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Attention Docket ID No. EPA-HQ-OAR-2009-0517
Environmental Protection Agency
Mailcode: 2822T
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: National Alliance of Forest Owners' Comments on Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule Docket EPA-HQ-OAR-2009-0517

Dear Sir or Madam:

The National Alliance of Forest Owners ("NAFO") welcomes the opportunity to submit the following comments in response to the Environmental Protection Agency's ("EPA") Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule ("Tailoring Rule") 74 Fed. Reg. 55292 (Oct. 27, 2009). As described below, NAFO and its members bring unique perspectives and solutions to the discussion of how to address climate change. We hope to continue to develop a strong collaborative relationship with policy makers in Congress and federal agencies as we explore together how our nation's private forests can play a significant role in reducing the nation's greenhouse gas ("GHG") footprint.

NAFO's mission is to protect and enhance the economic and environmental values of private forests through targeted policy advocacy at the national level. At the time of this submission, NAFO's members represent 74 million acres of private forests in 47 states. NAFO was incorporated in March 2008 and has been working aggressively since then to sustain the ecological, economic, and social values of forests and to assure an abundance of healthy and productive forest resources for present and future generations.

In recent years, both domestically and abroad, there has been an increased focus on the role forests can play to address climate change. First, forests in the United States serve as the nation's most significant natural carbon sink, capturing carbon dioxide ("CO_2") through photosynthesis and sequestering CO_2 naturally. Second, responsibly managed forests and harvested wood products have the potential to provide further prospects for reducing atmospheric CO_2 by providing biomass for renewable energy, such as electricity generation and transportation fuels, that have lower lifecycle

CO_2 emissions than fossil fuels. Third, GHG regulatory regimes can be developed to allow offset credits from responsibly managed forests and harvested wood products to be generated and traded, providing a flexible, cost effective way for regulators and industry to achieve net GHG reductions.

Collectively, our nation's private forests are a fundamental means of helping our country reduce overall GHG concentrations through biogenic carbon storage, renewable, low carbon energy production, and the generation of emission offsets that provide greater flexibility to other industries. NAFO looks forward to the upcoming opportunities to share its expertise and capabilities with EPA and other decision makers to achieve a full array of GHG mitigation benefits.

Summary

NAFO observes that, in the Tailoring Rule, EPA has appropriately proposed a methodology that excludes biogenic emissions from EPA regulation of stationary sources under the PSD and Title V programs of the Clean Air Act ("CAA"). NAFO urges EPA to maintain this sound decision and policy in the final Rule. In Part I, NAFO explains why it is proper to exclude such emissions and respectfully suggests that EPA clarify this exclusion further in the final Rule.

Part II explains why the CAA does not authorize EPA to regulate private forests as stationary sources under the CAA. It also describes why efforts to manage forests responsibly to achieve and enhance biogenic carbon capture and storage opportunities should be voluntary and collaborative.

Finally, Part III reinforces NAFO's strong commitment to work collaboratively with the government to fashion climate change solutions.

I. EPA IN THE FINAL TAILORING RULE SHOULD CONFIRM ITS PROPOSED METHODOLOGY THAT WOULD EXCLUDE BIOGENIC EMISSIONS FROM TRIGGERING PREVENTION OF SIGNIFICANT DETERIORATION PERMITTING REQUIREMENTS.

NAFO is well aware that EPA is embarking upon a complex regulatory regime that for the first time would authorize the Agency to regulate greenhouse gases from certain sources of those emissions. Specifically, while EPA has proposed to directly regulate greenhouse gases from cars and light duty trucks, at the same time EPA has taken the position that such regulation will trigger Title V and Prevention of Significant Deterioration ("PSD") permitting requirements for greenhouse gases at millions of stationary sources around the country. 74 Fed. Reg. at 55294. NAFO recognizes that numerous commenters on these rules dispute EPA's conclusion that the regulation of greenhouse gases from cars under Section 202 of the Clean Air Act necessarily will trigger PSD permitting requirements for such sources. However, NAFO in these comments focuses on reinforcing a particular conclusion that at a minimum is implicit, if not explicit, in EPA's proposed Tailoring Rule: that biogenic emissions under no circumstances trigger PSD permitting requirements for sources of such emissions. In other words, NAFO respectfully urges EPA, should it decide to proceed with a final Tailoring Rule, to reaffirm and reinforce its position that any overall regulation of greenhouse gases from mobile and/or stationary sources does not inadvertently sweep in combustion of biomass fuels.

