



April 28, 2015

Kelly Novak
FSA CEPD
STOP 0513
U.S. Department of Agriculture
1400 Independence Ave. SW
Washington, DC 20250-0513

RE: Comments on RIN 0560-AI27, Final Rule for the Biomass Crop Assistance Program, Federal Register Vol. 80, No. 39, Page 10569; Submitted online via regulations.gov

The National Sustainable Agriculture Coalition (NSAC) welcomes the opportunity to provide comments on the Biomass Crop Assistance Program (BCAP) Final Rule (FR). NSAC's represented members¹ include family farm, rural, and conservation organizations across the country that share a commitment to federal policy that promotes sustainable agriculture production systems, family-based farms and ranches, and healthy, vibrant rural communities.

We engaged extensively in the development of BCAP during the 2008 Farm Bill process, and remained engaged during the multi-year process that became the 2014 Farm Bill. We submit the following recommendations for your consideration.

1. Question from FSA: With the new limits to the BCAP budget, what priorities should FSA consider in implementing the program?

Recommendation: USDA should limit funding for matching payments to 10 percent of annual BCAP funding.

The Final Rule does not dictate how BCAP funding will be divided between matching payments and establishment and production payments. The 2014 Farm Bill authorizes USDA to use between 10

¹ Agriculture and Land Based Training Association, Alternative Energy Resources Organization, California Certified Organic Farmers, California FarmLink, C.A.S.A. del Llano (Communities Assuring a Sustainable Agriculture), Catholic Rural Life, Center for Rural Affairs, Clagett Farm/Chesapeake Bay Foundation, Community Alliance with Family Farmers, Dakota Rural Action, Delta Land and Community, Ecological Farming Association, Farmer-Veteran Coalition, Fay-Penn Economic Development Council, Flats Mentor Farm, Florida Organic Growers, Grassworks, Hmong National Development, Illinois Stewardship Alliance, Institute for Agriculture and Trade Policy, Iowa Natural Heritage Foundation, Izaak Walton League of America, Kansas Rural Center, Kerr Center for Sustainable Agriculture, Land Stewardship Project, Michael Fields Agricultural Institute, Michigan Integrated Farm and Food Systems, Michigan Organic Food and Farm Alliance, Midwest Organic and Sustainable Education Service, National Center for Appropriate Technology, Nebraska Sustainable Agriculture Society, Northeast Organic Dairy Producers Alliance, Northern Plains Sustainable Agriculture Society, Northwest Center for Alternatives to Pesticides, Ohio Ecological Food and Farm Association, Organic Farming Research Foundation, Rural Advancement Foundation International – USA, Union of Concerned Scientists Food and Environment Program, Virginia Association for Biological Farming, Wild Farm Alliance.

and 50 percent of BCAP funding for matching payments for the collection, harvest, storage and transportation (CHST) of biomass. In FY 2014, USDA chose to use the full 50 percent for CHST.

We believe strongly that this is contrary to the original intent of the law, which was crafted to promote the production of perennial and highly energy efficient biomass for bioenergy production. BCAP was adopted to promote development of clean, efficient, environmentally friendly alternative energy that meets very high standards. The 2008 Farm Bill conference committee managers made this clear by emphasizing that “the primary focus of BCAP will be promoting the cultivation of perennial bioenergy crops and annual bioenergy crops that show exceptional promise for producing highly energy-efficient bioenergy or biofuels, that preserve natural resources, and that are not primarily grown for food or animal feed.” (Joint Explanatory Statement of the Committee of Conference), p. 233.

Nothing in the 2014 Farm Bill or conference report of the managers changes or modifies this original intent. BCAP was enacted and needs to be implemented primarily to promote bioenergy crops with exceptional promise as an energy source that will also preserve natural resources.

Matching payments for the collection, harvest, storage and transportation of corn stover and woody biomass will not stimulate the production of advanced biofuels. We therefore urge you to limit funding for matching payments to 10 percent of annual BCAP funding, as authorized by the 2014 Farm Bill. The majority of BCAP funding should be used to support the development of sustainable energy crops with in new and existing project areas.

Recommendation: Within the portion of BCAP that is used for CHST matching payments, USDA should prioritize CHST payments to BCAP project areas.

CHST matching payments would best serve BCAP’s primary purpose by supporting the crops that receive establishment and annual payments in BCAP project areas. Such a priority would help ensure that the capacity exists for newly established biomass crops when they come online. Inserting such a priority in the rule would help target the program, increase program efficiency, and improve energy and environmental outcomes.

2. Question from FSA: With a new cost share cap of 50 percent for establishment costs for perennial crops in project areas, what establishment practices should FSA consider as most important to support?

Recommendation: FSA should prioritize the establishment of native species prairie mixes, including as multi-species strips and buffers. BCAP funding for annual crops should be limited to projects in which the bioenergy annual crop is part of a resource-conserving crop rotation.

Research by David Tilman and colleagues have shown that the best overall systems for bioenergy production are diverse mixtures of native perennial grasses and flowering plants. We strongly believe that BCAP should prioritize such mixes.

FSA should also consider prioritizing perennial plantings that will generate multiple benefits, such as the enhancement of floodplains, riparian areas, and highly erodible land.

In cases where BCAP funding is used to support the establishment and production of annual crops,

funding should be limited to crops that will improve the conservation performance of an existing annual crop production system. For example, camelina can be incorporated into northern Plains wheat-fallow rotations and can help break up pest cycles and increase wheat productivity, with an overall reduction in pesticide use in the crop rotation system. This should also include annual crops that serve as cover crops. BCAP funding should not be provided to an annual crop that will be grown in a monoculture or a simple rotation system.

Thank you for considering our views.

Sincerely,



Greg Fogel
Senior Policy Specialist



Ferd Hoefner
Policy Director