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## LEGISLATIVE UPDATE – FOCUS: FARM BILL

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*This document is an addendum to the Legislative & Policy Updates in order to inform the WFLC membership on one key issue. You can find this document posted on the WFLC members' website.*

### House Version – H.R. 2419

The House passed their version of the 2007 Farm Bill, the *Farm, Nutrition and BioEnergy Act of 2007* July 27, 2007. H.R. 2419 is a five-year, \$286 billion farm bill and was passed by a vote of 231-191. The bill contains significant increases in funding for energy and conservation programs. The House Farm Bill website contains fact sheets on the various titles as passed by the House (<http://agriculture.house.gov/inside/2007FarmBill.html>). The 2007 Farm Bill as passed by the House and the accompanying report language also available at the website.

### Senate Version – S. 2242

The Senate passed their version of the Farm Bill, the *Heartland, Habitat, Harvest and Horticulture Act of 2007* on December 14, 2007. S. 2242 is a five-year farm bill and was passed by a vote of 79-14. This bill increases funding for energy and conservation programs as well, but focuses the money on different priorities than the House version of the Farm Bill. The Senate Agriculture Committee website has the Senate Farm Bill, as passed on the floor, available at <http://agriculture.senate.gov/>.

### Differences in the House and Senate Farm Bills

- **Conservation Title:**

- **Environmental Quality Incentives Program (EQIP) and Conservation Security Program (CSP)** - The Senate FB phases out these programs within the Conservation Title and includes a new program called the Conservation Security Incentives Program (CSIP). This program includes private forests within the 'conservation' part of the program, but private forests are not included within the 'stewardship' part of the program. It is unknown how CSIP will work on the ground. The House FB has expanded the opportunities for private forest landowners within both CSP and EQIP and due to the lack of knowledge related to Senate CSIP, the House version of the FB offers greater cost share opportunities for non-industrial forest landowners.
- **Healthy Forest Reserve Program (HFRP)** - The Senate FB includes reauthorization of HFRP within the Conservation Title with authorization of appropriations as necessary and an option for permanent easements. The House FB includes mandatory funding for FY08-FY12 without the option of permanent easements.

- **Energy Title:**

The House and the Senate FB both include programs to develop the use of renewable woody biomass within the Energy Titles but approach that goal in different ways.

- **Biorefinery Development Program** – This program was renamed in the Senate FB to **Biorefinery and Repowering Assistance Program**. The focus of the program has changed to emphasize cellulosic ethanol production through competitive grants. This program received \$300 million in mandatory funding available from FY08 -12. The House FB extended the Biorefinery Development grant program and provides mandatory funding of \$800 million from FY08-12.
- **Biomass Research and Development Act** – The Senate FB extends this Act through 2012 and emphasizes the utilization of byproducts and development of technologies for harvest, storage, preprocessing and transportation of renewable biomass feedstocks. The House FB does not include this emphasis but does include the extension and funding for the program.
- **Bioenergy Program** – The Senate FB extends this program through FY2012 and includes assistance for biofuel producers to purchase feedstocks, particularly for cellulosic biofuels. The House FB provides significantly more mandatory funding for this program but does not highlight the cellulosic biofuels purchases.
- **Woody Biomass Energy Program** – Both the House and the Senate FB’s include this new, competitive R&D grant, administered by the USFS, that includes priorities for low-value biomass, wood biorefineries, wood-derived transportation fuels and improved growth and yield. The main difference is the funding levels as the House provided mandatory funding of \$15 million a year through 2012 via the Commodity Credit Corporation (CCC) whereas the Senate FB authorizes funding at \$5 million a year through 2012. This is a significant difference in funding levels for a very important new program and the CCC is a more secure form of funding.

- **Forestry Title:**

The House and the Senate FB’s both include national priorities for private forest conservation, statewide assessment requirements and the restoration of forestry assistance to the Freely Associated States (although minor differences between the provisions will need to be worked out during conference committee).

- **Community Forest and Open Space Program** – The Senate FB includes this new program with the authorization of such funds as necessary. This grant program allows municipalities, counties, and non-profits to purchase and manage community forests. The House FB does not include this program.
- **Tribal Forestry Assistance** – The Senate FB contains numerous provisions relative to tribal forestry assistance that are not included in the House FB including amending the Forest Legacy Program to include Indian Tribes as direct participants of the program. The provision authorizes the Secretary to make grants to a state or a tribe for its conservation easement program.
- **State Technical Committee** - The House FB includes a requirement for the State Forester to participate on their State Technical Committee (previously handled at

the discretion of the Secretary). This is a positive change that is not included in the Senate FB. The Senate FB adds to the Committee membership a non-industrial private forest landowner.

- **Cooperative Forest Innovation Partnership Projects** – The House FB includes this new cost-share program which enables the Secretary to direct off-the-top funds towards innovative projects. This program is not included in the Senate FB and could reduce funds available for other forestry programs.
- **Emergency Forest Restoration Program** – The House FB includes an emergency forest restoration program that allows non-industrial private forest land owners who have sustained loss of or damage to their forestland to develop plan for reforestation, restoration, BMPs and stewardship activities. This is a cost-share program at 75% up to \$50,000 a year and the funding for the program would be received through an emergency supplemental. This program is not similar to the disaster provision contained in the Senate Conservation Title and these differences will need to be worked out during the conference committee discussions.
- **Forest Resource Coordinating Committee** – The House FB modifies the committee to include new organizations and representatives. The Senate FB does not include these changes.

• **Tax Title:**

- **\$15 billion Tax Package** – The Senate FB includes a large tax package whereas the House FB does not include tax provisions such as tax benefits for conservation easements, alternative fuels or endangered species.
- **Emergency Landscape Restoration Program** – The Senate FB includes a restoration program that is set to receive \$5 billion in funding. This program will help with the rehabilitation of farmland adversely affected by natural disasters and it includes forestland. This funding for this provision is contained in the Senate tax package which may be the piece of the FB that causes the most problems for the conferees. The President has issued a veto threat relative to the business tax provisions contained in this package. This program very different than the emergency forest restoration program included in the House Forestry Title.

• **Amendments:**

- The Senate FB includes over 100 accepted amendments including Sen. Ron Wyden's (D-OR) bill to stop illegal logging and an amendment by Sen. Wayne Allard (R-CO) revising the statewide forest resource assessments section to require the inclusion of CWPPs into the assessments.

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**Next Steps**

The recently approved omnibus FY08 spending bill includes an extension of the 2002 Farm Bill. The extension covered all Farm Bill programs with the exception of FY08 commodity payments and is good until March 2008. This extension will facilitate the conference committee completing their work.

The Senate and House Agriculture Committee Chairman have said that pre-conference, staff-level talks have been occurring and that they hope to produce a conference report in late January. The Council of Western State Foresters will monitor the committee's activities and provide information on forestry-related provisions. NASF will be sending a letter to the conferees addressing the important provisions within both versions of the Farm Bill that need to be carried through to the final document. The CWSF will work with NASF to guarantee the inclusion of western priorities within the letter.

It is expected that the new Farm Bill will be sent to the President for signing sometime in March 2008. Updates on the Farm Bill conference committee progress will be sent out as needed.

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