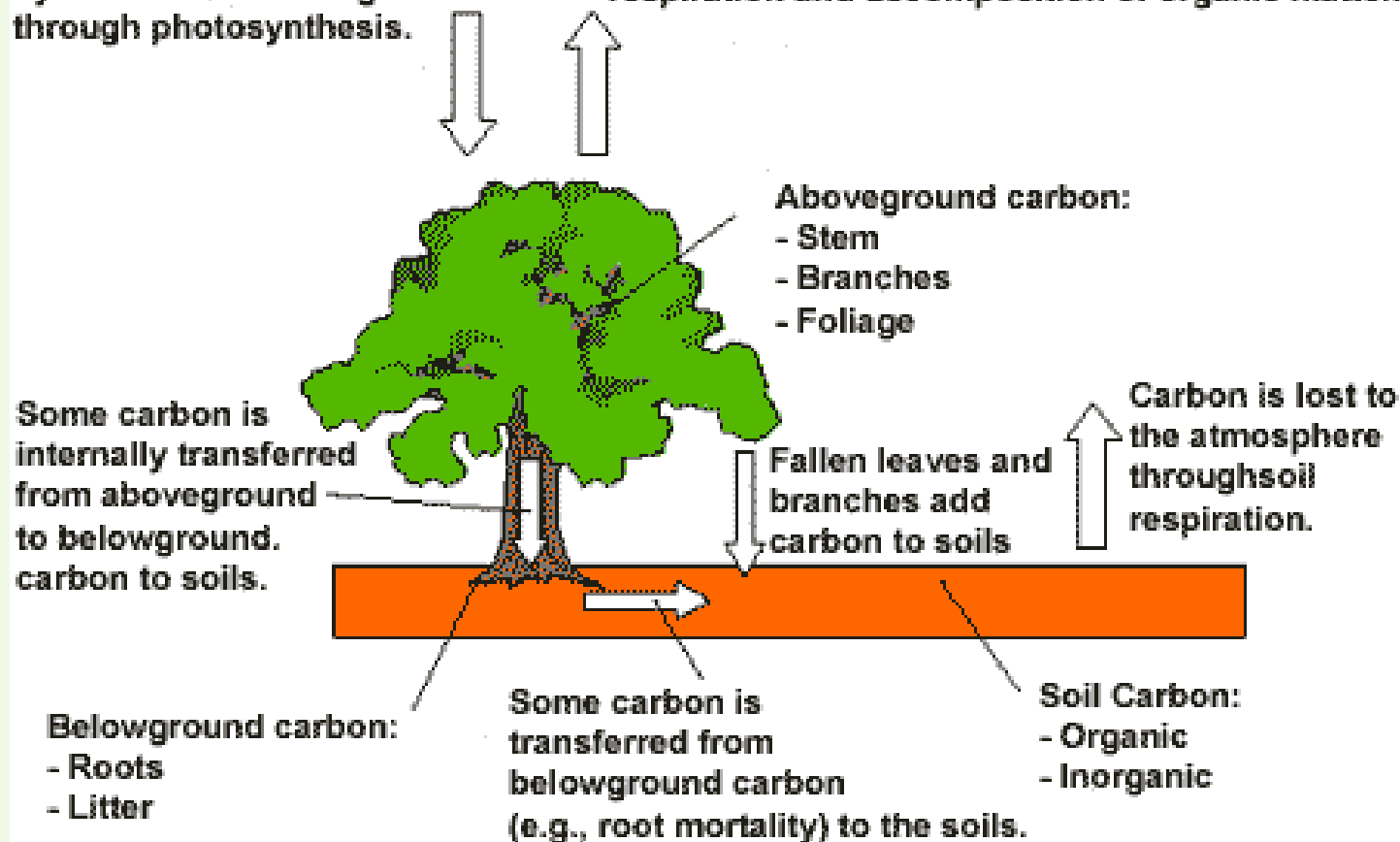
What is a carbon offset?

