

**STATE OF TENNESSEE**

**HOUSE JOINT RESOLUTION NO. 413**

**By Representative Bone**

**and**

**Senator Burks**

A RESOLUTION to urge the United States Congress to take legislative action to change the current definition of "renewable biomass" in the Clean Air Act, as amended by the Energy Independence and Security Act of 2007, and to prevent any further passage of legislation which would unduly restrict forest management practices on private forest lands.

WHEREAS, Tennessee's 13.8 million acres of forests represent a major land use in the state, occupying over one-half of Tennessee's total land area of twenty-six million acres; eighty-five percent of this forest land is privately owned; and

WHEREAS, the members of this body recognize the importance of promoting the rights of private property owners and support the adoption of sound land management practices to ensure that forests are managed in a sustainable manner, and continue to provide clean air, clean water, soil conservation, wildlife habitats, beauty, and recreational opportunities; and

WHEREAS, there is an indisputable link between reforestation and sustainable management of Tennessee's private forests and the vibrant market for the wood and fiber produced in these forests; and

WHEREAS, the health of Tennessee's forests, which provide wood and fiber, directly contributes to the success of the forest products industry that converts these materials into thousands of commercial products and renewable energy; and

WHEREAS, forestry is a leading manufacturing industry in Tennessee, creating more than 149,000 jobs and providing an annual economic impact of \$23 billion; and

WHEREAS, Tennessee's forests can sustainably provide biomass material to emerging biomass energy production businesses and position Tennessee as a national leader of energy production from renewable sources; and

WHEREAS, the development of a forest bio-energy industry will retain and provide additional jobs in Tennessee's rural communities; and

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

WHEREAS, forest biomass harvests are a cost-effective method to improve wildlife habitats, reduce wildfire hazards, improve residual tree growth, remove woody

debris following natural disasters, utilize urban wood wastes, and remove diseased and infested trees; and

WHEREAS, the Energy Independence and Security Act of 2007 placed restrictions, unsupported by science, on the sources of renewable biomass from privately-owned forests, resulting in the disqualification of approximately 11.8 million acres of private forests in Tennessee from being utilized for biomass energy production; and

WHEREAS, the restrictions placed by the Energy Independence and Security Act of 2007 discourages good forest conservation by unduly restricting the ability of foresters or other professional natural resource managers to apply science, site-specific forest management, and incorporated landowner objectives into forest management decisions; and

WHEREAS, restricting the source of biomass being harvested, processed, and delivered to bio-energy facilities will add undue costs and burdens and could set a precedent for Federal control over specific forest conservation practices and forest production methods on privately owned property; and

WHEREAS, the Food, Conservation, and Energy Act of 2008 does not restrict the ability of local land managers to properly manage forests, and provides an appropriate definition of "renewable biomass" by including "any organic matter available on a renewable or recurring basis" in the definition; and

WHEREAS, the State of Tennessee, through the Tennessee Department of Agriculture, Division of Forestry and other agencies, provides best management practice guidelines, sustainability assessments, and monitoring of forest resources to ensure sustainability and good forest conservation; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED SIXTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that the members of this body request that the United States Congress take legislative action to correct the restrictive and intrusive definition of "renewable biomass" contained in the Clean Air Act as amended by the Energy Independence and Security Act of 2007 and prevent additional federal actions that would control forest management practices on private forest lands by defining "renewable biomass" in a restrictive manner.

BE IT FURTHER RESOLVED, that the members of this body request that all Federal legislation related to biomass follow the uniform definition of "renewable biomass" contained in the Food, Conservation, and Energy Act of 2008.

BE IT FURTHER RESOLVED, that the Clerk of the House of Representatives is authorized and directed to transmit an appropriate copy of this resolution to the members of the Tennessee Congressional delegation.

**ADOPTED:**



KENT WILLIAMS, SPEAKER  
HOUSE OF REPRESENTATIVES



RON RAMSEY  
SPEAKER OF THE SENATE

**APPROVED:**



PHIL BREDEESEN, GOVERNOR