



ASSOCIATION of
FISH & WILDLIFE
AGENCIES

The voice of fish and wildlife agencies

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October 5, 2012

Mr. Boris Bershteyn
Acting Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Bershteyn:

America's fish and wildlife are a public trust resource, and for more than 100 years, state fish and wildlife agencies have upheld the primary responsibility for conserving and preventing the exploitation of those resources on public and private lands and waters within their borders. The Association of Fish and Wildlife Agencies (the Association) represents the 50 state fish and wildlife agencies to advance sound, science-based management and conservation of fish, wildlife, and their habitats in the public interest.

The Association is concerned with the feedstock portion of the EPA's proposed rule *Regulation of Fuels and Fuel Additives: Identification of Additional Qualifying Renewable Fuel Pathways*. In particular, we are troubled by the inclusion of giant reed (*Arundo donax*) and napier grass (*Pennisetum purpureum*) as approved advanced biofuel feedstocks. Although we understand and agree that bioenergy has an important role to play in our energy future, we feel strongly that public policy must weigh potential benefits of new feedstocks against the potential societal costs – in both economic and natural resource terms – of a feedstock becoming invasive.

The impact of invasive species on our landscape and economy is already at an unacceptable level. Invasive species are a leading threat to wildlife populations and habitats across the U.S. Additionally, invasive species have had extensive impacts on outdoor recreation – a \$730 billion annual industry supporting one in twenty jobs across the country. Further, the presence of invasive species can have an impact on property values as well as necessitate on-going control costs for private and public sector owners. Over \$30 billion is spent annually in the U.S. on control and management of invasive species. The feedstock species selected for biomass production and incentives to promote them could result in added economic hardship for state and municipal governments as well as private citizens. Long-term consequences should be carefully considered before endorsing and incentivizing the use of any non-native species or genetically modified native species for biomass production. There are many examples of ornamental and agricultural plants that have unintentionally escaped to become a problem in the environment and most of them will likely never be eradicated.

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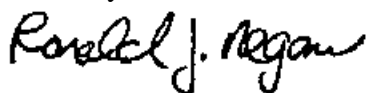
One of the plants in the proposed rule is giant reed. It is recognized as an invasive species in parts of the U.S. Globally, the Invasive Species Specialist Group (ISSG) of the International Union for the Conservation of Nature (IUCN) lists giant reed as among the top 100 worst invasive species in the world (plant or animal). Giant reed now occupies less than 10 percent of its potential U.S. range and costs many millions of dollar per year in California and other states to control. The other species of concern is napier grass which is sometimes referred as one of the world's worst weeds. Both of these species can spread by rhizomes, and plant fragments can take root and create new plants. Giant reed and napier grass have a reputation for interfering with flood control, displacing native plants, and diminishing wildlife habitat. Their invasion will cost local, state and federal taxpayers more money to cope with natural disasters, declining societal benefits derived from healthy ecosystems, and increased regulatory threats and risks from increased listing of threatened and endangered species from diminished fish and wildlife habitat. Furthermore, Executive Order 13112 Invasive Species, specifically states that federal agencies are to prevent the introduction of invasive species and not authorize, fund, or carry out actions that are likely to cause or promote the introduction or spread of invasive species in the United States.

Again, we recognize the strategic importance of bioenergy to the U.S. but believe it is important to avoid the use of invasive and potentially invasive species in the search for our energy future. Accordingly, the Association specifically requests that giant reed and napier grass be removed from the rule. In addition, we strongly recommend that other plants under consideration for bioenergy feedstock and RFS incentives undergo careful consideration of invasive potential and closely evaluate the impacts on fish, wildlife, and native ecosystems upon which our society, many non-exportable jobs, and the significant outdoor recreation economy depend.

We believe that there are plant species suitable for biofuels production which can be more harmonious with fish, wildlife and the conservation our nations' natural resources without forcing a choice between renewable energy and the natural resource integrity upon which our national food security and quality of life depend. We look forward to working with EPA, DOE and USDA on identifying and promoting such mutually beneficial plant species going forward, and welcome the opportunity to more deeply engage in these discussions.

Thank you for the opportunity to comment on this issue of such importance to our nation's fish and wildlife resources. Please do not hesitate to contact Jen Mock Schaeffer at 202-624-3688 or jenmock@fishwildlife.org, if you have any questions or wish to discuss this recommendation.

Sincerely,



Ronald J. Regan
Executive Director

Cc: Mr. Chad Whiteman