



C E N T E R F O R  

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June 9, 2009

The Honorable Collin Peterson  
Chair, House Committee on Agriculture  
1301 Longworth House Office Building  
Washington, DC 20515

**RE: INDIRECT LAND-USE CHANGE AND THE RENEWABLE FUEL STANDARD  
IMPROVEMENT ACT (H.R. 2409)**

Dear Chairman Peterson:

We are writing to inform you of our opposition to any legislation that does not fully consider the direct and indirect greenhouse gas (GHG) emissions resulting from land-use change associated with biofuel production. Failing to include the lifecycle GHG emissions associated with land-use change in the production of biofuels is counter to the latest scientific research and will jeopardize the overall goal of reducing GHG emissions for the benefit of human health and the environment.

Currently, the Renewable Fuel Standard Improvement Act (H.R. 2409), referred to the House Committee on Agriculture, proposes to erode implementation of the Renewable Fuel Standard<sup>1</sup> by removing indirect GHG emissions associated with land-use change from the definition of 'lifecycle greenhouse gas emissions.' Additionally, H.R. 2409 removes the U.S. Environmental Protection Agency (EPA) from jurisdiction over calculating lifecycle greenhouse gas emissions. We strongly urge the committee to uphold vital provisions established by the Clean Air Act that allow the EPA to consider indirect GHG emissions associated with land-use change when calculating lifecycle GHG emissions of biofuel production.

Increasing scientific evidence demonstrates the immediate need to substantially reduce GHG emissions and establish ways to mitigate existing emissions. In recent years, both government and industry have looked to biofuels as a means of reducing our dependence on foreign oil as well as curbing GHG emissions. However, emerging research continues to demonstrate that the

current generation of biofuels, especially ethanol made from corn, may cause a net increase in GHG emissions largely resulting from land-use change.

Originally expected to reduce GHG emissions, research published in 2008 in the journal *Science* noted that most previous research on biofuels failed to take into consideration the GHG emissions associated with changes in land-use due to biofuel production.<sup>2</sup> The researchers concluded that, after taking into account changes in land-use, corn-based ethanol nearly doubled greenhouse gas emissions over 30 years and continued to increase greenhouse gases for 167 years.<sup>3</sup> Therefore, biofuels that originally appeared to be beneficial may actually be causing more environmental harm than good.

Using both the best science available and peer-reviewed models, EPA found that, “Since there is a large release of carbon in the first year of land conversion, it can take many years for the benefits of the biofuel to make up for these early carbon emissions, depending on the specific biofuel in question.”<sup>4</sup>

Peer-reviewed research cited by EPA found that, “Biofuels, if produced on converted land, could, for long periods of time, be much greater net emitters of greenhouse gases than the fossil fuels that they typically displace.”<sup>5</sup> According to their research, corn ethanol grown on converted US grassland would create a “carbon debt” of 93 years. Even ethanol produced on abandoned cropland would create a carbon debt of 48 years.<sup>6</sup> Clearly, considering the land-use changes and emissions associated with biofuel production makes a considerable difference in its ability to reduce GHG emissions.

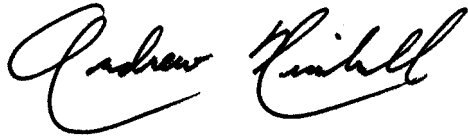
As established by Congress in the Clean Air Act, the definition of ‘lifecycle greenhouse gas emissions’ requires EPA to look broadly at lifecycle analyses, thereby allowing for the most complete assessment of biofuel production. In recognition of the demonstrated need to account properly for land-use change, EPA developed a comprehensive methodology for estimating the lifecycle GHG emissions of biofuel production in collaboration with a wide range of experts, stakeholders, and federal agencies including U.S. Departments of Agriculture and Energy.

In their implementation of the Renewable Fuel Standard, the EPA utilized the best science and research available to determine that land-use change plays a significant and notable role in evaluating biofuels. Unfortunately, H.R. 2409 aims to eliminate indirect emissions of biofuel production from consideration in lifecycle GHG analyses despite EPA’s indication that such emissions “would not have occurred if it were not for the use of biomass to produce biofuel.”<sup>7</sup> In response to criticisms over uncertainties associated with land-use change, EPA notes, “it would be far less scientifically credible to ignore the potentially significant effects of land use change altogether than it is to use the best approach available to assess these known emissions.”<sup>8</sup>

Therefore, on behalf of our nearly 100,000 members throughout the country, we strongly urge the Committee to recognize the vital importance of considering all emissions, including land-use changes, associated with the production of biofuels. Reducing GHG emissions is crucial for the health of the planet and our nation and agriculture certainly has a role to play in such efforts. Failing to consider land-use changes resulting from biofuel production may jeopardize reductions in GHG emissions and the safety of America’s farmers and agricultural products.