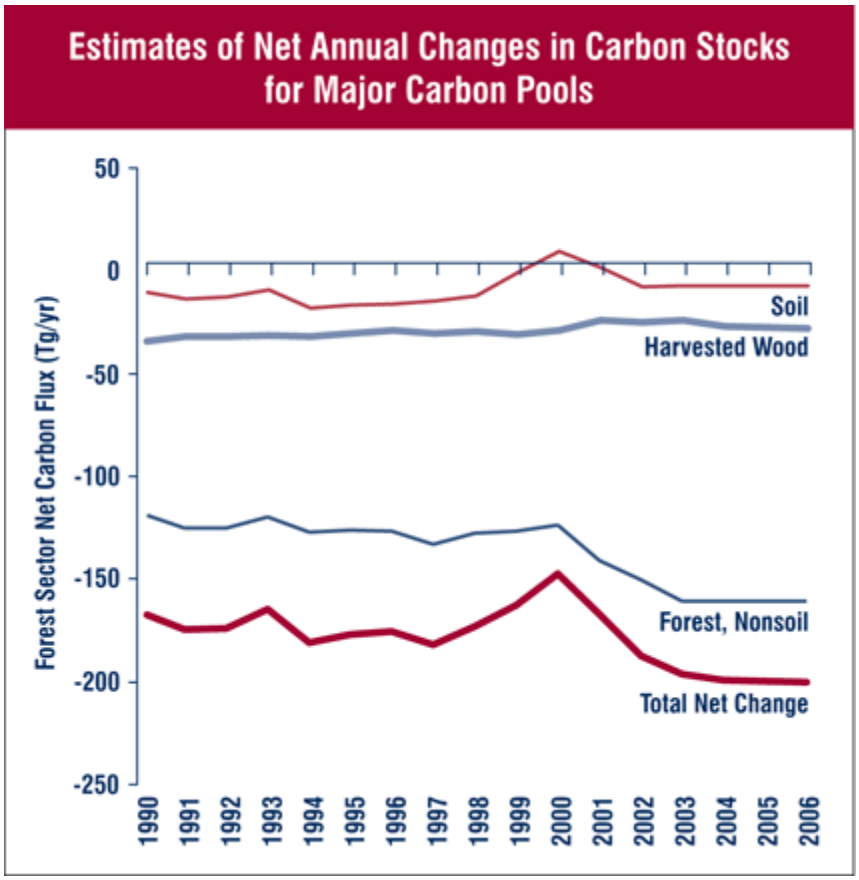
A. EPA Should Not Regulate Greenhouse Gases From Combustion of Biomass Fuels Because Production and Combustion of These Fuels Causes No Net Emissions of Greenhouse Gas.

There is near-universal recognition that greenhouse gases emitted in combustion of fuels derived from biomass should be excluded from greenhouse gas regulations because production and combustion of such fuels does not increase atmospheric carbon dioxide levels. Simply stated, the carbon emitted in the combustion of biomass comes from carbon dioxide that was originally sequestered from the air by the biomass feedstock, thus resulting in a carbon neutral cycle.

As EPA is aware, growing plants absorb significant amounts of carbon dioxide from the atmosphere. Forests, in particular, sequester massive amounts of carbon dioxide. The process of sequestration and storage is a natural by-product of tree growth. Through the process of photosynthesis, trees take up carbon dioxide from the air and in the presence of light, water, and nutrients, release oxygen and manufacture carbohydrates that are used for metabolism and growth of above and below ground organs. All plant materials are ultimately derived from this carbon dioxide, which is drawn from the atmosphere.

When plant biomass materials, such as biofuels made from forest biomass, are burned, the carbon dioxide emitted contains the same carbon that was sequestered by the plant feedstocks. Thus, the combustion of biofuels does not result in net carbon dioxide emissions. All carbon dioxide emitted is a product of carbon dioxide absorbed, making the carbon dioxide released back to the atmosphere a net zero with respect to the natural carbon cycle.

