**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3899**

**STATUS INFORMATION**

Concurrent Resolution

Sponsors: Rep. Duncan

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Companion/Similar bill(s): 677

Introduced in the House on April 21, 2009

Currently residing in the House Committee on **Invitations and Memorial Resolutions**

Summary: Forest biomass

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/21/2009 House Introduced [HJ](file:///h:\HJ%20Archive\2009\04-21-09.docx)‑14

4/21/2009 House Referred to Committee on **Invitations and Memorial Resolutions** [HJ](file:///h:\HJ%20Archive\2009\04-21-09.docx)‑14

**VERSIONS OF THIS BILL**

[4/21/2009](file:///p:\pprever\2009-10\3899_20090421.docx)

**A** **CONCURRENT RESOLUTION**

TO MEMORIALIZE THE UNITED STATES CONGRESS TO CORRECT THE RESTRICTIVE AND INTRUSIVE DEFINITION OF “RENEWABLE BIOMASS” IN THE ENERGY INDEPENDENCE AND SECURITY ACT OF 2007, AND TO URGE CONGRESS TO PREVENT ADDITIONAL FEDERAL ACTIONS THAT, BY DEFINING “RENEWABLE BIOMASS” IN A RESTRICTIVE MANNER, WOULD ELIMINATE FOREST PRODUCT MARKETS FOR FOREST LANDOWNERS.

Whereas, South Carolina’s 12.9 million acres of forest represent the major land use in the State, covering sixty‑seven percent of South Carolina’s total land area; and

Whereas, forestry being the leading manufacturing industry in South Carolina in terms of employment and labor income, the total economic impact of forestry in the State is $17.45 billion annually. Furthermore, 44,708 South Carolinians earn $2.4 billion employed in forestry; and

Whereas, 11.325 million acres, eighty‑eight percent of South Carolina’s forestlands, are privately owned, and the members of the South Carolina General Assembly support the protection of the rights of private property owners; and

Whereas, the Energy Independence and Security Act of 2007 placed restrictions unsupported by science on the source of biomass from privately owned forests that previously have been regenerated naturally, on forests that may be planted to trees in the future, on “late successional” forests and other areas, resulting in the restriction of approximately 8.27 million acres of private forests in South Carolina from being utilized for biomass energy production toward the satisfaction of any federal renewable portfolio targets for renewable energy; and

Whereas, supporting emerging markets for forest products is essential to keeping South Carolina’s forestland in forests, and forest biomass harvests are a cost‑effective method to improve wildlife habitat, reduce wildfire hazard, improve tree growth, and remove diseased and infested trees; and

Whereas, South Carolina’s forests have the potential to sustainably supply sixteen million tons per year of woody biomass, the State’s primary source of renewable energy, to an emerging bioenergy industry; and

Whereas, South Carolina sustainably produces enough woody biomass fuel to create more than 1,300 MWs of power annually, which is enough to supply one third of the annual power requirements of all South Carolina homes; and

Whereas, using forest biomass to create energy products offsets fossil fuel use and significantly reduces net carbon emissions and other pollutants, and use of locally grown biomass for energy can replace imported fossil fuels, keeping South Carolina energy dollars in South Carolina; and

Whereas, the development of a forest bioenergy industry will provide additional jobs and retain jobs in South Carolina’s rural communities; and

Whereas, the restrictions placed by the Energy Independence and Security Act of 2007 unduly restrict the ability of the forester or professional natural resource manager to apply science, site‑specific forest information, and landowner objectives to decisions about management for each forest area, thereby discouraging good conservation; and

Whereas, qualifying the source of biomass being harvested, processed, and delivered to bioenergy facilities will be difficult and add undue costs; and

Whereas, the restrictions placed on conservation practices for the production of biomass from forests could set a precedent for federal control of specific conservation practices and forest products on privately owned property; and

Whereas, the Food, Conservation, and Energy Act of 2008 (Farm Bill) does not restrict the ability of local resource managers to properly manage forests, and it provides an appropriate definition of “renewable biomass” and additional guidance that includes the use of “any organic matter available on a renewable or recurring basis”; and

Whereas, the State of South Carolina, through the South Carolina Forestry Commission and its allied agencies and nongovernmental organizations, provides best‑management‑practice guidelines, sustainability assessments and other services, and monitoring of forest resources to ensure sustainability and good conservation. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the members of the South Carolina General Assembly, by this resolution, memorialize the United States Congress to correct the restrictive and intrusive definition of “renewable biomass” in the Energy Independence and Security Act of 2007, and urge Congress to prevent additional federal actions that, by defining “renewable biomass” in a restrictive manner, would eliminate forest product markets for forest landowners.

Be it further resolved that the United States Congress conform all federal legislation related to biomass, including the currently proposed Renewable Electricity Standards, to a uniform definition of “renewable biomass” as contained in the Food, Conservation, and Energy Act of 2008, commonly referred to as the Farm Bill.

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