Thank you for your consideration in this timely and important matter.

Sincerely,

A handwritten signature in black ink that reads "Andrew Kimbrell". The signature is fluid and cursive, with the first name "Andrew" and last name "Kimbrell" clearly legible.

Andrew Kimbrell  
Executive Director  
Center for Food Safety

Meredith Niles  
National Coordinator  
Cool Foods Campaign

cc:

Margo T. Oge, Director, EPA Office of Transportation and Air Quality  
Christopher Grundler, Deputy Director, EPA Office of Transportation and Air Quality  
The Honorable Nancy Pelosi, Speaker of the House  
The Honorable Henry A. Waxman, Chair, Energy and Commerce Committee  
The Honorable Rosa DeLauro, Chair, House Agricultural Appropriations Subcommittee  
The Honorable Tim Holden, Vice Chair, House Committee on Agriculture  
The Honorable Joe Baca  
The Honorable Marion Berry  
The Honorable John A. Boccieri  
The Honorable Leonard L. Boswell  
The Honorable Allen Boyd  
The Honorable Bobby Bright  
The Honorable Dennis A. Cardoza  
The Honorable Travis Childers  
The Honorable Michael K Conaway  
The Honorable Jim Costa  
The Honorable Henry Cuellar  
The Honorable Kathleen A. Dahlkemper  
The Honorable Brad Ellsworth  
The Honorable Bob Goodlatte  
The Honorable Sam Graves  
The Honorable Deborah L Halvorson  
The Honorable Stephanie Herseth Sandlin  
The Honorable Steve Kagen  
The Honorable Steve King  
The Honorable Larry Kissell  
The Honorable Frank Kratovil, Jr.  
The Honorable Tom Latham

The Honorable Robert E. Latta  
The Honorable Frank D. Lucas  
The Honorable Blaine Luetkemeyer  
The Honorable Cynthia M. Lummis  
The Honorable Betsy Markey  
The Honorable Jim Marshall  
The Honorable Eric J. J. Massa  
The Honorable John M. McHugh  
The Honorable Mike McIntyre  
The Honorable Walter Minnick  
The Honorable Jerry Moran  
The Honorable Scott Murphy  
The Honorable Earl Pomeroy  
The Honorable Mike D. Rogers  
The Honorable Mike Ross  
The Honorable John T. Salazar  
The Honorable Mark H. Schauer  
The Honorable Jean Schmidt  
The Honorable Kurt Schrader  
The Honorable David Scott  
The Honorable Ike Skelton  
The Honorable Adrian Smith  
The Honorable Glenn Thompson  
The Honorable Timothy J. Walz  
The Honorable Lynn A. Westmoreland  
The Honorable Timothy V. Johnson  
The Honorable Randy Neugebauer  
The Honorable Jeff Fortenberry  
The Honorable David P. Roe  
The Honorable Bill Cassidy  
House Committee on Energy and Commerce

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<sup>1</sup> Pursuant to Clean Air Act Section 211(o)(1).

<sup>2</sup> Searchinger, T., Heimlich R., Houghton, R.A., Dong, F., Elobeid, A., Fabiosa, J., Tokgoz, S., Hayes, D., & Yu, T.H. (2008). Use of U.S. Croplands for Biofuels Increases Greenhouse Gases Through Emissions from Land-Use Change. *Science*. 319: 1238-1240.

<sup>3</sup> Id.

<sup>4</sup> Environmental Protection Agency. (2009). Regulation of Fuels and Fuel Additives: Changes to Renewable Fuel Standard Program, Proposed Rule. 40 CFR part 80, Vol. 74, No. 99, pp 25047.

<sup>5</sup> Fargione, J., Hill, J., Tilman, D., Polasky, S., & Hawthorne, P. (2008). Land Clearing and the Biofuel Carbon Debt. *Science*. 319: 1235-1237.

<sup>6</sup> Id.

<sup>7</sup> EPA (2009), pp. 25024.

<sup>8</sup> EPA (2009), pp. 25027.