

1 HJR471  
2 110332-1  
3 By Representatives Fincher and McMillan  
4 RFD: Rules  
5 First Read: 31-MAR-09

2  
3  
4  
5  
6  
7  
8 URGING CONGRESS TO CORRECT THE DEFINITION OF  
9 RENEWABLE BIOMASS AND TO PREVENT CERTAIN FEDERAL ACTIONS  
10 REGARDING PRACTICES ON PRIVATE FORESTLAND.  
11

12 WHEREAS, Alabama's 22 million total acres of forests  
13 represent the major land use in the state, occupying  
14 two-thirds of Alabama's total land area; Alabama has the  
15 second greatest amount of private timberland acreage in the  
16 continental United States; and

17 WHEREAS, nearly 80 percent of Alabama's forestland  
18 is owned by non-industrial private landowners; and

19 WHEREAS, the members of the Alabama Legislature  
20 understand the importance of promoting the rights of private  
21 property owners; and

22 WHEREAS, the members of the Alabama Legislature  
23 support the adoption of sound land management practices to  
24 ensure that our forests are managed in a sustainable manner  
25 and continue to provide clean air, clean water, soil  
26 conservation, wildlife habitat, beauty, and recreational  
27 opportunities; and

1           WHEREAS, there is an indisputable link between  
2 reforestation and sustainable management of Alabama's private  
3 forests and vibrant markets for the wood and fiber produced in  
4 these forests; there also is an indisputable link between the  
5 health of Alabama's forests and the harvesting necessary to  
6 provide wood and fiber to the industry employers who convert  
7 them to thousands of commercial products; and

8           WHEREAS, forestry is one of the leading industries  
9 in this state, creating more than 188,000 jobs and having a  
10 \$23 billion annual economic impact in this state; and

11           WHEREAS, Alabama currently ranks second in the  
12 nation in production of renewable energy from wood-based  
13 biomass fuels due almost exclusively to renewable energy  
14 produced by Alabama's 14 pulp and paper mills; and

15           WHEREAS, Alabama's forests can provide additional  
16 biomass material to emerging biomass energy production to  
17 further strengthen Alabama's position as the Nation's  
18 Bioenergy Corridor and leader in energy production from  
19 renewable resources; and

20           WHEREAS, a prudent energy policy must maintain jobs  
21 associated with existing renewable energy production while  
22 creating additional jobs through the development of a forest  
23 bioenergy industry; and

24           WHEREAS, using forest biomass to produce energy  
25 products offsets fossil fuel use and significantly reduces net  
26 carbon emissions and other pollutants and reduces fossil fuel  
27 imports and keeps Alabama's energy dollars in Alabama; and

1           WHEREAS, forest biomass harvests are a  
2 cost-effective method to improve wildlife habitat, reduce  
3 wildfire hazard, improve residual tree growth, and remove  
4 diseased and infested trees; and

5           WHEREAS, the Energy Independence and Security Act of  
6 2007 placed restrictions unsupported by science on the source  
7 of biomass from privately-owned forests that have been  
8 previously regenerated naturally, on forests that may be  
9 planted to trees in the future, on "late successional"  
10 forests, and other areas, resulting in the restriction of  
11 approximately fifteen million acres of private forests in  
12 Alabama from being utilized for biomass energy production that  
13 counts toward the satisfaction of any federal renewable  
14 portfolio targets for renewable energy; and

15           WHEREAS, the restrictions placed by the Energy  
16 Independence and Security Act of 2007 unduly restrict the  
17 ability of the forester or other professional natural resource  
18 manager to apply science, site-specific forest information,  
19 and landowner objectives to his or her decisions about  
20 management for each forest area, thereby discouraging good  
21 conservation; and

22           WHEREAS, qualifying the source of biomass being  
23 harvested, processed, and delivered to existing facilities  
24 producing renewable energy or to new bioenergy facilities will  
25 be difficult and add undue costs; and

26           WHEREAS, the restrictions placed on conservation  
27 practices for the production of biomass from forests could set

1 a precedent for federal control of specific conservation  
2 practices and forest products on privately owned property; and

3 WHEREAS, the Food, Conservation, and Energy Act of  
4 2008 (Farm Bill) does not restrict the ability of local  
5 resource managers to properly manage forests and it provides a  
6 definition of "renewable biomass" and additional guidance that  
7 includes the use of "any organic matter available on a  
8 renewable or recurring basis"; and

9 WHEREAS, the State of Alabama, through the Alabama  
10 Forestry Commission and other agencies, provides best  
11 management practice guidelines, sustainability assessments,  
12 and other services and monitoring of the forest resources to  
13 ensure sustainability and good conservation; now therefore,

14 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH  
15 HOUSES THEREOF CONCURRING, That the members of this body urge  
16 the United States Congress to take action to correct the  
17 restrictive and intrusive definition of renewable biomass in  
18 the Energy and Independence Act of 2007 and to prevent  
19 additional federal actions that would control forest  
20 management practices on private forestlands by defining  
21 "renewable biomass" in a restrictive manner.

22 BE IT FURTHER RESOLVED, That the members of this  
23 body urge that all federal legislation related to biomass,  
24 including the currently proposed Renewable Electricity  
25 Standards, follow a uniform definition of renewable biomass as  
26 contained in the Food, Conservation, and Energy Act of 2008,  
27 commonly referred to as the "Farm Bill."

1                   Copies of this resolution shall be sent to the  
2           President of the United States Senate, the Speaker of the  
3           United States House of Representatives, and each member of  
4           Alabama's Congressional Delegation.