

June 3, 2009

TO: Drew Perraut  
Office of Management and Budget Desk Officer

THROUGH: Ruth Brown  
Department Clearance Officer

FROM: Jonathan Coppess  
Deputy Administrator for Farm Programs

SUBJECT: Request for Emergency Approval of a New Information Collection  
Package – 2008 Farm Bill - Biomass Crop Assistance Program

The Farm Service Agency (FSA) in Conservation and Environmental Programs Division has been tasked with implementing the Biomass Crop Assistance Program (BCAP) authorized by Section 9001 of the 2008 Farm Bill (Pub. L. 110-246), which amends Title IX of the Farm Security and Rural Investment Act of 2002 and adds section 9011 for BCAP.

On May 5, 2009, the President issued a Presidential Directive to Secretary of Agriculture Tomas R. Vilsack to aggressively accelerate the investment in and production of biofuels (published in the *Federal Register* on May 7, 2009 (74 FR 21531-21532), see attached). Secretary Vilsack also announced that he will help lead an unprecedented interagency effort to increase America's energy independence and spur rural economic development. The Presidential directive requests that Secretary Vilsack take steps to the extent permitted by law to expedite and increase production of and investment in biofuel development efforts by, among other things, making renewable energy financing opportunities from the 2008 Farm Bill available within 30 days, which includes guidance and support for the collection, harvest, storage, and transportation (CHST) assistance of eligible materials for use in biomass conversion facilities.

To meet these goals, FSA is expediting the publication of a notice of funds availability (NOFA) to establish the CHST matching payments program and requesting emergency approval for the required information collection activities. The NOFA is in advance of rulemaking for the full implementation of BCAP, including CHST, which will be published later this year.

For CHST, the 2008 Farm Bill requires that:

- The Secretary make payment for the delivery of eligible material to a biomass conversion facility to:
  - A producer of an eligible crop that is produced on BCAP contract acreage or
  - A person with the right to collect or harvest the eligible material.

- Payments be made for collection, harvest, storage, and transportation to a biomass conversion facility.
- The Secretary may provide matching payments at a rate of \$1 for each \$1 per ton provided by the biomass conversion facility, in an amount equal to not more than \$45 per ton for a period of 2 years.

The information CCC and FSA need to collect includes:

- Estimated and actual delivery information on application forms from eligible biomass owners and
- A Memorandum of Understanding from Biomass Conversion Facilities

We are requesting emergency approval of a new information collection package by June 12, 2009 to meet the goals requested in the Presidential Memorandum.

If there are any questions or concerns, please call Deirdre Holder at 202-205-5851 or Mary Ann Ball at 202-720-4283.