In this manner, biofuels from forest biomass are fundamentally different from conventional fuels. Once coal, natural gas, or oil is extracted and combusted, it cannot be replaced. In contrast, the sustainable forest management practiced by the United States Forest Products Industry ensures that there is no temporal imbalance between biogenic CO_2 emissions and CO_2 sequestration and thus no effect on the atmospheric GHG inventory. Indeed, as the following EPA chart indicates, carbon stocks in United States forests have been, and continue to, increase. EPA acknowledged that “total carbon sequestration in the U.S. in 2006 removed approximately 13 percent of total U.S. emissions,” and the graph indicates that forest biomass accounts for the bulk of that sequestration. Thus, the biofuel industry is truly carbon dioxide neutral.



EPA Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2006.[1] As EPA approaches greenhouse gas regulation for various sources of emissions, the Agency should take care not to undercut the growth and appropriate management of these forests with ill-considered stationary source regulations that adversely impact private forests.

The concept of biomass carbon dioxide neutrality is widely recognized internationally. The Intergovernmental Panel on Climate Change guidance and United Nations Framework Convention on Climate Change reporting protocols both recognize the carbon neutrality of biomass. Similarly, the European Union ("EU") directive on carbon trading specifies "Biomass is considered as CO2-neutral." EU guidelines for the monitoring and reporting of greenhouse gas emissions, Annex I, 4.2.2.1.6, *available at* http://inni.pacinst.org/inni/climate_change/EUGuidelinesGHGJan2004.pdf.

Biomass CO_2 neutrality has also been the foundation of American policy. The American Clean Energy and Security Act of 2009 ("ACESA"), passed by the House of Representatives on June 26, 2009 would exclude certain biomass carbon dioxide from the cap. *See* ACESA § 722(b); *see also id*. at § 700(41). And biomass has been explicitly exempted by agency actions as well. EPA's recently promulgated Mandatory GHG Reporting Rule uses an expansive definition of biomass and does not include biogenic CO_2 in its reporting threshold. Similarly, the Department of Energy's (DOE's)

[1] Available at USEPA #430-R-08-005, http://www/epa.gov/climatechange/emissions/usgginventory.html.

Voluntary Reporting of Greenhouse Gases Program, authorized by Section 1605(b) of the Energy Policy Act of 1992, provides for exclusion of combustion of biomass fuels. *See* DOE, *Technical Guidelines: Voluntary Reporting of Greenhouse Gases (1605(b)) Program* at 77 ("Reporters that operate vehicles using pure biofuels within their entity should not add the carbon dioxide emissions from those fuels to their inventory of mobile source emissions because such emissions are considered biogenic and the recycling of the carbon is not credited elsewhere.").

Thus, a strong consensus exists that treating combustion of biomass as carbon neutral is scientifically sound, and EPA's actions and policies support that consensus. Any alternative policy conclusion would have extremely negative consequences on the ability of forests to mitigate the nation's overall carbon footprint. It also would negatively impact the ability of industry and commercial, institutional and government entities to invest in projects that will benefit the environment and the climate. An alternative conclusion would remove one of the strongest incentives for production of low greenhouse gas lifecycle biofuels. Without this incentive, stakeholders such as NAFO's members could find it harder to maintain their forest stock for greenhouse gas reducing purposes. Given the massive potential of America's forests to play a positive role in climate change efforts, this would be an unfortunate consequence.

B. <u>EPA's Proposed Tailoring Rule Correctly Provides That Biogenic Emissions Are Excluded.</u>

Thankfully, EPA appears to have understood the danger of sweeping emissions from combustion of biomass into its PSD permitting program. Under EPA's proposed methodology for the Tailoring Rule, such emissions would be excluded from triggering or requiring a PSD permit.

The Part 51 rule language EPA proposed in the Tailoring Rule makes PSD applicability turn on whether a source "emits, or has the potential to emit, at least 25,000 tpy CO2e of greenhouse gases, as defined under paragraph (b)(58) of this section." 74 Fed. Reg. at 55351. Paragraph (b)(58) reads:

> (b)(58) Carbon dioxide equivalent, or CO2e, means a metric used to compare the emissions from various greenhouse gases based upon their global warming potential (GWP). The CO2e for a gas is determined by multiplying the mass of the gas by the associated GWP. The applicable GWPs and *guidance on how to calculate a source's GHG emissions in tpy CO2e can be found in EPA's* ''Inventory of U.S. Greenhouse Gas Emissions and Sinks,'' which is updated annually under existing commitment under the United Nations Framework Convention on Climate Change (UNFCCC).

