



Janet T. Mills
GOVERNOR

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AUGUSTA, MAINE
04333-0001



July 14, 2021

The Honorable Michael Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

The Honorable Tom Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

Dear Administrator Regan and Secretary Vilsack:

Congratulations to you both on your recent confirmations to serve in the Biden Administration. I write today to echo my congressional colleagues' recent letter (enclosed) asking for your assistance in providing certainty regarding certain naturally regenerating Maine forest biomass, namely slash and pre-commercial thinnings, qualifying under the Renewable Fuel Standard (RFS). This is a longstanding issue of particular importance to Maine's forest health, economy, and communities, as well as a key step toward helping the United States reduce its fossil fuel dependence and carbon footprint through increased domestic biofuel production, the intent of the RFS.

Imbalances in forest biomass utilization in Maine in recent years, building up since 2014 due to paper mill and biomass energy facility closures, exacerbated by an explosion at a pulp mill in western Maine last year, have created a glut of available low-grade biomass estimated to be over 4 million tons in Maine. As we seek to rebuild our economy from the disruption of the coronavirus pandemic and achieve long-term goals of sustainable growth and innovation, additional markets for Maine's low-grade biomass, already available, will keep our forest economy vibrant and benefitting all members of this highly interdependent supply chain, from landowners to foresters, loggers and truckers, to mills and other wood consumers. Biomass is the base of this pyramid and sustainable demand is what keeps our working forests healthy, providing many significant environmental benefits. The direct economic benefits, as well as the ripple effect associated with additional markets for this available biomass, would provide good paying jobs in our rural areas throughout the supply chain.

I share the Biden Administration's focus on reducing carbon emissions and our nation's dependence on fossil fuels. Production of biofuels from unused biomass is a direct way to achieve these goals, while benefitting a largely rural economy and its supply chain. As we seek to achieve the carbon emission reduction goals of our Climate Council's plan "Maine Won't Wait¹," the forest industry plays a vital role, increasing local biofuel production to reduce transportation and heating

¹https://climatecouncil.maine.gov/future/sites/maine.gov/future/files/inline-files/MaineWontWait_December2020.pdf



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sector emissions, while maximizing the sustainable use of our robust, 90 percent privately-owned woodbasket.

Forest industry experts agree that under the EPA's definitions of slash and pre-commercial thinnings, most of the wood harvested in Maine meets the requirements outlined by the RFS. Slash is defined to include residuals such as limbs and treetops left on the ground after harvesting or other disturbances, which is common in Maine's forest practices. Pre-commercial thinnings are defined to be wood removed to reduce stocking and promote growth in the remaining stems, another common practice in Maine's natural forest management. Certainty by way of confirmation from EPA utilizing the expertise in forest management at USDA is needed to ensure that Maine's naturally regenerating slash and pre-commercial thinnings are qualifying feedstock for renewable biofuel production under the RFS.

High-value biofuels and bioproducts are priority areas of investment for Maine. We seek to attract these innovative technologies and companies to our state to utilize one of our most valuable and sustainable heritage products and industries and to further balance the supply chain so that low-grade wood can be a productive part of our forest economy, generating more jobs and more dollars per tree. The uncertainty surrounding eligibility for the RFS is a major hurdle to investment attraction. I ask for your help in giving these producers certainty that Maine's biomass meeting the definitions of slash and pre-commercial thinnings is an eligible feedstock under the RFS to help our state be more competitive with other parts of the country in attracting investment, creating jobs, and keeping Maine's forests working and thriving.

Please let me know how my office can be of additional assistance in pursuit of swift clarification of Maine's biomass qualifying under the RFS as outlined in the enclosed study.

Thank you for your attention to this important issue.

Sincerely,



Janet T. Mills
Governor
State of Maine

Enclosures

cc: Robert Bonnie, Deputy Chief of Staff for Policy and Senior Advisor on Climate, U.S. Department of Agriculture;

Doug McKalip, Senior Advisor to the Secretary, U.S. Department of Agriculture.



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