



# Biofuels Markets Require Land Management Records

*by Nathan McClure*

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Landowners who desire to sell wood from their pine plantations to the liquid biofuels market must maintain records showing active management of their land. The Energy and Independence Act of 2007 restricted the definition of “renewable biomass” for liquid fuel production to trees from actively managed forest plantations, logging slash, and “pre-commercial” thinnings. The biomass from logging slash and “pre-commercial” thinning can be removed from any area except old-growth forests and rare and endangered ecological communities. However, wood chips from merchantable-sized trees can only be harvested from forest plantations that were actively managed in December 2007.

In February of this year, the US Environmental Protection Agency released the specific rules for biomass sourcing for liquid fuels under this Act. The most impactful to forest landowners is the provision that stipulates how documentation can be made to show that the land was actively managed as a plantation in December of 2007. The EPA provides a list of alternative documents that are acceptable, including:

- 1) Sales and/or purchase records for planted trees, fertilizer, weed control, or seedlings.
- 2) A written silvicultural management plan
- 3) Documents that show participation in a Federal, state, or local silvicultural program
- 4) Documents that show participation in a forest certification program,
- 5) An agreement for land management by a professional forester that indicates the land in question

Wood suppliers who sell timber to biofuels producers, such as Range Fuels will be required to provide copies of at least one of the above-listed documents to the biofuels producer from each landowner where whole trees are harvested. Landowners should expect to receive requests for this information. Similar documents are required for agricultural products being harvested for biofuels.

In addition to the documentation for actively managed plantations, wood suppliers will also record the locations of biomass harvests for all types of biomass, including logging slash and any pre-commercial thinnings. The EPA suggests that electronic maps created using GPS technology be used by the wood suppliers and provided to the biofuels producers.

Federal law requires that biofuels producers maintain the documentation described above. Landowners, loggers, and wood suppliers involved in biofuels markets should be prepared to provide this information. This rule only applies to biomass being used for liquid transportation fuels. Details on the EPA rule can be found at <http://www.epa.gov/otaq/fuels/renewablefuels/regulations.htm>.