Id. (emphasis added). Other relevant PSD threshold language in the Tailoring Rule, as well as the Title V proposed language, also base carbon dioxide equivalent calculation on EPA's "Inventory of U.S. Greenhouse Gas Emissions and Sinks." *Id*. at 55352, 55361. Thus, under the Tailoring Rule, all carbon dioxide equivalent calculations turn upon the guidance in that document.

In turn, EPA's Inventory of U.S. Greenhouse Gas Emissions and Sinks excludes emissions from "combustion of biomass and biomass-based fuels." EPA, Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-1997 at Energy 3-1–3-2, *available at* http://www.epa.gov/climatechange/emissions/downloads09/GHG2007entire_report-508.pdf. EPA elaborates:

> Carbon dioxide emissions from these activities . . . are not included in national emissions totals because biomass fuels are of biogenic origin. It is assumed that the C released during the consumption of biomass is recycled as U.S. forests and crops regenerate, causing no net addition of CO2 to the atmosphere.

Id. Later in the same document, EPA specifically applied this reasoning to wood biomass:

> The combustion of biomass fuels such as wood, charcoal, and wood waste and biomass-based fuels such as ethanol from corn and woody crops generates CO2. However, in the long run the CO2 emitted from biomass consumption does not increase atmospheric CO2 concentrations, assuming that the biogenic C emitted is offset by the uptake of CO2 that results from the growth of new biomass. As a result, CO2 emissions from biomass combustion have been estimated separately from fossil fuel-based emissions and are not included in the U.S. totals.

Id. at Energy 3-59.

Consequently, EPA's proposed Tailoring Rule would exclude emissions from combustion of biomass fuels.[2] This is wise policy and correct science. And EPA has long standing, unquestioned authority, and appropriate discretion to calculate greenhouse gas emissions in this manner—it has been doing so for years in its Inventory of U.S. Greenhouse Gas Emissions and Sinks. Indeed, any shift from this policy would be both unwise, and reverse settled agency policy.

C. Given The Serious Adverse Consequences That Would Follow From Regulating GHGs Under EPA's PSD Program, EPA Should Make It More Explicit That Biogenic Emissions Are Excluded

As noted, treating combustion of biofuels similar to combustion of fossil fuels would have serious negative consequences. It would deal a major setback to efforts to develop lower greenhouse gas lifecycle biofuels, such as those being pursued by NAFO's members. And it could hinder efforts to enlist America's forests in addressing climate change, by undercutting incentives to maintain those forests for greenhouse gas reducing purposes. Consequently, even though NAFO views the Tailoring Rule as

[2] This exclusion is very similar to EPA's longstanding exclusion of certain volatile organic compounds from the otherwise applicable statutory definition. 40 C.F.R. § 51.100(s).

legally exempting combustion of biofuels, it respectfully requests EPA make this conclusion more prominent in the final Rule.

We urge EPA to explain in the preamble to its final rule the widespread consensus and consistent agency practice that dictate exclusion of combustion of biofuels from the PSD and Title V thresholds and from the PSD significant emission rate. In addition, the exclusion should be explicit in the regulatory text itself. Not only would this constitute good regulatory practice by making plain the consequences of the agency's rule, it would also head off possible legal battles that could follow if groups opposed to biofuels challenged the exemption for biofuels. Removing this litigation risk would benefit the agency and all stakeholders by increasing regulatory certainty. And it would allow forest owners to pursue carbon fixing activities, secure in the knowledge that biofuels will not be treated inconsistent with the sound science and strong policy recognizing the carbon neutrality of combustion of such biofuels.

II. ALTHOUGH RESPONSIBLY MANAGED FORESTS PROVIDE OPPORTUNITIES TO REALIZE GHG REDUCTIONS, EPA LACKS AUTHORITY TO REGULATE THE FORESTRY SECTOR AS A STATIONARY SOURCE UNDER THE CLEAN AIR ACT.

