



April 9, 2010

Director of Conservation and Environmental Programs Division
Farm Service Agency
United States Department of Agriculture
Stop 0513
1400 Independence Avenue, SW
Washington, DC 20250-0513

Submitted via www.regulations.gov

Re: Biomass Crop Assistance Program; Proposed Rule 75 Fed. Reg. 6264 (Feb. 8, 2010)

To Whom It May Concern:

The Society of American Foresters (SAF), the scientific, educational and professional organization devoted to the sustainable and science-based management of our forests appreciates the opportunity to comment on the Biomass Crop Assistance Program (BCAP) Proposed Rule. As an organization chartered to advance the science, education, technology, and practice of forestry for the benefit of society, the SAF believes that woody biomass energy from our nation's forests is part of the solution to reliable renewable energy.

The SAF supports the BCAP as passed in the 2008 Farm Bill. We believe the Program could increase biomass energy production and rightly encourages the collection, harvest, storage and transportation (CHST) of biomass—activities which are generally cost prohibitive. Further, with the CHST incentives many co-benefits could be met such as enhancing forest health, wildlife habitat and watersheds. In many areas of the United States, biomass removal can reduce the risk of catastrophic wildfire (by removing hazardous fuels) and help prevent large-scale insect and disease problems. This can also mitigate future large expenditures on wildfire suppression costs and dead-tree removal for public safety and transportation. Finally, this is a win-win for communities providing healthy, resilient forests, additional revenue streams to forest landowners (and therefore addition incentives to keep their land forested) and much-needed jobs.

Woody biomass is already part of the natural 'carbon cycle' and as a result, using it sustainably for bioenergy greatly reduces green house gas emissions by replacing energy that would have been produced by fossil fuels. In addition, modern biomass power facilities contribute to a reduction of greenhouse gases beyond the displacement of fossil fuels. The use of forest fuels in a modern boiler also eliminates the methane (CH₄) emissions from incomplete oxidation following open burning, landfilling or decomposition. This is important because methane is a 25 times more powerful greenhouse gas than CO₂, and modern biomass combustion typically lowers the greenhouse gas footprint of these alternative fates of fuel by 50% or more. Again, this is in addition to the other suite of benefits biomass energy provides.

Below are SAF's specific comments on the BCAP Proposed Rule:

Eligible Materials

While the SAF appreciates USDA's intent of excluding mill wastes and residues already utilized without BCAP as eligible materials, there must be flexibility built into this requirement. Though a great deal of wood wastes and residues are already utilized, there may be instances where this is not the case. Outright prohibition of this material would prevent its utilization which is counter to the intent of BCAP. Flexibility will be important to finding a balance with this problem. BCAP should complement and expand existing forest products industry, not replace it.

Amount of Payments

BCAP payments should be equal for all types of bioenergy produced. The 2008 Farm Bill does not distinguish between different types of bioenergy, it simply encourages the CHST and supports the production of eligible supply for bioenergy. As such, the Proposed Rule should not favor certain forms of bioenergy over others.

The BCAP should incentivize new energy production, but not at the expense of losing current bioenergy producers. For example, many biomass power facilities are not running at maximum capacity and need additional affordable supply. The lack of supply is mostly due to the cost and transportation of biomass, not availability of biomass in the forest. Existing facilities should be rewarded for early action while new facilities should also be encouraged.

Other

- The Proposed Rule terminated the Notice of Funds Availability and with it, all the biomass under contract at that time. This has created tremendous financial hardship and unpredictability for the parties involved (bioenergy producers, foresters, biomass suppliers, landowners, etc.). USDA should allow contracts existing on February 8, 2010 to be delivered and must allow a reasonable amount of time for delivery. Harvesting of biomass is many-times limited by season and weather for a number of reasons. As a result, there must be flexibility in these contracts.
- We applaud USDA for recognizing plans equivalent to Forest Stewardship Plans (American Tree Farm Program, Sustainable Forestry Initiative, Forest Stewardship Council and State Best Management Practices) to support sustainable forest management. These requirements allow flexibility and options for landowners while ensuring BCAP forest bioenergy is occurring in a broader context of sustainable forest management.

Thank you for the opportunity to comment on the Biomass Crop Assistance Program's Proposed Rule.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael T. Goergen". The signature is fluid and cursive, with a prominent initial "M" and a long, sweeping tail.

Michael T. Goergen
Executive Vice President and CEO
Society of American Foresters