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# LEGISLATION: Forests take a fall in Senate climate bill

By Jessica Leber, E&E reporter

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A new Senate climate bill is a mixed bag for land advocates, who won strong caps on carbon, but lost ground on other priorities.

In lobbying the lawmakers who crafted the bill, conservation and landowner groups pushed adaptation efforts and carbon sequestration projects as relatively cheap ways to create or save jobs. But the bill unveiled yesterday slashes such funds severely.

"I'm not surprised, but I am disappointed," said J.P. Leous, climate change policy adviser at the Wilderness Society.

When the House passed a climate bill last year, it devoted an initial 1 percent of emission allowances for domestic natural resource and wildlife adaptation efforts, like removing invasive species or old logging roads. In contrast, the money allocated in the version introduced yesterday by Sens. John Kerry (D-Mass.) and Joe Lieberman (I-Conn.) would be less over the bill's time frame, starting only at 0.75 percent of allowances. Worse, said Leous, the funds don't kick in until 2019, whereas the House money would start in 2012.

"We're already behind the eight ball with these types of projects that we needed to start yesterday," he said.

Jad Daley, climate conservation director with the Trust for Public Land, also offered both praise and criticism of the bill's efforts to secure carbon reductions from forests and farm lands.

On the plus side, the bill's language, he said, was strong. Carbon offset provisions echo an earlier popular proposal by Michigan Democratic Sen. Debbie Stabenow, he said. And a "carbon conservation fund" in the bill would pay landowners, timber harvesters and ranchers for bonus emissions cuts taken above and beyond the bill's carbon cap.

On the other hand, the Kerry-Lieberman draft devotes no carbon revenues to pay for the fund, subjecting it to the whims of annual appropriations. The House-passed legislation would have devoted scarce carbon revenues to a similar cause.

"This, in effect, takes all the wind out of the sails of having the program in there," Daley said.

Chuck Cushman, executive director of the American Land Rights Association, predicted that unfunded provisions to sequester carbon on private lands would, instead, lead down a slippery slope of more regulation for

landowners. "There's nothing wrong with sequestering carbon in forests," he said.

"Someone's got to show me where the money in the budget is to do this," Cushman said.

### **Creating biomass plantations?**

Other environmental advocates were concerned about the bill's lax protections for private U.S. forests -- where millions of tons of renewable energy are now stored.

Nat Mund, legislative director for the Southern Environmental Law Center, worries that energy mandates and a carbon cap could provoke a rush to harvest private forest lands, especially in the Southeast, which is "ground zero" for so-called woody biomass energy.

The bill, he noted, would require utilities to produce increasing amounts of renewable electricity and also allow them to burn biomass without counting the carbon emissions. These provisions, combined with growing federal cellulosic biofuel mandates, could turn the Southern forests into one big biomass plantation without adequate safeguards, he said.

Instead, he said, both the new Senate draft and House-passed legislation loosen the definition of "renewable biomass" set out in a 2007 energy bill. The Senate draft will also require two new studies: one by the National Academy of Sciences on how to define renewable biomass and a second by U.S. EPA and the Interior and Agriculture departments on how the use of biomass affects food production and the environment.

"We, of course, welcome the study," said Mund. "But we'd prefer that we look first before moving forward with such a broad definition," he said.

Advocates of biomass power, however, want no delays. "A broad definition of biomass will improve forest health, reduce greenhouse gases, and create thousands of jobs," said Biomass Power Association President Bob Cleaves in a statement.

Others were pleased with one new provision that was not in the House bill. The new Senate draft will require that the U.S. EPA, in consultation with the Agriculture and Interior Departments, set up a forest sector greenhouse gas carbon emissions and sequestration accounting system, based on existing available data sources. Laurie Wayburn, president of the Pacific Forest Trust, said the accounting ledger would function as a check on the system. "This data will demonstrate the contributions of land to meeting our climate and energy goals as well as ensure efforts to reduce emissions are truly effective," she said.