A carbon offset is a reduction in emissions of **carbon dioxide** or **greenhouse gases** (GHGs) made in order to compensate for or to offset an emission made elsewhere.

Greenhouse Gas Management

Atmospheric carbon is fixed by trees and other vegetation through photosynthesis.

Carbon is lost back to the atmosphere through respiration and decomposition of organic matter.



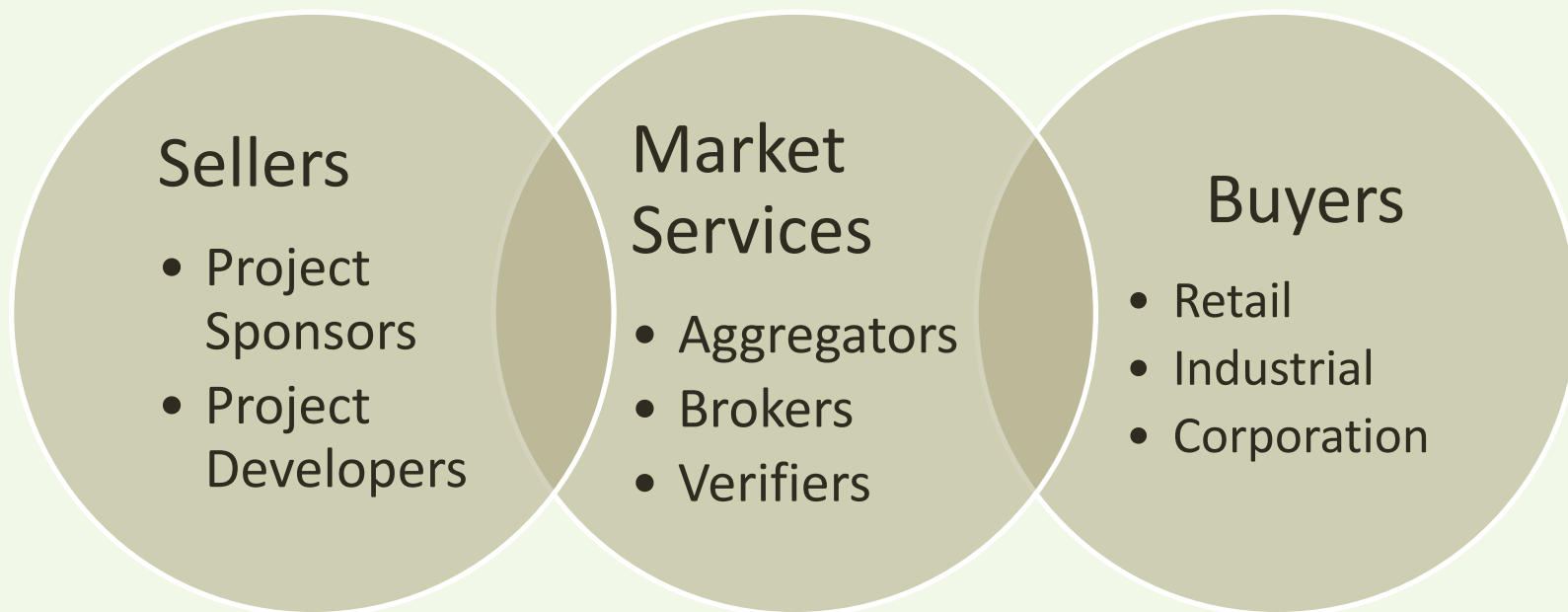
Carbon Markets

- Voluntary

- International Air Transport Association
- Social Responsible Corporations (Google, Microsoft, Best Buy)

- Compliance

- California Cap and Trade
- Ontario, CA Cap and Trade



California Cap and Trade Program

- This market-based form of regulation sets a ‘**cap**’ or upper limit on the amount of carbon emissions that a company may legally produce.
- It then enables those companies who are producing more than the allowable amount to purchase or ‘**trade**’ for additional capacity from organizations that have not used their full allowance or have created carbon offset projects.

