Local leaders: Climate dividend a 'Trojan horse'

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The coastline of Marin County, Calif., where local officials are leading an effort to pass resolutions against litigation immunity for Big Oil. wikiphotographer/Flickr

Political leaders in counties and cities across the United States are supporting climate litigation against fossil fuel producers by passing local resolutions that highlight the court cases.

The Marin County Board of Supervisors in California passed a resolution Tuesday that opposes legal immunity for oil and gas companies should they be found liable for damages related to rising temperatures. The resolution seemed to address an immunity plan floated by the Climate Leadership Council (CLC), a group that supports pricing carbon dioxide emissions and disbursing the revenue to the public in the form of dividends.

Marin County — along with Imperial Beach, San Mateo, Richmond, Santa Cruz and Santa Cruz County — filed a climate nuisance lawsuit against 37 oil and gas companies in 2017.

The resolution passed this week warns of a "Trojan horse" being offered by the CLC. The resolution claimed that the group is "salting their industry-sponsored and funded proposal with provisions that foist the exponential costs of climate damages on local cities, towns, counties, and taxpayers."

The CLC, whose founding members include Exxon Mobil Corp., BP PLC, Royal Dutch Shell PLC and ConocoPhillips, is lobbying Congress to accept a four-pillar plan that would place a fee on carbon emissions.

Along with suggesting a $40-per-ton carbon fee, the CLC's plan would return the money collected from that fee back to taxpayers through dividend checks. The group claims that would create "a positive feedback loop: the more the climate is protected, the greater the individual dividend payments to all Americans."

But part of that plan would also end federal and state tort liability for emitters.
Mayor Tom Butt of Richmond, Calif., plans to offer a **resolution** at the U.S. Conference of Mayors' meeting in Honolulu at the end of the month.

That resolution — sponsored by seven mayors from Oakland, Santa Cruz and San Leandro, Calif.; Baltimore; Boulder, Colo.; Honolulu and Salt Lake City — opposes "any legislation, whether in Congress or state legislatures, that attempts to limit or eliminate cities' access to the courts by ... giving fossil fuel companies immunity from lawsuits over climate change-related costs and damages."

Kathrin Sears, president of the Marin County Board of Supervisors, said she and Butt are "like minds ... charging off in the same direction." Sears, Butt and many of the signatories on these resolutions come from states in which nuisance suits have been filed against fossil fuel companies.

Sears said she hopes the resolution that was passed by her board this week raises awareness about proposals that would reduce emissions while also stripping the ability of local officials to sue fossil fuel companies.

"This is an important wake-up call for everybody to watch the fine print," Sears said, "and make sure that while you're trying to do the right thing, you haven't just really shot yourself and everybody else in the foot."

The Marin County resolution, passed with no objections, will be sent to California Democratic Sens. Dianne Feinstein and Kamala Harris and Reps. Jared Huffman, Jackie Speier and Anna Eshoo.

Sears added that she hopes the resolution will encourage people "to reach out to their own reps and ... make sure that they're not giving away what's really important to protect, which is access to the courts."