As EPA continues to embark on a comprehensive regime for addressing greenhouse gases under the Clean Air Act, NAFO respectfully takes this opportunity to reinforce its strongly held views that responsibly managed forests have a significant role in mitigating GHG levels, and NAFO and its members look forward to a collaborative effort with EPA to utilize these forests to address climate change. At the same time, efforts to utilize and accommodate the advantages of carbon sequestration that forests provide must be voluntary and not force the forestry or the forest management sector to be regulated under the CAA. In particular, NAFO does not believe EPA can, nor should, impose mandatory regulations on forests, or treat them as stationary sources under the CAA. While responsibly managed private forests can play their part in bringing solutions to the nation's climate change challenges, it is important at the outset that EPA recognize the distinct nature of forests, which function as natural carbon sinks, and differentiate them from the stationary sources subject to CAA regulation.

In general, PSD and Title V permitting requirements apply to "major stationary sources." 42 U.S.C. §§ 7479(1), 7602(j), 7661(2). "Major stationary source," in turn, is defined to include "any stationary facility or source of air pollutants which directly emits, or has the potential to emit" a specified quantity of a pollutant. *Id*. Forests cannot be "major stationary sources." No forest meets the description of a "facility." Forests were not regarded by Congress as sources of pollutants. Congress never intended the Clean Air Act's stationary source provisions to go beyond industrial or similar discrete pollution sources. Encompassing the forestry sector into a regulatory scheme designed for structures, facilities, and installations operated by industrial, commercial, or municipal entities is impractical and would not be an effective way of using forests to achieve GHG reductions.[3] Similarly, the statute's focus on "construction," *id*. at § 7475(a), is another

[3] The legislative history of the Clean Air Act further affirms that CAA regulation of forest management practices was never intended by Congress. The law was directed at automobiles and industrial sources of traditional air pollutants, such as soot and smog. *See, e.g.*, 116 Cong. Rec. H 19,212 (1970) ("The most dramatic evidence of air pollution is always to be found in dirty smokestacks in factories, belching smoke across populated communities … 80 percent of the

example of how CAA regulation is not directed at the forestry sector. While this term is commonly applied to the building or renovation of industrial facilities, it is completely foreign to forest management practices.

Further, the regulation of forest management practices does not comport with the Clean Air Act's stated goals for stationary sources, which are clearly aimed at reducing industrial source emissions through evolving pollution control technologies while minimizing economic harm. Each of these goals is discussed throughout the Clean Air Act's legislative history.[4] None of these goals, or the methods enacted to achieve these goals, applies to the forestry sector.

The CAA definition of "stationary source" was developed in the context of the New Source Performance Standards program, 42 U.S.C. § 7411, which requires the EPA Administrator to promulgate standards of performance applicable to designated categories of newly constructed stationary sources. *Id.* § 7411(b). EPA promulgated the original list of designated sources in 1971.[5] The Administrator may add new source categories to this list upon an endangerment finding. The statutory definitions show that regulation of the forestry sector is incompatible with the New Source Performance Standard (NSPS). [6]

First, Congress intended the NSPS to create uniform pollution control standards to prevent industry from fleeing States with stringent pollution control laws to those with less regulation.[7] This uniformity of pollution controls, triggered whenever an older plant makes any modification, was also crafted to prevent competitive imbalances between new plants and existing plants.[8] This legislative history makes clear that Congress targeted industrial sources of pollution. Forests are not subject to pollution control

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poisons in our air come right out of the automobile exhaust pipe.") (statement of Rep. Van Deerlin).

[4] *See, e.g.*, H. Rep. No. 95-294 at 184-86 (1977).

[5] List of Categories of Stationary Sources, 36 Fed. Reg. 5931 (Mar. 31, 1971).

[6] *See, e.g., Caminetti v. United States*, 242 U.S. 470, 485-86 (1917) ("Statutory words are uniformly presumed … to be used in their ordinary and usual sense, and with the meaning commonly attributed to them.").