California Cap and Trade Program

- Tribal Projects
 - Yurok Tribe
 - Round Valley Indian Tribes
 - White Mountain Apache
 - Passamaquoddy Tribe
 - Confederated Tribes of Warm Springs
 - The Confederated Tribes of the Colville Reservation
 - Mescalero Apache Tribe
 - Chugach Alaska Corporation

Voluntary Carbon Market

The screenshot shows the Plan Vivo website homepage. At the top left is the Plan Vivo logo, a stylized figure holding leaves. To its right is the text "Plan Vivo" in a large, bold font, followed by the tagline "Improving livelihoods, restoring ecosystems" in a smaller font. Below this is a navigation bar with orange buttons for "Home", "About Plan Vivo", "Certification", "Project Network", "Resources", and "Plan Vivo Certificates". The main content area features a large photograph of three young green plants in black plastic nursery bags. Below the photo are three columns of content: "Blog" with a paragraph about the latest project portfolio, "News /Events" with a link to "MSc Carbon Masters goes CO2 neutral, offsets emissions with Plan Vivo Archive" and a red RSS icon, and "Impact" with statistics: "Over 1.8 million Plan Vivo Certificates issued, 10,000 smallholders and 270 community groups with plan vivos, 60,000 ha under management." At the bottom of the page is a horizontal strip of nine small, rounded square images showing various people and agricultural scenes.

Offset Project Registries

- A key component of the California Cap-and-Trade program provides for the creation of **Offset Project Registries**, which help the California Air Resources Board (ARB) administer the Compliance Offset Program.
- Offset Project Registries need to meet specific regulatory criteria for approval. These registries help facilitate the listing, reporting, and verification of offset projects developed using the Compliance Offset Protocols, and issue registry offset credits.

Offset Project Registries

- There are three approved Offset Project Registries: **American Carbon Registry (ACR)**, **Climate Action Reserve (CAR)**, and **VERRA**.
- Each Registry develops and approves Standards & Methodologies for projects

Methodologies

- Technical processes used by project developers to quantify the greenhouse gas benefits of different project types.
- They set out requirements for project developers to determine project boundaries, set baselines and assess additionality (whether a project or activity creates additional emissions reduction that would not have occurred if there were no changes in management practices).
- All methodologies set out criteria to determine whether a particular project is eligible for generating emission offsets for sale on a carbon credit or other environmental value market.

Methodologies

- Energy Generation
 - Switch from non-renewable biomass for thermal applications
- Energy Demand
 - Energy Efficiency Measures in Thermal Applications of Non-Renewable Biomass
- Transportation
 - Improved Efficiency of Vehicle Fleets
- Waste Handling and Disposal
 - Landfill Methane Collection and Combustion

Methodologies cont.

- **Agriculture, Forestry, Land Use**
 - Improved Forest Management (IFM) for Non-Federal U.S. Forestlands
 - Avoided Conversion of Grasslands and Shrublands to Crop Production
 - Compost Additions to Grazed Grasslands

Market for Grassland Carbon Credits is on the Rise

- Grasslands and rangelands are more resilient carbon sinks than forests in 21st century
- Grasslands lock carbon into the soil, and they don't release it during wildfires (as opposed to forest-based carbon projects)
- These ecosystems are being converted into croplands at the highest rate in decades. Landowners converted 1.6 million acres of long-term grasslands into croplands from 2008-2012

Market for Grassland Carbon Credits is on the Rise

- Landowners can now generate carbon credits by preserving grasslands and avoiding the climate impacts of land conversion, including the release of soil carbon, application of nitrogen-based fertilizers and use of carbon-emitting machinery
- Landowners can then sell the credits on the voluntary carbon market at competitive rates

