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**SUBJECT: NOFA for the Collection, Harvest, Storage and Transportation of Eligible Material, under the Biomass Crop Assistance Program, Federal Register Notice: 7/11/09**

The Council of Western State Foresters represents the combined interests of seventeen western States and six Pacific Island Territories in the United States.

We appreciate the opportunity to comment on the Collection, Harvest, Storage, and Transportation (CHST) of Eligible Material under the Biomass Crop Assistance Program, and request that you consider our comments as you finalize your rulemaking. Specific comments for each of the sections of the federal register notice are provided below.

**Definitions:**

Biobased CHST Product:

- wood fuel pellets would appear to qualify as an “intermediate ingredient or feedstock,” it would be helpful to specifically list examples (similar to the table of Eligible Materials)

Eligible Material:

- clarify if wood pallets (used in transportation) discarded from use and chipped would qualify under the non-federal land hardwood chips
- clarify if chipped materials from road and utility right of ways would qualify (see comments below of definition of eligible material owner)

Eligible Material Owner:

- (1) “private lands” should be broadened beyond “farming” operations to “farm and forest” operations
- (2) “public lands” currently only discusses federal lands and should be expanded to include state, county and public lands, road and utility right of ways.

Add Definition: Dry Weight tonnage:

- Reference more specifically the requirement to use standard test methods for determining the dry weight of the wood. We recommend using the definition from the American Society for Testing and Materials (ASTM), Standard D-4442.

“Applying To Be an Eligible Material Owner”:

- ...“Eligible material owners may apply at the county FSA offices where their farm records are located. If farm records have not been established.....” this section needs to be expanded to include forest landowners. Also, it is not clear from this section if public land managers would need to register with FSA in order to have the material they have participating in the CHST program. If state or county crews conduct the biomass harvest and deliver to a qualified facility where there is no separate contractor doing the collection, harvest, storage and transport, how would they qualify for the CHST program?

**Duration of Payment:** The cost of purchasing the equipment to become a biomass feedstock provider is considerable, so providing payments for a time period that more closely matches the amortization period (such as five years) may lead to more success in attracting new biomass-related businesses.

Thank you for the opportunity to comment on this valuable new program.

Pete Anderson,  
Nevada State Forester and Chair, Council of Western State Foresters