

The Honorable Mitch McConnell  
Majority Leader  
United States Senate  
Washington, DC 20510

The Honorable Nancy Pelosi  
Speaker  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Charles E. Schumer  
Minority Leader  
United States Senate  
Washington, DC 20510

The Honorable Kevin McCarthy  
Minority Leader  
U.S. House of Representatives  
Washington, DC 20515

Re: Oppose Forest Biomass Carbon Rider, Interior, Environment and Related Agencies  
Appropriations Bill (Committee Print, Sec 434)<sup>1</sup>

December 2, 2020

Dear Majority Leader McConnell, Minority Leader Schumer, Speaker Pelosi, Minority Leader  
McCarthy,

On behalf of our millions of members, we write you to strongly oppose the inclusion of any anti-environment riders in the FY 2021 Interior, Environment and Related Agencies Appropriations Act. Including damaging legislative provisions in a must-pass funding bill harms our public health and environment, and it undermines the democratic process. As we transition to a new President, we have the chance to take a look at the various ‘legacy’ riders inappropriately included in previous years’ funding bills and still included in the base text.

Specifically, we have concerns with language contained within Sec. 434 of the bill, “POLICIES RELATING TO BIOMASS ENERGY” to legislate the science of biomass energy and its impacts on climate change. This provision has wrongly been interpreted by EPA to declare that, as a matter of law, all biomass energy generated using biomass taken from managed forests is categorically “carbon neutral.” Any effort to broadly characterize forest bioenergy as “carbon neutral” is scientifically indefensible and incorporating this characterization into government policy will have large, damaging impacts on the climate and our native forest ecosystems. It risks increasing emissions, rewarding poor forest management and undermining current and future emissions permits and regulations.

EPA’s own Scientific Advisory Board has rejected the conclusion that forest bioenergy is “carbon neutral.” Its final report finds that, “not all biogenic emissions are carbon neutral nor net additional to the atmosphere, and assuming so is inconsistent with the underlying science,” underscoring that different biomass feedstocks have varying carbon impacts. Moreover, multiple credible and deliberative scientific bodies have rejected the notion that biomass energy is categorically carbon neutral. On the contrary, they have demonstrated that in many cases, using forest biomass for energy can have significant climate impacts.<sup>2</sup>

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<sup>1</sup> <https://www.appropriations.senate.gov/imo/media/doc/INTFY2021.pdf>

<sup>2</sup> European Academies’ Science Advisory Council, *Commentary by the European Academies’ Science Advisory Council on Forest Bioenergy and Carbon Neutrality*, June 2018; <https://easac.eu/publications/details/commentary-on-forest-bioenergy-and-carbon-neutrality/>; Letter from sixty-five scientists to the U.S. Senate opposing the notion

Congress's efforts to legislate carbon neutrality have emboldened the EPA to further advance the Trump administration's anti-climate and anti-science policies. In its May 2018 *Statement of Agency Policy*, issued by then-Administrator Pruitt, the EPA proposes treating all forest biomass from managed forests as carbon neutral, which directly contradicts the outcome of the EPA's own science-based process intended to determine *the extent of* any carbon benefits.

Further, we have serious concerns with report language included in the Senate explanatory statement for the bill<sup>3</sup>, which signals a desire to include slash and pre-commercial thinnings from naturally regenerating forests as renewable biomass based on a definitional "clarification" published by the EPA in the context of the Renewable Fuels Standard. That "clarification" of the definition of slash and precommercial thinning is overly permissive and damaging. It constitutes a perversion of the customary understanding of precommercial thinning, removing important distinctions among precommercial thinning, commercial thinning, and typical, non-thinning, timber harvest practices. As such, it must be rejected.

We urge you to reject all anti-environment riders in the final negotiated package, particularly the damaging biomass provision found in Section 434.

Thank you for your consideration of this important matter.

Sincerely,

ActionAid USA	JAPRI.Org
Alliance for the Wild Rockies	John Muir Project
Biofuelwatch	Last Tree Laws
Blue Mountains Biodiversity Project	League of Conservation Voters
Center for Biological Diversity	Massachusetts Interfaith Power & Light
Center for Sustainable Economy	Michigan Interfaith Power & Light
Clean Air Task Force	Mighty Earth
Climate Law & Policy Project	National Wildlife Federation
Conservation Congress	Natural Resources Defense Council
Dogwood Alliance	Nuclear Information and Resource Service
Earth Action, Inc.	Partnership for Policy Integrity
Earthjustice	People Demanding Action
Elders Climate Action	Pivot Point
Elders Climate Action Southern California	Rachel Carson Council
Environmental Defense Fund	RESTORE: The North Woods
Environmental Protection Network	Sequoia ForestKeeper®
Friends of the Bitterroot	Shagbark
Forest Carbon Coalition	Shawnee Forest Defense
Friends of the Clearwater	Sierra Club
Friends of the Earth US	Southern Environmental Law Center
Greenpeace USA	Stand.earth
Interfaith Power & Light	Swan View Coalition

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that all biomass is carbon neutral, February 2016; <https://www.caryinstitute.org/news-insights/feature/letter-senate-carbon-neutrality-forest-biomass>

<sup>3</sup> <https://www.appropriations.senate.gov/imo/media/doc/INTRept.pdf>

The Enviro Show  
The People's Justice Council  
The Rewilding Institute  
Union of Concerned Scientists

Western Environmental Law Center  
Wilderness Watch  
Yellowstone to Uintas Connection