Positives vs. Negatives – Forestry Carbon Project on CA Cap & Trade Market

- **Positives**
 - Potential for revenue generation
 - Complements BIA Integrated Resource Management Plan practices
 - Does not encumber commercial logging operations
 - Steward of the land

Positives vs. Negatives – Forestry Carbon Project on CA Cap & Trade Market

- **Negatives**

- Duration of project (up to 100 years)
- Requires a Limited Waiver of Sovereign Immunity
- Time commitment from tribal staff
- Reporting requirements of every six (6) years for the duration of the project
- Restrictions on land use (cannot develop housing, commercial enterprises, gaming)
- Natural disasters



**National Indian
Carbon Coalition**

GUIDANCE FOR CARBON PROJECT DEVELOPMENT ON TRIBAL LANDS

Purpose

Designed to facilitate carbon projects on Tribal lands by translating ACR requirements for the unique legal, historical, ownership and management characteristics of those lands

- Developed jointly by ACR and NICC, with support from USDA – Natural Resources Conservation Service
- Expert reviews by Tribal staff and project developers
- Version 1.0 published 2018

Scope – project types

- Any project for which an ACR-approved methodology exists
- Particular focus on land-based projects due to the unique challenges
- Energy projects avoiding direct emissions from fossil fuels

Scope – land ownership types

- Tribal trust and restricted fee lands
- Individual Indian lands
 - Individual Indian trust allotments, often with fractionated ownership
- Fee land (and fee in transition to trust)
- Alaskan Native Corporation lands

Approach for allotments

- Follows 25 CFR §162.012:
 - Up to 5 undivided interest owners → 90% consenting may bind remainder
 - 6-10 owners → 80%
 - 11-19 owners → 60%
 - >20 owners → 50%
- If Tribe is purchasing undivided interests in order to consolidate management of fractionated allotments, Tribe may bind other owners if it holds the same percent ownership as above

BIA role and approvals

- Applicable only to trust and restricted fee lands
- Some carbon project actions *may* require BIA approval
 - Change in land management
 - Committing to project for minimum term
 - Entering into lease agreement
 - Etc.
- But, BIA has no uniform nationwide policy
 - Regional offices have granted approval, or provided letters indicating approval not needed

“Permanence” requirements

- **Only** for sequestration projects, due to risk of reversals
- 40-year term and ACR Reversal Risk Mitigation Agreement
 - Signed by Project Proponent
 - Commit to maintain project, monitor and verify
 - Replace issued credits if *intentional* reversal (unintentional reversals covered by buffer account)
 - No waiver of sovereign immunity
 - Can use HEARTH Act authority (25 year lease + one renewal) on Tribal trust lands

Project baselines and additionality

- More conservative management than non-Indian lands is typical
 - Higher forest carbon stocks, lower livestock stocking levels, etc.
 - Avoid penalizing for good deeds
- Management plan that provides general guidance should not be treated as a legally binding baseline
 - But baseline must represent realistic management in absence of project

Project baselines and additionality

- Regional vs. Tribal lands baseline
 - Baseline based on Tribal lands in the project would not give credit for maintaining higher carbon than typical in region
 - Compare to regional baseline, representing typical management in region
 - E.g. forest carbon stocks, as affected by both Indian and non-Indian lands

Aggregated projects

- Aggregation can reduce project transaction costs
 - Prepare documentation, engage verifier, manage ACR account, distribute proceeds
- Could include:
 - Single Tribe, lands/facilities in multiple locations
 - Single Tribe, acting as agent for allottees
 - Tribe holding applicable percentage binds all and acts as (or designates) Project Proponent
 - Single Tribe, combining Tribal lands and allotments
 - Multiple Tribes, one designated lead Tribe as Project Proponent

A Joint Project

National Indian Carbon Coalition is a joint project of Indian Land Tenure Foundation and Intertribal Agriculture Council.



Indian Land Tenure
FOUNDATION®



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