[7] *See id.* at 184 (uniform standards "avoid favoring some areas of the country over others with respect to new sources"); H. Rep. No. 91-1146 at 3 (1970) ("The promulgation of Federal emission standards for new sources … will preclude efforts on the part of States to compete with each other in trying to attract new plants and facilities without assuring adequate control of extra-hazardous or large-scale emissions therefrom."); 116 Cong. Rec. S 32,902 (Sept. 21, 1970) (statement of Sen. Muskie) ("Those areas which have levels of air quality which are better than the national standards should not find their air quality degraded by the construction of new sources. There should be no 'shopping around' for open sites."); 116 Cong. Rec. H 19,218 (June 10, 1970) (Statement of Rep. Vanik) ("A steel mill, operating anywhere in Ohio, or in the Nation, should be required to make the same kind of effort to control the pollution emission of an oxygen steel furnace … If we would insist on uniform approaches for pollution control of this industry – wherever the plants are located – the competitive benefits of a dirty plant would be eliminated. A steel plant in Youngstown, Massilon, or Middletown would have to make the same effort to control pollution as a plant in Cleveland. There would be no profit in pollution.").

[8] *See, e.g.*, 116 Cong. Rec. H 19,212 (1970) ("MR. ECKHART: Therefore, it would appear to me that for instance, an old steel plant which altered its production in a particular unit or operation, even though that unit was an old unit, would be controlled just as its competitor, a new steel plant, would be controlled, where new equipment plus new sources of emission occur? MR. STAGGERS: That is correct.").

standards as they are not an air pollution emission source. Further, forests exist where conditions support planting or growing forests—a forest owner cannot practicably move their forest lands to another state with more lenient regulation. And the notion that a "new" forest could be economically disadvantaged through regulation when compared to "existing" forests is inapplicable.

Second, the NSPS was structured to promote long-term economic growth by allowing the continued development of industrial hubs. "If each large new pollution source were required to use best practicable control technology, then more new sources could locate in a given area. This in turn would permit more jobs, more production, and greater possibilities for long-term economic growth…."[9] Again, applying Congress' goals for the NSPS to forest management practices reaches an irrational result. Although privately owned forests are economically productive and provide jobs, they are not capable of being consolidated into dense areas the way industrial facilities often locate in and around major urban economic centers.

Third, the NSPS requires new industrial facilities to install the required control technologies at the time of construction, which "will plainly be less costly then requiring retrofit when pollution ceilings are reached."[10] Forests, of course, do not have to install any pollution controls and will never have to retrofit with new technologies whenever EPA lowers attainment levels. The NSPS goal of saving money by avoiding retrofit technologies makes no sense when applied to the forest sector.

Fourth, the use and development of the best control technologies allow stationary sources to burn higher sulfur fuels, preventing an over-reliance on low-sulfur coal, low-sulfur fuel oil and natural gas.[11] Obviously, this goal of the NSPS has no application to forests as they are not industrial fuel-burning emission sources.

Fifth, the NSPS was intended to create incentives for the development of new pollution control technologies.[12] Again, this goal has no applicability to forests.[13]

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[9] H. Rep. No. 95-294, at 184-85 (1977).

[10] *Id.* at 185. *See also* H.Rep. No. 91-1146, at 16 (1970) ("The overriding purpose of this section [NSPS] would be to prevent new air pollution problems, and toward that end, maximum feasible control of new sources at the time of their construction is seen by the committee as the most effective and, in the long run, the least expensive approach.").

[11] H. Rep. No. 95-294, at 186 (1977).

[12] See *id.*; H. Rep. No. 91-1146 at 17 (1970) ("Industrial firms would be required to increase efforts to insure that new plants and equipment perform in accordance with the promises and commitments made by plant designers and equipment builders. New-source standards would thus provide maximum incentives to expand technology to insure adequate margins of safety.").

[13] The legislative history is replete with references to industrial pollution sources. See, e.g., 116 Cong. Rec. S___, 91 Cong. Senate Debates 1970 32900, 32918 (1970) ("This provision requires that new sources, that is, the industry plants, be certified by the Secretary before they begin operation, to insure they will meet the performance standards….") (Statement of Sen. Cooper); 116 Cong. Rec. H____, 91 Cong. House Debates 1970 19200, 19218 (1970) ("HEW could establish uniform pollution control standards for the chemical, oil refining, foundries, food processing, and cement-making industry, and other industries ….) (Statement of Rep. Vanik); *Bills to Amend the Clean Air Act: Hearing Before the Subcomm. on Public Health and Welfare of the H. Comm. on Interstate and Foreign Commerce*, 91st Cong. House hearings 171, 281 (1970) (Statement of Robert H. Finch, Sec'y, Dep't of Health, Education and Welfare) ("In the years ahead, however, many potentially significant new stationary sources of air pollution will come into

Congress never planned for the treatment of forests as stationary sources of pollution. Indeed, in 38 years of developing regulations, EPA has never sought to regulate forest practices under the CAA, indicating a consistent interpretation from the outset that the CAA does not govern forests.

