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November 5, 2012

Mr. Michael Snyder - Commissioner
Vermont Department of Forests and Recreation
103 South Main Street, Building 10 South
Waterbury, VT 05671-0601
Sent to: michael.snyder@state.vt.us

RE: Act 170 - Energy Bill - Chapter 87 - Harvesting Guidelines and Procurement Standards

Dear Mr. Snyder,

The Biomass Thermal Energy Council (BTEC) is an association of biomass fuel producers, appliance manufacturers and distributors, supply chain companies and non-profit organizations that view biomass thermal energy as a renewable, responsible, clean and energy-efficient pathway to meeting America's energy needs. BTEC engages in research, education, and public advocacy for the fast growing biomass thermal energy industry. We have over 100 members including over 20 that do business in Vermont. Our organization and members have a significant interest in any regulatory matters associated with harvesting guidelines and procurement standards for biomass energy feedstocks as they relate to chapter 87 of the recent energy bill.

As an organization, BTEC fully understands and supports the imperative of sustainable production of biomass if it is to become an integral component of our energy mix in Vermont and across the country. We understand that this has to be monitored carefully to ensure that potential growth in demand for biomass resources, especially from our forests, does not outstrip the capability of the land to sustainably meet demand.

However, we are concerned that language added to chapter 87 at the end of the last legislative session, without the benefit of public comment, could have consequences to the cost effective and efficient procurement of biomass feedstocks for use in heating homes, institutions and commercial facilities.

Specifically, we are concerned about how potential regulatory procurement standards and harvesting guidelines will affect the procurement of biomass feedstocks from UVA lands and how these additional regulations will impact the ability to purchase biomass for solid wood, wood chip and wood pellet production for use in homes, businesses, and public institutions and buildings.

It is our view that prescriptive, site-specific regulations and restrictions on how and where biomass can be harvested in the context of normal harvesting activities are virtually unenforceable, costly to implement, and as a result, ultimately contrary to the objectives of responsible stewardship.

As an interim step, we encourage and support the development of voluntary guidelines to mitigate potential site impacts. We ask that your department consider convening key stakeholders, including those involved in the supply of biomass fuels for high efficiency heating applications, and explore possible amendments to Chapter 87 that will allow a more thoughtful and less heavy-handed approach to addressing this issue. We believe voluntary measures should be given a chance to work, and

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monitored closely as to their effectiveness. If monitoring over time shows that a voluntary, non-regulatory approach is not effective in meeting the public and industry interest in sustainable management and procurement, then it would be appropriate to consider a more regulatory framework. Chapter 87 appears to put the cart before the horse.

We respectfully request a reply to this letter from the Department of Forests and Recreation so that we can better understand how the department plans to address our concerns. Thank you for your consideration and we look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph Seymour". The signature is fluid and cursive, with a long horizontal stroke at the end.

Joseph Seymour
Executive Director
Biomass Thermal Energy Council
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