



April 20, 2009

The Honorable Henry Waxman
United States House of Representatives
Washington, DC 20515

The Honorable Joe Barton
United States House of Representatives
Washington, DC 20515

Dear Chairman Waxman and Mr. Barton:

The National Association of State Foresters (NASF) commends the House Energy and Commerce Committee for addressing the immense challenge of meeting the nation's energy demands from secure, renewable sources. NASF is a non-profit organization comprised of the directors of all state and territorial forest management agencies in our country. Our members have a public trust responsibility for managing and protecting two-thirds of the nation's forestland, which is held in non-federal ownership. NASF views our nation's forests as a strategic national resource that is essential in meeting federal renewable energy goals.

All renewable resources will be needed to meet the country's energy needs. Forests have a key advantage given their ability to produce energy independent of sunny or windy conditions and will be the prevailing renewable energy source in regions where wind, solar and other renewable energy sources are not viable options. NASF holds that a broad renewable biomass definition—such as the one introduced in the Renewable Biomass Facilitation Act (H.R. 1190)—should allow sustainably harvested woody biomass to contribute towards a federal renewable electricity standard (RES). Any restrictions on renewable biomass should be based on appropriate state-specific standards and not arbitrarily associated with land ownership classification.

State foresters have statutory authority to ensure the sustainability of the nation's nearly 500 million acres of state and private forests—regardless of whether they are contributing biomass for renewable energy, providing forest products, or enhancing environmental benefits. The forest types in each state are as diverse as the people and the economies in which they are situated. As a result, a national, "one-size-fits all" approach to defining forest management and land use policy in a RES will be problematic as it does not reflect the unique context for each and every forest and the laws of each state. A federal RES should affirm the role of state forestry agencies as the most appropriate level of government to determine policies as may be needed to ensure biomass removals from forests are sustainable. Federal funding should help support the ability of state forestry agencies to carry out new responsibilities designed to address any on-the-ground sustainability concerns associated with biomass markets.

NASF has strong concerns with some of the renewable biomass definitions being considered as part of RES legislation. Much like the biomass definition in the Renewable Fuels Standard (RFS), the proposed definition in the discussion draft of the American Clean Energy and Security Act of 2009 (ACESA) will severely constrain the ability of non-federal forest lands to supply feedstock towards our nation's renewable energy targets. Limiting the ability of private forest landowners to participate in new markets increases the likelihood that their forest will subsequently be converted to some form of non-forest use. The current draft definition in the ACESA also excludes the ability of our public forest lands to supply feedstock toward the RES. Permitting federal forest lands to supply feedstock would provide a multitude of benefits, including improved overall forest health and the reduction of hazardous fuels that serve as the

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lynchpin for catastrophic wildfire. These exclusions are overly restrictive particularly in light of the extensive network of federal and state laws and regulations alongside other voluntary programs that successfully promote sustainable forestry. NASF strongly recommends that a broad, consistent definition be included in renewable energy and renewable fuels legislation in order to help streamline implementation and foster market development.

Diverse and robust markets for the full spectrum of forest products are essential for sustainably managing forests in a way that provides a range of forest ecosystem benefits. New renewable energy markets can help cover the rising costs of forest health and fuel reduction treatments at a time when warming climates and limited budgets suggest it is needed most. A broad renewable biomass definition will help establish renewable energy markets that—in turn—can create family-wage jobs in forest-based communities and reduce the risk of wildfire that threatens as many as 64,000 communities in the U.S. each year. Realizing these benefits, however, will hinge on Congress' ability to craft federal policy that does not interfere with the ability of all the nation's forests to help contribute to renewable energy goals.

NASF believes there are constructive and practical options to consider as we work to ensure the sustainability of our nation's forest resource. We hope you will consider us a resource as you advance renewable energy legislation during the 111th Congress. NASF stands ready to help craft a RES that addresses sustainability concerns related to forests in a way that draws upon the strength of existing—and adapting where necessary—forest management activities to meet local forest conditions.

Sincerely,

A handwritten signature in black ink, appearing to read "Leah W. MacSwords". The signature is fluid and cursive, with a large initial "L" and "W".

Leah W. MacSwords
President