Having made the point that the CAA never was intended nor could be implemented to regulate forests, NAFO looks forward to working collaboratively with EPA to develop solutions that contribute in a real and verifiable manner to reduce the nation's GHG contributions. Responsible forest management provides a key opportunity to substantially reduce fossil-fuel based GHG emissions between now and 2030. There are alternative means for EPA to work with forests owners, other government agencies, and other interested stakeholders to mutually develop strong voluntary programs to encourage forest management techniques aimed at reducing GHGs. EPA has a demonstrated history of success in voluntary programs such as Climate Partners and EnergyStar. NAFO looks forward to working jointly with the EPA, DOE, USDA, and interested stakeholders to develop market-based incentives to encourage the use of responsible forest management to address climate change.

III. NAFO AND ITS MEMBERS BRING CRITICAL EXPERTISE TOWARD HELPING REGULATORS AND LAWMAKERS PROMOTE RESPONSIBLY MANAGED WORKING FORESTS TO ADDRESS GLOBAL CLIMATE CHANGE.

Finally, NAFO believes that the federal government has a unique opportunity to build upon current efforts and develop a GHG program that incorporates the benefits of what private forests can accomplish in this area. NAFO's members manage more than 74 million acres of private forest lands in the United States. We do so with forest management practices, state-based best management practices, state forestry regulations, and standards that ensure we renew forests that have been harvested and protect ecosystem values. We are able to maintain this important land base due to the economic value of harvested forest products. Protecting the ability to continue generating economic value from these forests will also enable their continued contribution to reducing GHG levels. This includes encouraging the development of new products, such as cellulosic biofuels, that will be needed in a low carbon economy.

With members in all regions of the country working with numerous and diverse forests and the production of harvested forest products, NAFO is uniquely equipped to help regulators and lawmakers develop approaches that recognize the benefits of effective, economical forest management to reduce GHG emissions. As the EPA and other federal agencies work to reduce GHG emissions in the United States, they should consider opportunities to recognize all sources of potential GHG reductions. Taking full advantage of those sources can best achieve our environmental goals without unnecessarily burdening the United States economy.

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being – to meet growing demands for electric power, manufactured goods, and other necessities and amenities of modern life. Large stationary sources, such as electric generating plants, iron and steel mills, and petroleum refineries, cement plants, et cetera, often have adverse effects on air quality over broad geographic areas."). The drafters of the NSPS viewed forests as casualties of air pollution, not *causes* of air pollution. *See, e.g.*, Vanik at 19217 ("in addition to causing disease and death, air pollution cuts crop production, destroys trees, and is estimated to cost the economy $30 billion annually. The type of damage that can be done is well illustrated by the U.S. Forest Service estimate that 1.3 million trees in the San Bernadino National Forest will die in the next 5 years because of smog on the freeways.").

Private forest owners have a long history of working with the federal government to create workable solutions for a variety of environmental issues, through regulatory and voluntary programs. For example, Oregon landowners instituted voluntary measures under the umbrella of The Oregon Plan for Salmon that have achieved significant improvements in salmon habitat on private lands. In the South, the forest industry helped begin the Louisiana Black Bear Conservation Initiative, a long-term, broad-based coalition with the mission of promoting the restoration of the Louisiana black bear (an endangered species) in its historical range through education, research, and habitat management. These are several of many instances where public-private partnerships have produced desirable, mutually beneficial outcomes.

Climate change solutions present policy, technical, and economic challenges. We remain optimistic, however, of the critical role that private forests can play in developing effective climate change solutions. The nation can best resolve these challenges by bringing key stakeholders together to develop solutions collaboratively. NAFO and its members clearly have the requisite policy, technical, and economic expertise to bring to the table. We are ready and willing to do all we can in this effort.

Thank you for this opportunity to provide our views at this critical time in considering the first GHG controls on stationary sources. We look forward to further discussion with EPA and other decision makers. Please feel free to contact me at 202-367-1163 to discuss opportunities for NAFO to play its role in developing climate change solutions.

Sincerely,

David P. Tenny
President and Chief Executive Officer