

AMENDMENT TO H.R. 2454

OFFERED BY MS. PINGREE OF MAINE

(Page and line numbers refer to the file ACESFL__001 (HR 2998) on the Rules Committee website)

At the end of subtitle E of title III (page 923, after line 13), add the following new section:

1 **SEC. 360. CARBON INCENTIVES PROGRAM TO ACHIEVE**
2 **SUPPLEMENTAL GREENHOUSE GAS EMIS-**
3 **SIONS REDUCTIONS ON PRIVATE**
4 **FORESTLAND.**

5 (a) DEFINITIONS.—In this section:

6 (1) AVOIDED DEFORESTATION AGREEMENT.—

7 The term “avoided deforestation agreement” means
8 a permanent conservation easement covering eligible
9 land enrolled under a climate mitigation contract
10 providing that the eligible land covered will not be
11 converted for development. Avoided conversion
12 agreements shall be consistent with the guidelines of
13 the Forest Legacy Program, or any other program
14 approved by the Secretary for use under this section
15 to provide consistency with Federal legal require-
16 ments for permanent conservation easements.

1 (2) CLIMATE MITIGATION CONTRACT.—The
2 term “climate mitigation contract” or “contract”
3 means a contract of not less than 15 years speci-
4 fying the eligible practices that will be undertaken,
5 the acreage of eligible land upon which the practices
6 will be undertaken, the agreed rate of compensation
7 per acre, and a schedule to verify that the terms of
8 the contract have been fulfilled.

9 (3) ELIGIBLE LANDS.—The term “eligible
10 lands” means forestland in the United States that is
11 privately owned at the time of initiation of a climate
12 mitigation contract.

13 (4) ELIGIBLE PRACTICE.—The term “eligible
14 practice” means an forestry practice determined by
15 the Secretary to provide measurable increases in car-
16 bon sequestration and storage on eligible lands be-
17 yond customary practices on comparable lands.

18 (5) PROGRAM.—The term “program” means
19 the carbon incentives program required by this sec-
20 tion.

21 (6) SECRETARY.—The term “Secretary” means
22 the Secretary of Agriculture.

23 (b) SUPPLEMENTAL GREENHOUSE GAS EMISSIONS
24 REDUCTIONS IN THE UNITED STATES.—

1 (1) ESTABLISHMENT AND PURPOSE.—The Sec-
2 retary of Agriculture shall establish a carbon incen-
3 tives program to achieve supplemental greenhouse
4 gas emissions reductions on private forestland of the
5 United States.

6 (2) FINANCIAL INCENTIVE PAYMENTS.—The
7 Secretary shall provide financial incentive payments
8 for eligible practices—

9 (A) measurably increase carbon sequestra-
10 tion and storage over a designated contract pe-
11 riod through management activities on eligible
12 lands; and

13 (B) maintain carbon sequestration and
14 storage and avoid future emissions through per-
15 manent avoided conversion agreements on eligi-
16 ble lands.

17 (c) PERFORMANCE OF SUPPLEMENTAL REDUC-
18 TIONS.—In carrying out the program, the Secretary shall
19 report on progress toward reaching the following levels of
20 carbon sequestration and storage through climate mitiga-
21 tion contracts:

22 (1) 100,000,000 tons of carbon reductions by
23 2020.

24 (2) 200,000,000 tons of further carbon reduc-
25 tions by 2030.

1 (d) PROGRAM REQUIREMENTS.—

2 (1) CONTRACT REQUIRED.—To participate in
3 the program, owners of eligible lands shall enter into
4 a climate mitigation contract with the Secretary.

5 (2) PROGRAM COMPONENTS.—In establishing
6 the program, the Secretary shall further provide
7 that—

8 (A) funds distributed under this section
9 shall not be substituted for, or otherwise used
10 as a basis for reducing, funding authorized or
11 appropriated under other programs to com-
12 pensate owners of eligible lands for activities
13 that are not covered under a climate mitigation
14 contract;

15 (B) emissions reductions or sequestration
16 achieved through a climate mitigation contract
17 shall not be eligible for crediting under any fed-
18 erally established offset program; and

19 (C) compensation for activities under this
20 program shall be set at such a rate so as not
21 to exceed the net estimated benefit an owner of
22 eligible land would receive for the same prac-
23 tices through crediting under any federally es-
24 tablished carbon offset program.

25 (e) INCENTIVE PAYMENTS.—

1 (1) REGULATIONS.—Not later than 180 days
2 after the date of the enactment of this Act, the Sec-
3 retary shall establish regulations specifying eligible
4 practices and related compensation rates, standards,
5 and guidelines as the basis for developing climate
6 mitigation contracts with owners of eligible lands.

7 (2) SET-ASIDE OF FUNDS FOR CERTAIN PUR-
8 POSES.—Not less than 35 percent of program funds
9 shall be used to provide further incentives for owners
10 of eligible lands willing to undertake activities and
11 enter into agreements that protect carbon reductions
12 and otherwise enhance environmental benefits
13 achieved under a climate mitigation contract, which
14 shall include—

15 (A) 10 percent to provide incentive pay-
16 ments for additional management activities that
17 increase the adaptive capacity of lands under a
18 climate mitigation contract; and

19 (B) 25 percent to make funds available on
20 a competitive basis to compensate owners for
21 entering avoided deforestation agreements on
22 lands subject to a climate mitigation contract.

23 (f) PROGRAM MEASUREMENT, MONITORING,
24 VERIFICATION, AND REPORTING.—

1 (1) MEASUREMENT, MONITORING, AND
2 VERIFICATION.—The Secretary shall establish and
3 implement protocols that provide monitoring and
4 verification of compliance with climate mitigation
5 contracts, to include field sampling of actual per-
6 formance to develop annual estimates of emissions
7 reductions achieved under the program. Eligible
8 practices and compensation rates may be adjusted
9 for future climate mitigation contracts based on re-
10 sults of these measures.

11 (2) REPORTING REQUIREMENT.—At least once
12 every 18 months, the Secretary shall submit to Con-
13 gress a report containing—

14 (A) an estimate of annual and cumulative
15 reductions generated through the program, de-
16 termined using standardized measures including
17 economic efficiency; and

18 (B) a summary of any changes to the pro-
19 gram that will be made as a result of program
20 measurement, monitoring, and verification.

21 (3) AVAILABILITY OF REPORT.—Each report
22 required by this subsection shall be available to the
23 public through the official website of the Depart-
24 ment of Agriculture.

1 (g) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated such sums as shall be
3 necessary to carry out this section.

